

Public Document Pack

Argyll and Bute Council
Comhairle Earra Ghaidheal agus Bhoid

Corporate Services
Director: Nigel Stewart



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2 April 2007

NOTICE OF MEETING

A meeting of the **BUTE AND COWAL AREA COMMITTEE** will be held in the **THE PAVILION CAFE, ROTHESAY, ISLE OF BUTE** on **WEDNESDAY, 11 APRIL 2007** at **10:30 AM**, which you are requested to attend.

Nigel Stewart
Director of Corporate Services

BUSINESS

1. APOLOGIES

2. DECLARATIONS OF INTEREST

3. MINUTES

- (a) Minute of the Area Committee of 26th March 2007 (Pages 1 - 6)

4. DEVELOPMENT SERVICES

- (a) Planning Application 06/00006/OUT, Innellan Golf Club, Knockamillie Road, Innellan (Pages 7 - 14)
- (b) Planning Application 06/02000/DET, Argyll Windfarms, Black Craig to Blar Buidhe, Glenfyne (Pages 15 - 60)
- (c) Planning Application 06/02346/DET, Bute Homes, Land South West of Rose Creek and Inishmhor, Eastlands Road, Rothesay (Pages 61 - 72)
- (d) Planning Application 06/01710/DET, Mr & Mrs Hardy, Field to South of Southpark, Ascog, Isle of Bute (Pages 73 - 86)
- (e) Planning Application 07/00373/DET, Cowal Leisure Ltd, Hunter's Quay, Holiday Village, Hunter's Quay, Dunoon (Pages 87 - 98)

- (f) Planning Application 07/00379/DET, Cowal Leisure Ltd, Hunter's Quay Holiday Village, Hunter's Quay, Dunoon (Pages 99 - 114)
- (g) Planning (Listed Buildings & Conservation Areas) (Scotland) Act 1997 (Pages 115 - 116)
- (h) Delegated Development and Building Control Decisions (Pages 117 - 134)

5. PUBLIC QUESTION TIME

6. COMMUNITY SERVICES

- (a) Education & Leisure Development Grants (Pages 135 - 162)

7. OPERATIONAL SERVICES

- (a) Bute and Cowal 2007/08 Road Programmes (Pages 163 - 166)

8. EXEMPT ITEMS

- E1** (a) Proposed Lease of West Bay Toilets and Waiting Rooms (Pages 167 - 168)
- E2** (b) Land at Ardnadam, Sandbank (Pages 169 - 172)
- E3** (c) Former Caretaker's House, Rothesay Pavilion (Pages 173 - 174)
- E4** (d) Land at Russell Street, Rothesay (Pages 175 - 186)
- E5** (e) Site 1 Cottonmill Lane, Rothesay (Pages 187 - 190)
- E6** (f) Proposed Addition to List of Buildings of Special Architectural or Historic Interest (Pages 191 - 196)
- E7** (g) Report on Enforcement of Planning Control (Pages 197 - 216)

EXCLUSION OF THE PRESS AND PUBLIC

The Committee will be asked to pass a resolution in terms of Section 50(A)(4) of the Local Government (Scotland) Act 1973 to exclude the public for items of business with an "E" on the grounds that it is likely to involve the disclosure of exempt information as defined in the appropriate paragraph of Part I of Schedule 7a to the Local Government (Scotland) Act 1973.

The appropriate paragraph is:-

E1 –E5 Any terms proposed or to be proposed by or to the authority in the course of negotiations for a contract for the acquisition or disposal of property or the supply of goods or services.

E6 – E7 Any instruction to counsel and any opinion of counsel (whether or not in connection with any proceedings) and any advice received, information obtained or action to be taken in connection with-

- (a) any legal proceedings by or against the authority, or
- (b) the determination of any matter affecting the authority, (whether, in either case, proceedings have been commenced or are in contemplation).

BUTE & COWAL AREA COMMITTEE

Councillor Brian Chennell (Chair)	Councillor Douglas Currie
Councillor Robert Macintyre	Councillor Bruce Marshall (Vice-Chair)
Councillor Gordon McKinven	Councillor James McQueen
Councillor Len Scoullar	Councillor Isobel Strong
Councillor Dick Walsh	

Contact: Shirley MacLeod, Area Corporate Services Manager

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**MINUTES of MEETING of BUTE AND COWAL AREA COMMITTEE held in the QUEEN'S HALL,
DUNOON
on TUESDAY, 20 MARCH 2007**

Present: Councillor B Chennell (Chair)

Councillor D Currie	Councillor G McKinven
Councillor R Macintyre	Councillor I Strong
Councillor J McQueen	Councillor L Scoullar
	Councillor J R Walsh

Attending: Shirley MacLeod, Area Corporate Services Manager
Eilidh Headrick, Area Committee Services/Information Officer
David Eaglesham, Area Team Leader, Development Management
Alan Lothian, Area Roads & Amenity Services Manager
Caroline Sheen, Estates Surveyor
Peter Robertson, Chief Solicitor Central Services/Litigation

1. APOLOGIES

An Apology for absence was intimated on behalf of Councillor Marshall.

2. DECLARATIONS OF INTEREST

None

3. MINUTES

(a) MINUTE OF AREA COMMITTEE OF 6TH FEBRUARY 2007

The Minute of the Area Committee of 6th February 2007 was approved as a correct record.

(b) MINUTE OF CIVIC GOVERNMENT HEARING OF 23RD JANUARY 2007

The Minute of the Civic Government Hearing of 23rd January 2007 was approved as a correct record.

4. PRESENTATION ON WORKPLACE CHAPLAINCY SERVICE

The Committee Heard from Deacon Lewis Rose on the potential provision of a Workplace Chaplaincy service, on a pilot basis, in the Dunoon and Cowal Area.

Decision

The Committee agreed to the provision of a pilot Workplace Chaplaincy service for staff in the Bute and Cowal area for a period of one year, this work to be co-ordinated by the Area Corporate Services Manager.

(Reference: Report by the Area Corporate Services Manager dated 12th March 2007 – submitted)

5. DEVELOPMENT SERVICES

(a) PLANNING APPLICATION 06/02018/DET, MR AND MRS C R CHISHOLM, HERONLEA, HIGH ROAD, SANDBANK

Decision

The application be approved subject to an amendment to the second paragraph of Condition 3 on the report by the Head of Planning Services to read:

The access shall be a minimum width of 6 metres for a minimum distance of 12 metres from the edge of the carriageway, where the gradient shall not exceed 5%. A sealed surface shall be provided for at least the first 12 metres from the edge of the carriageway. The footway shall be renewed from the tangent points north and south of the proposed access with dropped kerbing to be supplied for pedestrian traffic along the A885.

(Reference: Report by the Head of Planning Services dated 12th March 2007 – submitted)

(b) PLANNING APPLICATION 06/00006/OUT, INNELLAN GOLF COURSE, INNELLAN GOLF CLUB, KNOCKAMILLIE ROAD, INNELLAN

Decision

The Committee agreed to continued this application to the next Area Committee meeting to allow Members the opportunity to carry out an informal site familiarisation visit.

(Reference: Report by the Head of Planning Services dated 12th March 2007 – submitted)

(c) PLANNING APPLICATION 06/02000/DET, ARGYLL WINDFARMS LTD, BLACK CRAIG TO BLAR BUIDHE, GLENFYNE, ARGYLL

Decision

The Committee agreed that this matter be continued to the next Area Committee meeting to allow the applicant time to submit additional information in respect of the application.

(Reference: Report by the Head of Planning Services dated 9th March 2007 – submitted)

(d) DELEGATED DEVELOPMENT AND BUILDING CONTROL DECISIONS

Decision

The Committee noted Delegated Development Control and Building Control Decisions made since the last meeting.

6. PUBLIC QUESTION TIME

The Committee were asked a question from Mr Ian McNaughton and Mrs Norma Murray on the planning item at Heronlea, Sandbank and were advised by the Chairman that they could not ask questions on planning items. There followed a discussion regarding Public Question Time and it was agreed that the advert which is placed in the local papers will clarify that Quasi-Judicial matters cannot be discussed, and will invite members of the public to submit questions in advance of the meeting to the Area Corporate Services Manager, if they so wish.

Mrs Murray asked a question on increased traffic in the centre of Sandbank Village and at the Community Centre and at the new timber pier when it is erected. Alan Lothian, Area Roads & Amenity Services Manager gave her advice on this.

Ann Gabriel asked a question on the 2 hour waiting restriction in the car park beside the Rock Café and the Area Roads & Amenity Services Manager gave advice on this matter.

7. COMMUNITY SERVICES

(a) CAMPUS OFFICERS AT ROTHESAY AND DUNOON

The Committee heard from the Area Corporate Services Manager on the potential for the provision of a Police Campus Officer in the new school campuses due to be provided in Rothesay and Dunoon during 2007.

Decision

Members agreed to recommend to the Strategic Policy Committee (Education) that a Police Campus Officer be provided at the new school campuses in Rothesay and Dunoon from the beginning of the Summer term 2007, on a pilot basis for a period of one year.

(Reference: Report by the Area Corporate Services Manager dated 12th March 2007 – submitted)

8. OPERATIONAL SERVICES

(a) DEVELOPMENT OF STREETSCENE UPDATE

The Area Roads & Amenity Services Manager gave an update on the progress to date on the Development of Streetscene. Councillor Chennell asked that his reservations regarding the implementation of Streetscene within the promised timescales be recorded, and asked that there be no deterioration in existing levels of service delivery as a result of the proposed changes in ways of working.

Decision

The Committee noted:-

- i. The level of progress achieved to date.
- ii. The pressures and potential difficulties to achieving full implementation in the original timescales.
- iii. The draft structure for the delivery of Streetscene and the effect on the other parts of the services provided by Roads and Amenity Services.

(Reference: Report by the Area Roads & Amenity Services Manager – submitted)

(b) CAPITAL RECONSTRUCTION PROGRAMME 07/08

Councillor McKinven intimated his apologies and left the meeting at this stage.

The Committee heard from the Area Roads & Amenity Services Manager on the proposals for schemes under the Capital works programme.

Decision

The Committee:-

- i. Agreed to the recommendations in the paper in relation to the Island of Bute.
- ii. Agreed to continue consideration of the recommendations in the paper in respect of the Cowal area to the April Area Committee, to allow further information to be submitted regarding the totality of spend for the next 2 years, and details of the surface dressing programme to be included.

(Reference: Report by the Area Roads & Amenity Services Manager dated 13th March 2007 – submitted)

9. CORPORATE SERVICES

(a) CIVIC GOVERNMENT LICENSING - HEARING PROTOCOL

The Committee heard from the Area Corporate Services Manager on the view from the Mid Argyll, Kintyre and Islay Area Committee regarding Civic Government Hearing protocols.

Decision

The Committee agreed to advise the Public Service and Licensing Committee that they support the view of the Mid Argyll, Kintyre and Islay Area Committee in relation to amending the Civic Government Licensing Hearing Protocol where there are representations of a very minor nature.

(Reference: Report by the Director of Corporate Services – submitted)

10. CHIEF EXECUTIVE'S UNIT

(a) ATTENDANCE MONITORING

The Committee heard from the Area Corporate Services Manager on Attendance Monitoring.

Decision

The Committee noted the report by the Head of Personnel Services.

(Reference: Report by the Head of Personnel Services – submitted)

The Committee resolved in terms of Section 50A(4) of the Local Government (Scotland) Act 1973, to exclude the public for the following item of business on the grounds that it was likely to involve the disclosure of exempt information as defined in Paragraphs 12 and 9 respectively of Part 1 of Schedule 7A to the Local Government (Scotland) Act 1973.

11. EXEMPT ITEMS

(a) PLANNING APPEAL - PORT BANNANTYNE

Councillor Currie intimated his apologies and left the meeting, Councillor McKinven returned to the meeting at this stage.

The Area Committee heard from the Chief Solicitor on the Planning Appeal at Port Bannantyne.

Decision

The Committee agreed that the determination of the planning appeal in relation to this matter should be by Public Inquiry.

(Reference: Report by the Head of Legal and Protective Services dated 26th February 2007 – submitted)

(b) FORMER HOLY LOCH COMMUNITY CENTRE, SANDBANK

Councillor Scoullar intimated his apologies and left the meeting at this stage.

The Committee heard from the Estates Surveyor on the Sale of the Former Holy Loch Community Centre, Sandbank.

Decision

The Committee agreed to instruct the Director of Corporate Services to conclude a sale of the former Holy Loch Community Centre as detailed in points 2.1 and 2.2 of the report.

(Reference: Report by the Director of Corporate Services dated 26th February 2007 – submitted)

(c) **KIRN GIRL GUIDE HALL, DUNCLUTHA**

The Committee heard from the Estates Surveyor on the Kirn Girl Guide Hall, Dunclutha Lane.

Decision

The Committee agreed to the recommendation in the report by the Director of Corporate Services.

(Reference: Report by the Director of Corporate Services dated 22nd February 2007 – submitted)

(d) **SHOP PREMISES, 3 MONTAGUE STREET, ROTHESAY**

The Committee heard from the Estates Surveyor on the Shop Premises, 3 Montague Street, Rothesay.

Decision

The Committee agreed to the recommendation in the report by the Director of Corporate Services.

(Reference: Report by the Director of Corporate Services dated 22nd February 2007 – submitted)

(e) **ENFORCEMENT REPORT**

The Committee agreed Enforcement Reports as follows:-

06/00261/ENFOTH – agreed

**DEVELOPMENT SERVICES
PLANNING APPLICATION REPORT
Bute and Cowal Area**

Local Member - Councillor J.R. Walsh
Date of Validity - 19th December 2005
Committee Date - 20th March 2007

12th March 2007

Reference Number: 06/00006/OUT
Applicants Name: Innellan Golf Club
Application Type: Outline
Application Description: Erection of dwellinghouse and formation of vehicular access and passing place
Location: Innellan Golf Club, Knockamillie Road, Innellan, Argyll ,

(A) THE APPLICATION

Development Requiring Express Planning Permission.

- erection of dwellinghouse (no details but indicative footprint of one and a half storey or bungalow);
- formation of new vehicular access with provision of passing place;
- provision of two car parking spaces and turning area.

Other Specified Operations

- connections to existing public water main and public sewer.

(B) RECOMMENDATION

It is recommended that planning permission be **Refused** for the reasons set out overleaf.

(C) DETERMINING ISSUES AND MATERIAL CONSIDERATIONS

This outline application is for the erection of a dwellinghouse on part of Innellan Golf Club, Knockamillie Road, Innellan. The application site is located on the western undeveloped side of Knockamillie Road adjacent to the first tee. Only an indicative footprint of a dwellinghouse (which could be either a one and a half storey dwelling or a bungalow) is provided at this stage, where a passing place would also be provided adjacent to Knockamillie Road. This private unadopted road serves Innellan Golf Course and several dwellinghouses on the eastern part of Knockamillie Road and is considered to be substandard by being narrow, lacking sufficient passing places, poor surface and drainage and sightlines, in addition to junction capacity issues with Wyndham Road.

Development in this part of Knockamillie Road is almost entirely confined to the eastern side with the exception of the former clubhouse building immediately south of the application site. Development on the western side of Knockamillie Terrace has been largely discouraged either through existing adopted policy zonings and specific policies in the Cowal Local Plan (Policy RUR 1) which is now reinforced in the Argyll and Bute Modified Finalised Draft Local Plan June 2006 as Countryside Around Settlement.

In terms of Countryside Around Settlement (CAS), the development cannot be regarded as 'infill' or "rounding-off". Additionally, the proposal would result in an extension of the established settlement boundary.

The proposal is also considered to be contrary to Policy TRAN 4 (D) of the Finalised Draft Local Plan, where insufficient commensurate improvements can be made to both the private Knockamillie Road and its junction with Wyndham Road. It is considered that Knockamillie Road has now reached capacity where any future increase in traffic will require extensive and costly improvements to the junction and private road. The department, however, considers that the provision of a single passing place does not in itself justify the erection of a further dwellinghouse which is not only contrary to the settlement pattern but would establish a dangerous precedent by encouraging further dwellinghouses with no major improvements to either Knockamillie Road or its junction with Wyndham Road.

The proposal does not comply with the terms of the Development Plan and there are no material considerations which would allow the Development Plan to be laid aside. Refusal of outline planning permission is therefore justified.

Angus J. Gilmour

Angus J Gilmour, Head of Planning Services

Case Officer: B. Close 01369-70-8604
Area Team Leader D. Eaglesham 01369-70-8608

REASONS FOR REFUSAL RELATIVE TO APPLICATION 06/00006/DET

1. Having regard to the location of the application site on the western undeveloped side of Knockamillie Road outwith the established settlement of Innellan within an area zoned Countryside Around Settlement (CAS), the siting of the proposed dwellinghouse in isolation to existing surrounding established residential buildings would not complement but be at variance with the existing settlement character. The siting of a dwellinghouse in such a location would result in development that would be out of context and visually detrimental within the immediate surroundings and to the Central and East Cowal Local Scenic Area.
Development within the CAS in this instance would be inconsistent with the settlement plan that comprises only the new golf clubhouse and the former golf clubhouse on this undeveloped side of Knockamillie Road. The proposed development could not be regarded as infill or rounding off since the potential for development between the new and former clubhouses would not be subordinate to these existing buildings and there is no substantial natural feature which could be described as terminating the development. The development would also result in an unacceptable extension of the established settlement boundary.
Accordingly, such a development in this location would be contrary to the principles of sustainable development and of protecting and enhancing the quality of the environment and established settlement pattern. The proposed development would be contrary to Policies STRAT SI 1 'Sustainable Development'; STRAT DC2 'Development Within The Countryside Around Settlements'; and STRAT HO1 'Housing – 'Development Control Policy' of the Argyll and Bute Structure Plan 2002; Policy RUR 1 'Landscape Quality' of the Cowal Local Plan 1993 (Adopted 1995); and to Policies LP ENV1 'Development Impact on the General Environment', LP ENV 19 – 'Development Setting, Layout and Design' and LP HOU1 – 'General Housing Development' of the Argyll and Bute Modified Finalised Draft Local Plan 2006, all of which presume against the nature of the development proposed.

2. The proposed dwellinghouse by reason of its location and siting would result in an increase of vehicle movements on the already sub-standard unadopted Knockamillie Road. The proposals do not provide for any significant improvements to this unadopted private road leading to the Golf Club. This road is narrow, lacks sufficient passing places and is poorly surfaced and drained in parts. The proposed development, in the absence of commensurate improvements to this sub-standard road, would exacerbate the existing situation and is therefore contrary to Policy LP TRAN 4 of the Argyll and Bute Modified Finalised Draft Local Plan which requires continuous improvement for private access regimes which should be 'fit for purpose'. The proposal would accordingly be contrary to Policy HO12b 'Back Roads Development' and Policy TR3 – Road Traffic Management Measures of the Cowal Local Plan 1993 (Adopted 1995) and policy LP TRAN 4 of the Argyll and Bute Modified Finalised Draft Local Plan all of which presume against the nature of the development proposed.

A. OTHER MATERIAL CONSIDERATIONS

(i) Site History

The dwellinghouse to the south of the application site was the original golf clubhouse until a new facility was erected (ref. 93/00285/DET, granted 5th May 1993). An application (ref. 96/00151/COU) to change the use of the former clubhouse building to form a dwellinghouse with garage was granted on 2nd May 1996.

An application (ref. 03/02136/DET) to re-locate the first tee some 40 metres forward of the existing tee was granted on 14th January 2004.

A similar outline application by Innellan Golf Club (ref. 05/01068/OUT) for the erection of a dwellinghouse without a passing place was withdrawn on 24th January 2006.

An application to erect three dwellinghouses (ref. 05/01510/DET) on a larger site to the south of the application site on the western side of Knockamillie Road was withdrawn on 24th November 2006 due to policy concerns, settlement character and capacity of Knockamillie Road.

(ii) Consultations

Area Roads Manager (response dated 18th July 2006): No objections subject to conditions regarding sightlines, access, gradient, car parking and turning and advisory notes regarding surface water drainage and road opening permit.

Roads however note that for any further dwellinghouses proposed off Knockamillie Road "*due to the restricted geometry and sightlines at the junction of Knockamillie Road and Wyndham Road, any future increase in traffic will require extensive and costly improvements to the junction and the private road*".

Scottish Water (response dated 4th August 2006) : No objection subject to advisory comments.

Statutory Plans (response dated 29th June 2006): Site is located within Countryside Around Settlement where no representations have been received in relation to the Finalised Draft of the Argyll and Bute Local Plan. Proposal however cannot be regarded as infill or rounding-off as the application site sits on the edge of the settlement boundary where approval would establish a precedent for additional development off the private access on the open ground leading up to the golf club and further uncoordinated and sporadic development on the edge of the settlement elsewhere in Innellan.

Scottish Environment Protection Agency (response dated 27th June 2006): No objections in principle subject to advisory comments regarding foul drainage and surface water drainage.

SSE Power Distribution (response received 23rd June 2006): Proposed development is in close proximity to a 33kv overhead power line. No objection based on no building works taking place within 8 metres of the overhead line.

(iii) Publicity and Representations

Under Article 9 neighbour and '*Potential departure*' advertisement (expiry date 10th February 2006), notification procedures, two letters of objection have been received from Mr. Euan Macdonald, Tower Bank, Knockamillie Terrace, Innellan (letter dated 28th January 2006) and Mr. David Mansfield 412-534 Sauchiehall Street, Glasgow (letter dated 10th February 2006). The concerns raised can be summarised as follows:

- *The owner of land at Knockamillie Reservoir claims that he has access rights across the application site to gain access to his land for maintenance and as a registered small holding for livestock*

Comment : Ownership of the site and potential access rights are considered to be civil matters.

- *Recent applications for development off Knockamillie Road are wholly contrary to an earlier statement or minute from the Council that no further development would be permitted after the dwellinghouse within the golf course.*

Comment: Notwithstanding any previous alleged discussions, this application requires to be determined against current and emerging policy.

- *The proposal is in breach of Policy HO12b where Knockamillie Road and the junction with Wyndham Road have now reached saturation. Any further development will only exacerbate the situation on the unadopted, poorly surfaced, poor visibility and geometry and poorly drained private road. Recent applications resulting in approximately seven new dwelling units have all been approved with no apparent improvements to Knockamillie Road or its junction with Wyndham Road.*

Comment: Recent applications have been assessed against Policy HO12b where commensurate improvements were the subject of conditions in respect of drainage, road widening and passing places. A recent application referred to for three houses was withdrawn while a recently approved scheme for Knockamillie Farmhouse related to the redevelopment of a former attached bothy building. The only new build schemes were Burnside and a dwellinghouse built within the grounds of the golf course but on the eastern side of Knockamillie Road within the settlement boundary of the Argyll and Bute Finalised Draft Local Plan June 2006. Policy TRAN 4 of this plan seeks commensurate improvements, which in this case would include such measures as road widening, surfacing, drainage, intervisible passing places and improvements to the junction with the public Wyndham Road in respect of width and visibility splays. Refer to assessment below.

B. POLICY OVERVIEW

(i) **SCOTTISH PLANNING POLICY:** The following Scottish Planning Policy documents are applicable:

SPP 3: Planning for Housing

SPP 15: Planning for Rural Development

However, this advice is substantially incorporated in the Council's adopted and emerging Development Plan policies.

(ii) **Argyll and Bute Structure Plan 2002:** The following policies are applicable:

STRAT SI 1 Sustainable development

- h) conserve the built environment and avoid significant adverse impacts on built heritage resources;
- i) respect the landscape character of an area and the setting and character of settlements.

STRAT DC2 Development Within The Countryside Around Settlements

A) Within the Countryside Around Settlements encouragement shall be given to development which accords with the settlement plan for the area and includes appropriate small scale infill, rounding-off and redevelopment sites;

B) Developments which do not accord with this policy are those outwith Category A above and development which will erode the setting of settlements.

STRAT HO1 – Housing – Development Control Policy

c) Outwith formally allocated housing sites, appropriate forms and scales of housing infill, rounding-off, redevelopment is encouraged within the settlements and the countryside where it is consistent with STRATDC-10.

The proposal is considered to be contrary to policies STRAT SI, STRAT DC2 and STRAT HO1

The above policies are developed further in the Argyll and Bute Local Plan (Modified Finalised Draft) 2006.

(iii) **Cowal Local Plan 1993 (adopted 1995)**

In the Cowal Local Plan 1993, the application site is located in countryside outwith the settlement boundary of Innellan covered specifically by Policy POL RUR 1 and requires to be assessed against the following policies:

The application site is situated within the Central and East Cowal Local Scenic Area as defined by POL RUR 1: Landscape Quality, under Areas of Local Landscape Significance where the Council will resist prominent or sporadic development which would have an adverse landscape impact. The policy states that there is a presumption against development which would have an adverse landscape impact except where it is demonstrated that there is justification for the development in terms of its environmental impact; locational/operational need; economic benefit and infrastructure and servicing implications.

Policy HO12B 'Back Roads Development' recognises that residential development has taken place along a number of substandard back roads (including Knockamillie Road) which are narrow, twisting and have substandard surfaces, gradients and junctions with main roads. The majority of these back roads are unadopted and in a very poor state of repair. In the case of Knockamillie Road, as improvement is either impracticable or undesirable, the Council will not support new development off these roads.

Policy TR3 – Road Traffic Management Measures identifies numerous private back roads in poor condition and specifically mentions that Innellan unadopted back roads (including Knockamillie Road) are seriously substandard, as is their access from the main roads (in this case the junction with Wyndham Road).

Since no locational or operational need has been demonstrated, the proposal is contrary to POL RUR 1 and also contrary to policies HO12B and TR3.

(iv) Argyll and Bute Modified Finalised Draft Local Plan (June 2006)

In the Argyll and Bute Modified Finalised Draft Local Plan, the application site is located outwith the small town and village settlement of Innellan within an area zoned Countryside Around Settlement (CAS). The following policies are applicable:

Policy LP ENV1 - Development Impact on the General Environment

Development is of a form, location and scale consistent with Structure Plan Policies STRAT DC1 to 6 and should protect, restore or enhance the established character and local distinctiveness of the landscape in terms of its location, scale, form and design. Considerations include location and nature of the proposed development, land use, layout, design, external appearance and landscaping in addition to current Government guidance, other policies in the Argyll and Bute Structure and Local Plan.

Policy LP ENV 19 - Development Setting, Layout and Design

A high standard of appropriate design is expected in accordance with the Council's design principles. Development shall be sited and positioned to pay regard to the context within which it is located. Development layout and density shall effectively integrate with its countryside setting of the development.

Policy LP HOU1 – General Housing Development

Clause (A) says there is a general presumption of favour of housing except where listed in clause (B) and unless there is an unacceptable environmental, servicing or access impact. In relation to CAS, clause (B) says that there is a presumption against

- Large & medium scale development
- Small scale development in open/undeveloped areas

The Justification to the policy clarifies that;

- In the case of Countryside Around Settlement the presumption in favour or against are based largely on where the housing development will be consistent with and co-ordinated by the settlement pattern that covers this zone.
- This translates to support in principle for small scale development on infill, rounding-off, change of use and redevelopment sites, provided they do not result in undesirable forms of settlement coalescence, the extension of the established settlement boundary or ribbon development.

Infill development is defined as, "*new development positioned largely between other substantial buildings and this new development being of a scale subordinate to the combined scale of the development on either side of the site*". Rounding-off development is defined as, "*new development positioned largely between substantial building(s) on one side and a substantial ground or natural feature on the other side and arranged such that the local pattern of development terminates at this point*".

Policy LP TRAN 4 – New and Existing, Public Roads and Private Access Regimes

Where a site is served by an existing private access and considered to be of such a poor standard the proposal may be considered unacceptable unless commensurate improvements are made. Where an existing private access regime is considered to be of such poor standard as to be unsuitable for additional vehicular traffic and is not capable of commensurate improvements, the proposals will be resisted by the Planning Authority unless the private access regime is brought up to a full adoptable public road standard as directed in the Council's Road Development Guide.

C. ASSESSMENT

(i) Site and surrounding area

This outline application entails the erection of a dwellinghouse on a 0.80 hectare site within the grounds of Innellan Golf Club, Knockamillie Road, Innellan. The application site is located on the western side of Knockamillie Road and currently comprises an area of overgrown ground to the rear and south of the first tee.

(ii) The Proposal

The proposal involves the erection of a detached dwellinghouse on land between the first tee and former clubhouse building. The outline application provides only an indicative footprint of a dwellinghouse which could be either one and a half storey or a bungalow. The building would be set back from Knockamillie Road where a new access would be formed into the central part of the site where a turning area and car parking space for two vehicles would be located. The application site incorporates a single passing place. Connections are to be made to the public water main and existing public sewer.

(iii) Settlement Pattern

Development in this part of Knockamillie Road is almost entirely confined to the developed eastern side of the private road where a tier of dwellings have their rear elevations facing west where some accesses and garages are located with their front elevations facing Knockamillie Terrace. The exceptions to this settlement pattern is a single storey modern building which was used as the Golf Clubhouse until a newer and larger facility was built uphill and north of the application site. Development on the western side of Knockamillie Terrace has been largely discouraged either through existing adopted policy zonings and specific policies in the Cowal Local Plan which are now reinforced in the Argyll and Bute Modified Finalised Draft Local Plan June 2006 as Countryside Around Settlement.

(iv) Car Parking / Road Safety

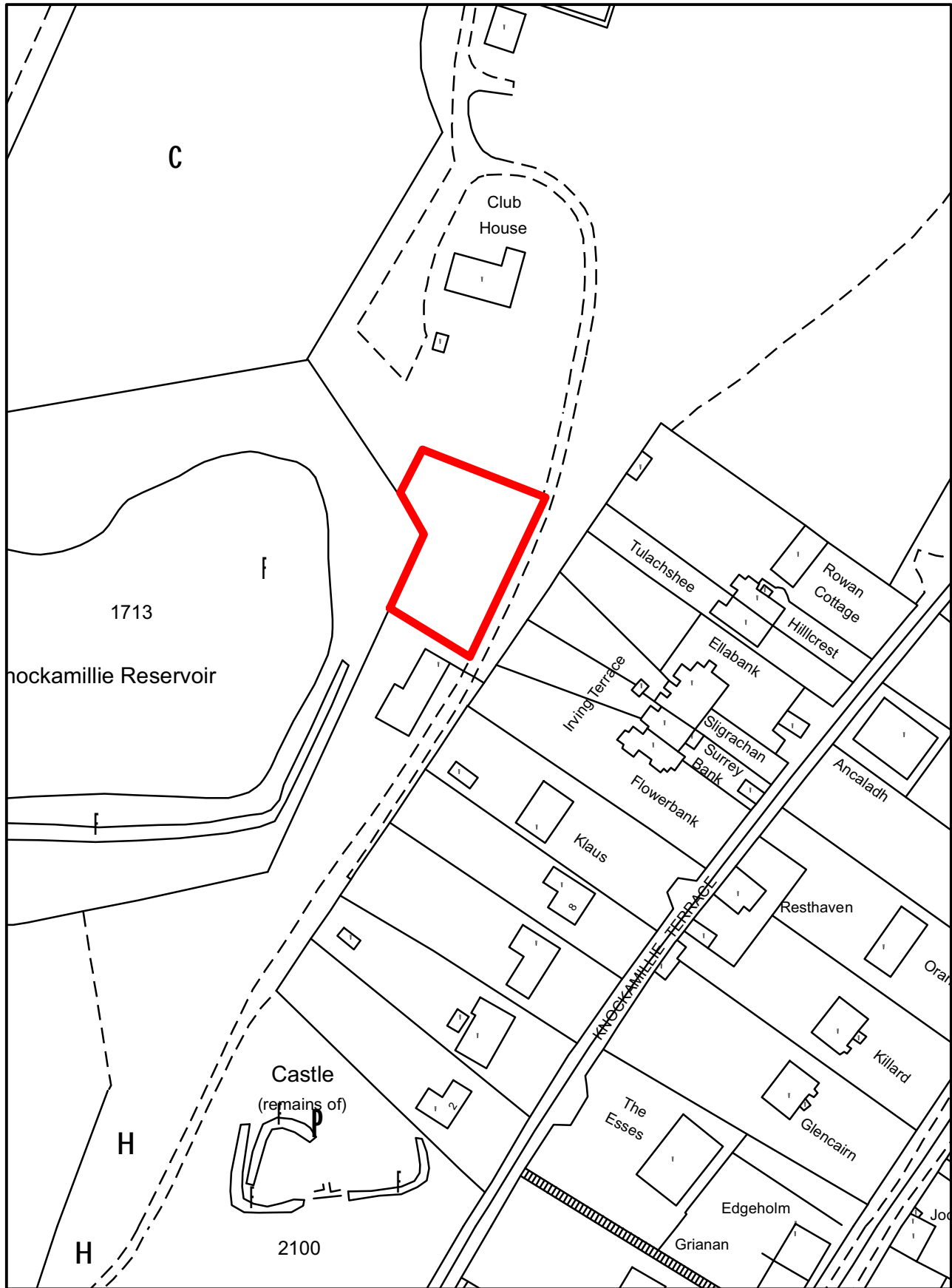
Whilst the Area Roads Manager has expressed no objections to the proposed dwellinghouse, it is noted that *“any future increase in traffic will require extensive and costly improvements to the junction and the private road”*. The department however considers that the provision of a single passing place does not in itself justify the erection of a further dwellinghouse which is not only contrary to the settlement pattern but would create a dangerous precedent by encouraging further dwellinghouses with no major improvements to either Knockamillie Road or its junction with Wyndham Road.

(v) Conclusions

The proposed dwellinghouse is contained with Countryside Around Settlement where the proposal cannot be regarded as ‘infill or rounding-off’ since the potential for development between the new and former clubhouses would not be subordinate to these existing buildings and there is no substantial natural feature which could be described as terminating the development. Approval would result in a development which would not represent an acceptable extension of the existing settlement pattern and result in a dwellinghouse in relatively open countryside. Notwithstanding the comments from the Area Roads Manager, approval of this application would establish a precedent for additional development off this particular section of Knockamillie Road and its junction with Wyndham Road.

It is considered that the proposal is contrary to Policies STRAT SI1, STRAT DC1 and STRAT HO1 of the Argyll and Bute Structure Plan, policies HO12B and TR3 of the Cowal Local Plan and policies LP ENV1, LP ENV19, LP HOU1 and LP TRAN 4 of the Argyll and Bute Modified Finalised Draft Local Plan, and does not justify the grant of planning permission.

The proposal does not comply with the terms of the Development Plan and there are no material considerations which would allow the Development Plan to be laid aside. Refusal of outline planning permission is therefore justified.



**COMMITTEE LOCATION PLAN
RELEVANT TO APPLICATION: 06/00006/OUT**



1:1,250

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**DEVELOPMENT SERVICES
PLANNING APPLICATION REPORT
Bute and Cowal Area**

Local Member - Councillor J. R. Walsh
Date of Validity - 14th September 2006
Committee Date - 11th April 2007

28 March 2007

Reference Number: 06/02000/DET
Applicants Name: Argyll Windfarms Ltd.
Application Type: Detailed
Application Description: Erection of a wind farm consisting of 19 wind turbines, associated concrete foundations (maximum hub height 60metres and blade tip 101.5metres), construction of 9.6km of access tracks, upgrading of 6.9km of existing access tracks, two temporary construction compounds, ten borrow pits, on-site switchgear and control room station, hard-standing areas, connecting cabling and one permanent wind monitoring mast.
Location: Black Craig to Blar Buidhe, Glenfyne, Argyll

SUPPLEMENTARY REPORT 2

(A) INTRODUCTION

Consideration of this application was continued at the Area Committee on 20 March 2007 to allow the applicant the opportunity to submit outstanding information. A further letter dated 23 March 2007 (text attached) has been received from the applicant's agent, again requesting that consideration of this application be deferred.

As set out in the applicant's letter, the Scottish Executive replaced NPPG6 with SPP6 on Renewable Energy on 22 March 2007. My report has therefore been amended to take account of that policy change and to clarify the issue regarding protected species.

As advised in my original report, "the department has an obligation to determine applications although additional surveys may alleviate concerns regarding ornithological, ecological or hydrological interests but could not, in the department's view, reduce the high visual impact that the development would have on the surrounding landscape and population." Submission of the promised information by the end of June is likely to require further consultation with statutory consultees etc, making it likely that the application could not then be reported to a Committee until August or September. Furthermore, I am concerned that to delay a decision could potentially require re-assessment of the application alongside a similar proposal nearby which is expected to be formally submitted soon and that in September the Wind Farm Policy (LP REN 1) in the Argyll and Bute Local Plan is due to be considered at the Local Plan Inquiry.

Nonetheless, the submission of the requested information might open the possibility of a competent motion to approve the application and therefore prompt a recommendation to hold a hearing before determining the application. Therefore, to accede to the applicant's request would remove a potential allegation of unreasonable behaviour by the Council.

(B) RECOMMENDATION

It is recommended that consideration of the application be continued to allow the submission of further information by the applicant.

Angus J. Gilmour.

Angus J Gilmour, Head of Planning Services

Case Officer:

B. Close

01369-70-8604

Area Team Leader

D. Eaglesham

01369-70-8608

**-DEVELOPMENT SERVICES
PLANNING APPLICATION REPORT
Bute and Cowal Area**

Local Member - Councillor J. R. Walsh
Date of Validity - 14th September 2006
Committee Date - 11th April 2007

29th March 2007

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Location: Black Craig to Blar Buidhe, Glenfyne, Argyll

Revised Report

(A) THE APPLICATION

(i) Development Requiring Express Planning Permission:

- erection of 19 No. 2.5MW wind turbines; each with tubular tower, three blades, 60 metres to hub height and 101.5 metres to blade tip height, and associated concrete foundations (approx 20 x 20 metres each with temporary crane hardstandings of 15 x 45 adjacent);
- erection of one permanent lattice wind monitoring mast (60 metres high) and associated concrete foundations;
- erection of two temporary wind monitoring masts (no details);
- formation of site access involving upgrading and improvements to unclassified public C10 road;
- formation of on-site access tracks (9.6km) and upgrading of existing access tracks (6.9km);
- erection of on-site switch room/sub-station– (cement rendered walls and slated pitch roof) with septic tank (25 x 5 x 6 metres);
- formation of concrete batching plant;
- formation of two temporary construction compounds (100 x 50 metres and 30 x 20 metres);

(ii) Other aspects of the proposal (including requirement for separate consents):

- installation of 33 kv underground cabling to link turbines (5.9km);
- installation of underground grid connection (to Sandbank sub-station), the subject of a separate application;
- formation of 10 No. borrow pits with estimated extraction of 50,000m³ of stone (subject to separate mineral consent applications);
- preparation of Habitat Management Plan.

(B) RECOMMENDATION

It is recommended that planning permission be **refused** for the reasons set out below.

(C) PROCEDURAL MATTERS

(i) Discretionary Hearing

Given the Development Plan, views of consultees, the complexity of the proposal, its potential impacts on the landscape and environment of a wider area and the volume of representations, the Department would normally support a discretionary hearing. However, in this particular instance it would not be competent for the application to be approved in advance of a full appraisal of the proposal's impact on protected species, so no hearing is

recommended as this would be a costly and time consuming exercise with no tangible outcome in terms of the decision making process.

Members should also note that, as the Scottish Executive have advised against the use of suspensive conditions where a European Protected Species is involved and given that Scottish Natural Heritage has advised that there is not enough information to assess the full impact on golden eagle and to assess any mitigation, it is considered that it would not be competent to approve the application.

(ii) Referral to First Minister

The Council has an interest (albeit limited) in the application site, due to proposed improvements to the unclassified public C10 road and it would normally have been necessary to notify the application to the First Minister, if Members were minded to approve the application.

(D) DETERMINING ISSUES AND MATERIAL CONSIDERATIONS

This proposal is to develop a commercial wind farm 2-3km inland from Loch Striven on the South Cowal peninsula, to the south-west of Dunoon and north-west of Rothesay and Port Bannantyne.

The wind farm site as summarised above involves the erection of 19 wind turbines 101.5 metres high, located on a high moorland ridge running from just north of Kilmarnock Hill towards the Bishop's Seat between Inverchaolain Glen and Glen Fyne. The proposal also involves associated infrastructure, tracks and buildings.

Unlike previously approved nearby wind farm sites in South Cowal and North Argyll (e.g. Cruach Mor and Clachan Flats), the location of the proposed wind turbine development is not on a screened upland plateau or dip, but is on the crest of a rising broad moorland ridge (rising from 400-520 metres) above a steep west facing coastal slope to Loch Striven and east facing slope into Glen Fyne) where it will have significant visual impact on the Isle of Bute and parts of the Colintrave peninsula and Loch Striven coastline. It will also have a significant visual impact on users of the A886/ A844 Rothesay to Rhubodach roads and upon views from Kyles of Bute National Scenic Area and approaches, Bute Regional Scenic Area and South Cowal Regional Scenic Area/Coast, Firth of Clyde, Inverclyde and Loch Lomond and The Trossachs National Park area.

Increased visibility with 101.5 metre high turbines located on the top of this prominent 400-520 metre high ridge would also mean that the proposed development would be a significant contributor to the cumulative impact of wind farms in Argyll, Inverclyde and North Ayrshire.

The site is outwith any designated wind farm areas including Preferred Areas of Search but located within an area zoned as Very Sensitive Countryside in the adopted Cowal Local Plan 1995 and the Argyll and Bute Modified Finalised Draft Local Plan June 2006. The latter, although not finally adopted, contains many policies which should now be accorded significant weight, although some may be subject to objections which may have to be considered at a local plan inquiry. There are no policies which offer support for a wind farm in this location but there are many other policies that seek to protect and safeguard valuable natural resources and ecological resources including habitats and species and areas of panoramic quality.

Scottish Natural Heritage and the RSPB have objected to the proposal on nature conservation grounds, contending that insufficient information has been submitted to assess the full potential impact on golden eagle (Annex I species of the European Bird Directive 79/409/EEC), and on black grouse, whilst consequences for other protected bird species and mammals are not adequately quantified. It is concluded that the disturbance and collision risk associated with a wind farm located between feeding and nesting grounds supporting an Annex 1 European species are such that the threat of mortality should be avoided by directing development to sites where such protected populations would not be subject to risk.

Scottish Natural Heritage have also objected to the proposal on landscape and visual grounds as they consider that a wind farm development in a highland or coastal context that is relatively unmodified by built development will have inappropriate consequences for the settled coastal edge, for key viewpoints and views from offshore.

Objections have also been received from SEPA, Bute Community Council, South Cowal Community Council, The Ramblers Association, Dunoon and Cowal Marketing Group, Isle of Bute Marketing Group with various concerns raised by Historic Scotland, Inverclyde Council, Forestry Commission Scotland, Argyll and Bute Local Biodiversity Partnership, West of Scotland Archaeological Service and Visit Scotland. A total of 151 letters of representation have been received with 112 letters of objection and 39 letters in support of the application.

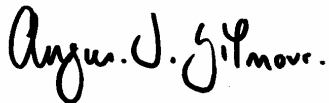
Having regard to SNH and RSPB position as statutory consultees in this case, I am not persuaded, despite the applicant's assumptions made to predict the extent of risk to protected bird species i.e. golden eagle, in addition to black grouse and other species, that the residual risk to these birds will not be significant in the terms of the

Birds Directive. In the absence of conclusive survey information on protected and other species, the Council must adopt a precautionary approach to the proposed development on nature conservation grounds.

I also agree with the view expressed by Scottish Natural Heritage and objectors that the location of this wind farm will be of more significance in terms of its landscape, visual and cumulative impacts than other North Cowal wind farm sites approved recently, as it does not share the same degree of shielding by the effect of landform and distance, which has benefited previously approved sites. Turbines of this height sited on the landscape and not within it will, however, give rise to more significant impacts on areas of acknowledged landscape value. Their presence in views from the Isle of Bute in particular will, in my view, be unacceptable.

The applicant has requested that this application be deferred until further additional information including survey details and images be submitted for consideration. Notwithstanding this request, the department has an obligation to determine applications. Although additional surveys may alleviate concerns regarding ornithological, ecological or hydrological interests, they could not, in the department's view, reduce the high visual impact that the development would have on the surrounding landscape and population.

I therefore conclude that the proposal conflicts with the interests of European Nature conservation legislation in particular, and with development plan policy and national guidance generally, in terms of its adverse consequences for biodiversity and the scenic value of landscape, particularly upon views towards the Isle of Bute and its coastline, Inverclyde and the Firth of Clyde.



Angus J Gilmour, Head of Planning Services

Case Officer:
Area Team Leader

B. Close
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01369-70-8604
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REASONS FOR REFUSAL RELATIVE TO APPLICATION 06/02000/DET

1. The development proposed would be located on the crest of prominent rising hill ground facing the eastern coastline of the Isle of Bute, where it would not share the locational advantages of previously permitted wind farm sites in North Cowal, which are located on inland sites that benefit from the shielding effect of topography and the moderating influence of distance from sensitive viewpoints. The application site more closely relates to the coastal margin, where, it will by virtue of its scale and presence in the landscape, have a more prominent visual impact on the skyline above the coastal edge, and would in turn have adverse consequences for the maintenance of landscape character. The impact of the development would be especially significant in terms of views towards the Isle of Bute, Loch Striven and parts of the Kyles of Bute National Scenic Area including the approaches, the Firth of Clyde, views from the A78 Greenock to Largs coast road, various locations within Inverclyde, and from Clyde ferry routes. The siting of these high structures on the crest of a prominent moorland ridge would also have serious consequences for the cumulative impact of wind farm development in Cowal and Inverclyde. The development by reason of its siting and scale would therefore give rise to adverse visual and landscape impacts, which would be contrary to Policies SI 1, DC6, DC 8, RE1 of the 'Argyll and Bute Structure Plan' 2002; and to Policies RUR 1, RUR 2, RUR 13 of the 'Cowal Local Plan' adopted 1995, which in particular, affords special protection to the Kyles of Bute National Scenic Area and Bute Regional Scenic Area in addition to the Bute and South Cowal Regional Scenic Coast and areas of local landscape significance. It would also be contrary to Policies ENV 9, ENV 10 of the 'Argyll and Bute Modified Finalised Draft Local Plan June 2006, and would conflict with Policies WF 1 and WF 2 of the Council's non-statutory 'Wind Farm Policy' 1995, and with government guidance given in SPP6 (2007) and PAN 45 (2002).
2. The wind farm is proposed in a location that is known to support golden eagle *Aquila chrysaetos* (Annex I species of the European Birds Directive 79/409/EEC and Argyll and Bute LBAP species) and black grouse *Tetrao tetrix* (UK BAP and Argyll and Bute LBAP species).

Golden eagle is afforded special protection under Schedule 1 of the Wildlife and Countryside Act 1981 (as amended). This species is also listed under Annex 1 of the European Birds Directive 1979, and as such they are a material consideration in the determination of a planning application.

It is considered that impacts on golden eagle would be significant on the basis that the current pattern of intense flight/feeding activity within the development footprint could have a significant impact upon the golden eagle territory in this area. The Environmental Statement does not include sufficient survey information including collision risk modelling scenarios and full details of the proposed mitigation package including impact on black grouse where insufficient information including grid connection works are required to fully assess whether this species would be at risk.

Due to the lack of an appropriate assessment on the impact to golden eagle and black grouse populations including collision risk modelling, the Planning Authority concurs with the precautionary approach taken by SNH and RSPB in this instance. The vulnerability of these species to avoidable attrition, and the status of designations affording them protection, are such that inappropriate development presenting unacceptable risk of mortality should be resisted. It is not concluded that mitigation measures proposed are sufficient to demonstrate with confidence that the integrity of the site is capable of being maintained should the development be permitted. The proposal will adversely affect the integrity of the habitat and impact on these protected species by virtue of the likely harmful effects on qualifying interests arising from risk of disturbance, and also the adverse consequences for the distribution of species within the site as a result of construction, operation and maintenance. It is also considered that the introduction of tall structures with rotating components will introduce significant risk to golden eagle (and other species) from collision during the operation of the wind farm.

As such the proposal is contrary to the provisions of the European Birds Directive 79/409/EEC in terms of golden eagle *Aquila chrysaetos* (Annex I species) and the provisions of the Wildlife and Countryside Act 1981 which seek to protect, maintain and enhance these species habitats.

The proposal would therefore have significant adverse implications for nature conservation interests of acknowledged importance, contrary to Policies STRAT SI 1, DC 7 and RE 1 of the 'Argyll and Bute Structure Plan' 2002; to Policy RUR 1, RUR 2 of the 'Cowal Local Plan' adopted 1995; and to Policies ENV 2, ENV 6 of the 'Argyll and Bute Modified Finalised Draft Local Plan June 2006. It would also conflict with Policies WF 2 and WF 9 of the Council's non-statutory 'Wind Farm Policy' 1995, and with government guidance given in SPP6 (2007), NPPG 14 (2005), PAN 45 (2002) and Circular 6/95 (as amended).

(continued)

REASONS FOR REFUSAL RELATIVE TO APPLICATION 06/02000/DET

3. The proposal is not supported by adequate information, nor are there sufficiently specified mitigation measures, to enable it to be concluded that the development would not have adverse consequences for other nature conservation interests of acknowledged importance; including peregrine, merlin, hen harrier (all under Schedule 1) and red squirrel (a protected species under Schedule 5 of the Wildlife and Countryside Act 1981). The deficiencies in the available information could lead to an underestimation of the development impacts on these protected (and unprotected) species, contrary to the maintenance of biodiversity, and it would therefore be inappropriate to consider the granting of a development consent in the absence of reliable information to enable a realistic assessment of the magnitude of development impacts. In the absence of such confidence as to the extent of ecological impacts, the proposal would therefore conflict with Policies STRAT SI 1, DC 7 and RE 1 of the 'Argyll and Bute Structure Plan' 2002; and to Policies ENV 2 and ENV 6 of the 'Argyll and Bute Modified Finalised Draft Local Plan June 2006. It would also conflict with Policy WF 2 and WF 9 of the Council's non-statutory 'Wind Farm Policy' 1995, and with government guidance given in SPP6 (2007), NPPG 14 (2005) and PAN 45 (2002).

4. The proposal is not supported by adequate information, nor are there sufficiently specified mitigation measures, to enable it to be concluded that the development would not have adverse consequences on various Historic Gardens and Designed Landscapes, in particular to Castle Toward Designed Landscape and Ardgowan House Designed Landscape. It is considered that the existing high open moorland landscape character punctuated by nineteen 101.5 metre high man-made industrial structures would give rise to adverse visual and landscape impacts on these historic settings, which would be contrary to Policies SI 1, DC 8, DC9, RE1 of the 'Argyll and Bute Structure Plan' 2002; and to Policies RUR 1, BE1 of the 'Cowal Local Plan' adopted 1995, The proposed development would also be contrary to Policies ENV 11 of the 'Argyll and Bute Modified Finalised Draft Local Plan June 2006, and would conflict with Policies WF 1 and WF 2 of the Council's non-statutory 'Wind Farm Policy' 1995, and with government guidance given in SPP6 (2007) and PAN 45 (2002).

APPENDIX RELATIVE TO APPLICATION 06/02000/DET

A. POLICY OVERVIEW

The EC Council Directive on the Conservation of Wild Birds (79/409/EC) (the Birds Directive) provides for the protection of all wild birds and their habitats within the European Community. It requires Member States to take measures to preserve a sufficient diversity of habitats for all species of wild birds naturally occurring within their territories in order to maintain populations at ecologically sound levels, and to take special measures to conserve the habitats of rare and migratory species.

Scottish Planning Policy Guideline 6 (SPP6 – 2007) ‘Renewable Energy Developments’
Planning Advice Note 45 (PAN 45 – revised 2002) ‘Renewable Energy Technologies’

SPP6 advises that:

The Scottish Ministers have set a target of generating 40% (6GW) of Scotland’s electricity from renewable sources by 2020. (para 5)

In the first instance, the focus should be on facilitating early progress towards national targets in an environmentally acceptable way whilst ... recognising that new distribution and transmission networks need to be developed to harness Scotland’s renewables potential. (para16)

The Scottish Ministers expect planning authorities to make positive provision for renewable energy developments by:

- Supporting a diverse range of renewable energy technologies including encouraging the development of emerging and new technologies;
 - Recognising the importance of fully engaging with local communities and other stakeholders at all stages of the planning process
 - Guiding development to appropriate locations and providing clarity on the issues that will be taken into account when assessing specific proposals; and
 - Maximising environmental, economic and social benefits;
- while at the same time:
- Meeting international and national statutory obligations to protect designated areas, species and habitats and protecting the historic environment from inappropriate forms of development; and
 - Ensuring impacts on local communities and other interests are satisfactorily addressed. (para 17)

Development plan policies should reflect the policies in the SPP (para 39) but planning authorities should continue to determine those applications that are ... before them ahead of revised local policies being put in place. (para 40) Decisions on planning applications should be made in accordance with the development plan unless material considerations indicate otherwise (para 45).

Consideration of the significance of any adverse impacts of a renewable generation proposal should have regard to the projected benefits of the proposal in terms of the scale of its contribution to the Scottish Executive’s targets for renewable energy (para 54).

Other relevant national planning policy guidance includes:

- SPP 1: The Planning System (2002)
- NPPG 5: Archaeology and Planning (1998)
- NPPG 14: Natural Heritage (2005)
- SPP 15: Rural Development (2005)
- NPPG 18: Planning and the Historic Environment (1999)
- SOED Circular 6/95 (as revised June 2000): Habitats Directive.

The underlying principle of all NPPGs and related policies is sustainable development. Some NPPGs are intended to encourage development, while others are intended to safeguard resources and features of national and international importance. Policies in the latter group do not necessarily preclude renewable energy developments, but development proposals should avoid significant adverse impact upon the character, quality, integrity and setting of a designated resource.

Argyll and Bute Structure Plan 2002

One of the main aims of the Plan is to “promote the safeguarding and the enhancement of the natural and historic environment and the maintenance of biodiversity”. In Key Diagram 2, the proposed wind farm site is located almost midway between the key main town settlements of Dunoon and Rothesay, within an area zoned as Very Sensitive Countryside.

Policy STRAT SI 1 – Sustainable Development.

Argyll and Bute Council shall adhere to the following principles in considering development proposals, and in its policies, proposals and land allocations in Local Plans. It will seek to:-

- a) maximise the opportunity for local community benefit;
- b) make efficient use of vacant and/or brownfield land;
- c) support existing communities and maximise the use of existing service infrastructure;
- d) maximise the opportunities for sustainable forms of design, including energy efficiency;
- e) avoid the use of prime quality or locally important good quality agricultural land;
- f) use public transport routes fully and increase walking and cycling networks;
- g) avoid the loss of recreational and amenity open space;
- h) conserve the natural and built environment and avoid significant adverse impacts on biodiversity, natural and built heritage resources;
- i) respect the landscape character of an area and the setting and character of settlements;
- j) avoid places where there is a significant risk of flooding, tidal inundation, coastal erosion or ground instability; and
- k) avoid having an adverse effect on land, air and water quality.

Policy STRAT DC6 – Development in Very Sensitive Countryside

Encouragement will only be given to specific categories of development on well chosen sites which include renewable energy related development which is supported by policies STRAT RE1 and 2.

Developments which do not accord with this policy are those with incongruous and unacceptable siting, scale and design characteristics including development which breaches the overall carrying-capacity of the wider landscape, coastscape and natural environment.

Policy STRAT DC 7 – Nature Conservation and Development Control

- C) Development which impacts on Local Wildlife Sites or other nature conservation interest, including sites, habitats or species at risk as identified in the Local Biodiversity Action Plan shall be assessed carefully to determine its acceptability balanced along with national – or local – social or economic considerations.
- D) Enhancement to nature conservation interest will also be encouraged in association with development and land use proposals.

Policy STRAT DC 8 – Landscape and Development Control

A) Development which, by reason of location, siting, scale, form, design or cumulative impact, damages or undermines the key environmental features of a visually contained or wider landscape or coastscape shall be treated as ‘non-sustainable’ and is contrary to this policy. Outwith the National Park particularly important or vulnerable landscapes in Argyll and Bute are those associated with:

- 1) National Scenic Areas;
- 2) Historic landscapes and their settings with close links with archaeology and built heritable and/or historic gardens and designed landscapes;
- 3) Landward and coastal areas with semi-wilderness or isolated or panoramic quality.

B) Protection, conservation and enhancement to landscape will also be encouraged in association with development and land use proposals.

Policy STRAT DC 9 – Historic Environmental and Development Control

Protection, conservation, enhancement and positive management of the historic environment is promoted. Development that damages or undermines the historic, architectural or cultural qualities of the historic environment will be resisted; particularly if it would affect a Scheduled Ancient Monument or its setting, other recognised architectural site of national or regional importance, listed building or its setting, conservation area or historic garden or designed landscape.

Policy STRAT RE 1 – Wind Farm/Wind Turbine Development

A) Wind farm development is encouraged where it is consistent with STRAT DC 7, 8 and 9. Proposals shall be supported where it can be demonstrated there is no significant adverse effect on:

- Local communities;

- Natural environment;
- Landscape character and visual amenity;
- Historic environment;
- Telecommunications, transmitting or receiving systems; and

B) The Council will identify, with appropriate justification in the Local Plan, broad areas of search or, where appropriate, specific sites where wind energy development may be permitted. The Council will also indicate sensitive areas or sites which it is adjudged that for overriding environmental reasons, proposals for wind farm development would only be considered in exceptional circumstances in line with the criteria set out above. Issues associated with the cumulative impact of wind farm and wind turbine developments will be addressed. This will be done in partnership with the industry and other interested parties including local communities.

Cowal Local Plan 1993 (adopted 30th October 1995)

The main aims of the plan are to encourage economic regeneration and an increase in population, whilst seeking to protect and enhance the environmental quality of Cowal for residents and visitors from inappropriate and unsympathetic development in areas of scenic and nature conservation importance. Within this plan, the wind farm site is located within Very Sensitive Countryside, where under STRAT4 of the Cowal Settlement Strategy, development with a specific requirement to be located in such countryside zones will be subject to locational/operational need and low environmental impact being demonstrated. The site is located within the Bute and South Cowal Regional Scenic Area but would also have a visual impact on nearby Kyles of Bute National Scenic Area, Bute Regional Scenic Area and Central and East Cowal Local Scenic Areas.

The preamble to POL RUR 1 states, "Much of Cowal's landscape has been identified as being of scenic importance where the area around the Kyles of Bute has been designated as a National Scenic Area. Elsewhere in Cowal, a number of Regional Scenic Areas and Local Scenic Areas have been identified. There is a need to protect these areas and other locations of more local significance from development which would have an adverse impact".

POL RUR 1 'Landscape Quality'

The Council will seek to maintain and where possible enhance the landscape quality of Regional Scenic Areas and Coasts and areas of local landscape significance, and within these areas will resist prominent or sporadic development which would have an adverse environmental impact:

- a) National Scenic Area – Kyles of Bute;
- b) Regional Scenic Area – Bute; Regional Scenic Coast – Bute and South Cowal including Loch Striven and Kyles of Bute;
- c) Area of local landscape significance – Central and East Cowal.

It should also be noted that in view of its scale and visibility from a distance, the proposal would have consequences for landscape designations beyond the Cowal Local Plan area – namely the Loch Lomond and Trossachs National Park area, the Rosneath peninsula, Inverclyde and the Isle of Bute.

Proposals for development in or affecting National Scenic Areas, Regional Scenic Areas and Coasts or areas of local landscape significance will be required to be assessed against the following criteria:

- (a) environmental impact
- (b) locational/operational need
- (c) economic benefit
- (d) infrastructure and servicing implications

POL RUR 2 : Nature Conservation

The wildlife resource of Cowal provides special interest for tourists and local residents. The Council will resist developments and land use changes which would erode or have an adverse effect on features of wildlife and scientific value.

POL RUR13: Development in the Countryside

The Council supports development in the countryside which is sensitive to and integrated with their surroundings.

In terms of tourism, Dunoon is identified as a main holiday resort/tourist destination, where many policies aim to revitalise Dunoon and Cowal as a major tourist destination (POL TOUR 1). While many of the policies relate to

tourist accommodation, others seek to attract visitors by enhancing water based facilities (POL TOUR 7), natural recreational resources (POL TOUR 11), tourist routes and trails (POL TOUR 15) where Cowal's basic attraction is the fine and varied landscape, lochs and coasts.

POL BE 1: Ancient Monuments and Listed Buildings

The Council will encourage new works or uses which will result in the preservation and/or positive enhancement of Buildings of Architectural and Historic interest, ancient monuments and Sites of archaeological Importance. The Council will normally permit only those alterations to Statutory listed Buildings which maintain and/or enhance their special architectural or historic qualities. The Council will seek to protect the sites and settings of Buildings of Architectural and Historic Importance from development which would have a detrimental impact.

Argyll and Bute Local Plan (Modified Finalised Draft) June 2006

Within this plan, the proposed wind farm site is located within an area of Very Sensitive Countryside and within a Constrained Area in respect of the Wind Farm Policy Map (as modified July 2006). *It is even interesting to note that in the earlier Finalised Draft version dated May 2005, the development site was wholly outwith a Preferred Area of Search, that has now been removed as part of the Finalised Draft Local Plan process.* Additionally, the site is contained within an Area of Panoramic Quality and is in very close proximity to other similar zonings covering the Isle of Bute and the Colintrave peninsula.

The main objectives of the Argyll and Bute Local Plan include:

Economic and Social Objectives SI 1

- a) to improve economic competitiveness and the relatively poor economic performance of Argyll and Bute as a whole.
- b) to enhance the economic and social prospects of the geographically diverse local communities in Argyll and Bute.
- c) to promote appropriate responses to the variety of challenging economic, transport-related and planning circumstances facing these local communities.
- d) to treat the rich natural and historic environment of Argyll and Bute as a not fully realised economic asset which, if safeguarded and enhanced, can stimulate further investment and increased economic activity.

Environmental Objectives SI 2

- a) to safeguard the diverse and high quality natural and built heritage resources, including the abundant landward and maritime biodiversity of Argyll and Bute.
- b) to reinforce the strength of protection given to the European and national statutorily protected nature conservation sites, habitats, species and built heritage sites, with which Argyll and Bute is particularly richly endowed.
- c) to enhance and invest in the quality of the natural and built environment and to engage development more effectively with this enhancement process.
- d) to encourage development of a scale, form, design and location appropriate to the character of the landscape and settlements of Argyll and Bute.

Policy LP ENV 2 – Development Impact on Biodiversity

When considering development proposals the Council will seek to contribute to the delivery of the objectives and targets set by the Local Biodiversity Action Plan (LBAP). Proposals that incorporate existing site interests within the design wherever possible will be encouraged. Where there is evidence to suggest that a habitat or species of local importance exists on a proposed development site, the Council will require the applicant, at his/her own expense, to submit a specialist survey of the natural environment.

Applications with significant adverse impacts will be refused unless the developer proves to the satisfaction of the Planning Authority that the following criteria are met:

- a) There is no suitable alternative site for the development; and
- b) Satisfactory steps are taken to avoid, mitigate or compensate for damage.

As this policy has not been subject to adverse representation, it may be accorded significant weight as a material consideration in the determination of this application.

Policy LP ENV 6 – Development Impact on Habitats and Species

In considering development proposals, the Council will give full consideration to the legislation, policies and conservation objectives that may apply to the following:

- Habitats and species listed under Annex I, II and IV of the Habitats directive
- Species listed under Annex 1 of the Birds Directive (golden eagle are listed as Annex 1 species of the European Birds Directive 1979);

- Species listed on Schedules 1 (golden eagle, hen harrier, merlin, peregrine), 5 (red squirrel) and 8 of the Wildlife and Countryside Act 1981, (and as amended by the Nature Conservation(Scotland) Act 2004);
- Habitats and Species listed in the UK Biodiversity Action Plan (includes black grouse); and
- Habitats and Species which are widely regarded as locally important as identified in the Local Biodiversity Action Plan (includes both golden eagle and black grouse, but also hen harrier, skylark, song thrush, red squirrel).

As this policy has not been subject to adverse representation, it may be accorded significant weight as a material consideration in the determination of this application.

Policy LP ENV 9 – Development Impact on National Scenic Areas (NSAs)

Development in, or adjacent to National Scenic Areas including Kyles of Bute that would have a significant adverse effect on the NSA will be refused unless it is demonstrated that the objectives of the designation and overall integrity of the area will not be compromised, and that any significant adverse effects on the quality for which the area has been designated are clearly outweighed by social and economic benefits of national importance.

Policy LP ENV 10 – Development Impact on Areas of Panoramic Quality

Development in or adjacent to an Area of Panoramic Quality will be resisted where its scale, location or design will have a significant adverse impact on the character of the landscape unless it is demonstrated that:

- a) any significant adverse effects on the quality for which the area has been designated are clearly outweighed by social and economic benefits of national or regional importance.
- b) Where acceptable, development must also conform to Annexe A of the Local Plan.

As this policy has been subject to adverse representation, it may only be accorded little weight as a material consideration in the determination of this application, as it is likely to be subject to modification prior to the adoption of the plan.

Policy LP ENV11 – Development Impact on Historic Gardens and Designed Landscapes

Where development would affect a heritage asset or its setting, measures must be taken to preserve and enhance the special interest including planned historic views of, or from the site or buildings within it.

Policy LP ENV16 – Development Impact on Scheduled Ancient Monuments

There will be a presumption in favour of retaining, protecting, preserving and enhancing Scheduled Ancient Monuments (SAM's) and their settings. Developments that have an adverse impact on SAM's will not be permitted unless there are exceptional circumstances.

As this policy has not been subject to adverse representation, it may be accorded significant weight as a material consideration in the determination of this application.

Policy LP REN 1 – Commercial Wind Farm Development

a) Wind farm and wind turbine development is not compatible with constrained areas *as defined on the Wind Farm policy Map*), and will be resisted unless, exceptionally it can be demonstrated that it will not have an adverse effect on those interests which define the constrained nature of the area and the criteria listed in b) below.

b) Areas with some capacity to accommodate commercial wind farms and wind turbines are identified on the Wind farm Policy Map as 'Preferred Areas of Search'..... *(the application site lies outside the areas so identified).*

As this policy has been subject to adverse representation, it may only be accorded little weight as a material consideration in the determination of this application, as it is likely to be subject to modification prior to the adoption of the plan.

Policy LP TRAN1 – Public Access and Rights of Way

Development proposals shall safeguard public rights of way, core paths and important public access routes. Where these may be prejudiced by a development, including during construction and upon completion, the developer shall be expected to incorporate appropriate alternative or modified public access provisions.

Policy LP TRAN 4 – New and Existing, Public Roads and Private Access Regimes

Where a site is served by an existing private access and considered to be of such a poor standard the proposal may be considered unacceptable unless commensurate improvements are made. Where an existing private access regime is considered to be of such poor standard as to be unsuitable for additional vehicular traffic and is not capable of commensurate improvements the proposals will be resisted by the Planning Authority unless the

private access regime is brought up to a full adoptable public road standard as directed in the Council's Road Development Guide.

Policy LP TRAN 5 – Off Site Highway Improvements

Where development proposals will significantly increase vehicular traffic on substandard private or public approach roads, then developments will be required to contribute proportionately to improvements to an agreed section of the public or private road network.

Wind Farm Policy 1995

The Council's Wind Farm Policy 1995 arose from the need to address the complex issues regarding the impact of such developments on the environment and to assist developers in site selection and to indicate the type of information required. This remains relevant, and in the context of this planning application relevant policies include:

Policy WF 1 states that the Council will support wind farms which are consistent with existing development plan policies and of a high quality of design but will resist developments which either cumulatively or individually, would have an adverse impact on the environment by virtue of scale, location, setting or design.

Policy WF 2, other than exceptional circumstances, presumes against wind farm developments in or affecting Special Protection Areas, Special Areas of Conservation and Ramsar sites; and National Scenic Areas, SSSI's and Natural Heritage Areas.

Policies WF 6 and WF 7 seek to resist wind farms within 300m of residential properties or which are likely to result in shadow flicker on occupied premises or be a potential distraction to drivers.

Policy WF 8 states that developments which would have an adverse affect on telecommunications, will be resisted.

Policy WF 9 states that the Council will protect bird species covered by EC Directives by resisting wind farms which are likely to affect the breeding, feeding, roosting and flight areas (ie. areas of caution) of specially protected bird species.

Policy WF11 seeks to minimise long term visual and ecological impact and seeks the developer to enter into a legal agreement and financial bond to secure the highest quality of re-instatement.

Policy WF12 states that wind farms should normally be operational within two years of approval.

Policy WF13 recognises that wind farms are essentially temporary structures and states that the Council will:

- impose conditions on permissions to ensure that such sites are fully restored upon the expiry of consent;
- seek legal agreements to secure a financial bond to cover such costs;
- normally grant permission for an initial period of 20 years.

B. OTHER MATERIAL CONSIDERATIONS

(i) Site History

Detailed planning permission (ref. 05/00601/DET) was granted on 27th June 2005 for the erection of a temporary 60-metre wind monitoring mast at Site 1 (south west of Black Craig) until 27th June 2008.

Detailed planning permission (ref. 05/00604/DET) was granted on 27th June 2005 for the erection of a temporary 60-metre wind monitoring mast at Site 2 (south west of The Bishop's Seat) until 27th June 2008.

Both monitoring masts were duly erected on these sites.

Related Wind Farm Developments

A proposal for a 14 turbine wind farm development (125 metres to blade tip) on Corlarach Hill by West Coast Energy, on the adjacent easterly ridge across Glen Fyne from Black Craig has been the subject of a scoping opinion.

A third scheme proposed on the north east ridge of the Bishop's Seat at Eilligan, for 16 turbines is at scoping stage.

On the eastern side of the Clyde, an application has been submitted to Inverclyde Council for a 10 turbine wind farm development at Leapmoor Forest, above Inverkip. This application is currently being considered.

The nearest wind farm site to Black Craig is at Cruach Mor in Glendaruel (ref. 01/01553/DET), approximately 12 km to the north-west where 35 turbines are now operational.

(ii) Consultations

Scottish Natural Heritage (SNH) (response dated 29th November 2006): Object to the proposal on nature conservation and landscape/visual grounds, for the following summarised reasons:

1. SNH disagrees with the conclusion of the ES that impacts on golden eagle would not be significant. SNH consider that the current pattern of intense flight activity within the development footprint could have a significant impact upon the golden eagle territory in this area. While it is indicated that further studies are to be undertaken during winter 2006/07 this must include collision risk modelling scenarios and full details of the proposed mitigation package highlighted within the ES. SNH also note that black grouse could be affected by the proposed development.
2. SNH consider that the proposal would have a significant adverse impact on the landscape and visual interests in the area including a major alteration to the characteristics of the Steep Ridgeland and Mountains Landscape Character Type; important views from neighbouring parts of Bute, the A886 Port Bannantyne to Rhubodach road, and from the Clyde ferry routes, in which the wind farm site is presently seen in a highland or coastal context that is relatively unmodified by built development.
3. In terms of potentially significant additional cumulative landscape and visual impacts, SNH consider that this has been inadequately addressed within the ES because it does not include an assessment of all cumulative impacts, nor of the impacts on all relevant landscape character types.

SNH also offer comments on access and recreation, habitat management, decommissioning, grid connection and how impacts on the natural heritage could be reduced.

Royal Society for the Protection of Birds (response dated 13th November 2006): Objection based on potential impact on golden eagle (Annex 1 species of the European Bird Directive). EIA contains insufficient information on ornithological impacts on this species.

Argyll and Bute Local Biodiversity Partnership (response dated 10th October 2006): Comments concerning protection and monitoring of bird species, site monitoring, Habitats Management Plan and Red Squirrel interests.

Scottish Environment Protection Agency (SEPA) (responses dated 3rd November 2006 and 16th November 2006 and 7th & 9th March 2007): Objection based on lack of information concerning culverting and water abstraction. Other specific comments relate to pollution prevention, winter working, foul drainage, water supplies, peatlands, concrete batching, nature conservation area, fuel storage area, substation – bunding and oil storage and waste management licensing. Latest response highlights concerns regarding potential peat slide hazard and risk.

South Cowal Community Council (response dated 13th December 2006) – Objection on the basis of insufficient information regarding wildlife in particular ornithological surveys, transport and potential impact on existing road networks if Ardyne Point is not feasible and transmission cabling which should be buried underground to avoid further visual impact by use of pylons.

Bute Community Council (response dated 24th October 2006) – Object to the development on the grounds of technological advance and efficiency of wind farm developments where other forms of renewable energy e.g. wave power could be less unsightly; particular site of Black Craig is inefficient in terms of prevailing winds where a more efficient site would be preferable away from areas of popular scenic appreciation; environmental effect is more than considerable – proposed height of turbines (at 300ft) would be a third of the hill's total height (1,000ft) which would be environmentally intrusive, threatening to wildlife, and significant effect on tourism; proliferation of agreed, proposed and future wind farms around the Clyde Estuary seen as a spoilation of our national heritage, the beauty of the landscape which will only benefit the developers. The Community Council wish to point out that they support all forms of renewable energy but there are serious concerns about the threatened proliferation of wind farm development in this part of the Clyde. Additionally any wind farms should be sited outwith areas of scenic beauty as enjoyed by residents and tourists alike.

Development Plans Unit (response dated 28th September 2006): Confirm that the Council decided to remove the Preferred Areas of Search for wind farms in the Cowal area. In addition there have been many representations on the renewable policies in the Local Plan generally, both at the Finalised Draft stage and Modifications. Accordingly, the Finalised Draft Local Plan should not be used as a material consideration in assessing this application where the Cowal Local Plan and existing Wind farm Policy should be used.

Inverclyde Council (response dated 24th October 2006): Comments regarding site selection, cumulative effect and visual impact. Site selection appears to have been compared only on potential sites owned by the applicant and not with sites from a wider search area and then ruling them in/out according to criteria of environmental and planning constraints. Cumulative effect should have included proposed scheme at Leapmoor Forest near Inverkip where an application has been submitted for the erection of 10 turbines, 125 metres to tip. Having said that Inverclyde Council consider that in visual terms from the photomontages and wire frames that the development would have a minor or at least moderate impact on the views from Inverclyde due to the distance from the viewpoints to the proposed development site and topography.

Historic Scotland (response dated 15th November 2006): Concern on potentially adverse impact on Castle Toward Designed Landscape and Ardgowan House Designed Landscape (north of Inverkip). Also consider that insufficient information is available and methodology of assessing cultural heritage resources and potential impact is questioned.

Forestry Commission Scotland (response dated 9th October 2006): Comments regarding ecology, deforestation and conversion to moorland, landscape and visual impact with particular reference to Kilmarnock Hill, fence line restoration and requirement to consult Deer Commission for Scotland.

West of Scotland Archaeology Service (response dated 3rd January 2007): No objections subject to conditions concerning implementation of a programme of archaeological works and safeguarding of site numbered HA8 (Bodach Bochd Cairn at Eilers Burn) in ES.

Scottish Executive Environment Group (response dated 26th October 2006): No comments to offer.

Transport Scotland - Trunk Road Network (response dated 6th October 2006): While the proposal represents an intensification of the use of the site, it is acknowledged that all turbine and construction materials will be delivered by sea to the southern harbour of Ardyne Point and then by road to the site. As the trunk road network will not be utilised, no objection to the scheme.

Area Roads Manager (response dated 7th December 2006): No objections subject to conditions regarding sightlines, access design, signage, off road car parking. Improvements to the C10 Glen Striven road will be subject of Roads Construction Consent and improvements to the access at Ardyne will require a separate planning application with Road Opening Permit for works within the road corridor.

Head of Protective Services: No response.

Scottish Water (response dated 4th October 2006): No objection, Scottish Water assets not affected;

Health and Safety Executive (response dated 23rd October 2006): Proposed development does not fall within the consultation distance of nearby licensed explosive facilities therefore no comment;

NATS Safeguarding (response dated 16th February 2007): While proposal is likely to impact on electronic infrastructure, no safeguarding objection is raised.

Defence Estates (response dated 4th October 2006): No objection on the basis that the number of turbines does not exceed 19 and do not exceed 102 metres to blade tip;

BAA (response dated 17th January 2007) : No objection, does not conflict with safeguarding criteria.

Highland and Island Airports Ltd. (response dated 6th October 2006): No safeguarding objection to the proposal;

The Crown Estate (response dated 25th September 2006): Crown Estate interests not affected by this development therefore no objection;

In addition to the consultees above, consultation packs were sent (by the applicant's agents) out to the following non-statutory consultees : Dunoon and Cowal Marketing Group, Isle of Bute Tourism and Marketing, Cowal

Archaeological and Historical Society, Ramblers Association(Scotland), Scottish Rights of Way and Access Society, Scottish Squirrel Group, VisitScotland, Association of Salmon Fisheries Board, Argyll Fisheries Trust, Rural Scotland, Scottish Association for Country Sports, National Grid Wireless, Colt, Thus, Hutchinson 3G, Scottish Executive (emergency services), Arqiva, Ofcom, Maritime and Coastguard Agency, Cable and Wireless UK, BT, Orange, Vodafone Ltd, T-Mobile UK, O2 (UK), Joint Radio Company, BBC.

Letters of objection from organisations are as follows:

Dunoon and Cowal Marketing Group (letter dated 1st October 2006) representing tourism interests and businesses throughout the Cowal peninsula and is closely affiliated to Visit Scotland. The letter of objection echoes points a) to g) below. In terms of visual impact, the 19 giant turbines would significantly transform the local hill character of steep ridges, hills and moors, which are themselves highly visible from all over the Firth of Clyde. Quality land and seascapes is the mainstay of tourism in the Cowal area. Many visitors come to this area precisely to 'escape' from industrial landscapes;

Some of the nearby wind farms have not been included in the cumulative impact assessment;

DCMG consider that the development of industrial wind farm development 5-miles from the boundary of the National Park is insufficient and this should be extended to 8-10 mile buffer zones around National Parks and National Scenic Areas. The world-famous Kyles of Bute and nearby Loch Striven would be significantly affected.

Isle of Bute Marketing Group (letter received 13th October 2006); **The Ramblers' Association** (letter dated 26th October 2006) and from **Visit Scotland** (letter dated 16th November 2006): Expressing concern raised by a number of local tourism businesses (refer to objections below). While support in principle for renewables serious concern about insensitive siting and high visual impact and affect on tourism where scenery is regarded as a main reason for visiting the area.

(iii) Publicity

The proposal has been advertised in the Dunoon Observer, The Buteman and The Edinburgh Gazette (publication date 29th September 2006) in terms of Regulation 13 of the Environmental Assessment (Scotland) Regulation 1999; and in the Dunoon Observer and The Buteman in terms of Section 34 'Bad Neighbour' (structures over 20 metres in height) (closing date 13th October 2006) and Article 18 (local plan potential departure to POL RUR1, RUR2, RUR4, RUR13, COM5, TOUR1, TOUR11, TOUR14, TOUR15, PU3, TR3, BE1, BE2, BE8, BE9, BE12) (closing date 20th October 2006)

Representations: A total of 151 representations have been received from individuals/households against the proposal, of which 112 are letters of objection with 39 letters of support. Of the former, 38 have been received from residents within the Bute area, 19 have been received from residents in Dunoon and South Cowal, with the remainder from other UK addresses.

Letters have been received from George Lyon MSP (dated 20th and 27th October 2006) which asks that special attention be given to his constituents' (Dr. H Reid and Mrs J Reid, letter dated 6th October 2006; Mrs. R. Chisholm, letter dated 7th October 2006; Wallace Fyfe, letters dated 9th and 1st October 2006; Elizabeth Rae, letter dated 5th October 2006; Mr. John Dunn, letter dated 7th October 2006; Alistair Mackenzie, letter dated 10th October 2006; Mrs. M. Harman, ;letter dated 7th October 2006).

The persons who have written letters of support (39) are listed in an appendix to this report. The grounds of support are summarised as follows

37 letters of support take the form of a standard letter which states *"Being a supporter of renewable energy, I am writing in support.....Cowal should make an adequate contribution to the Scottish Executive's and the UK's renewable energy targets and I believe that this wind farm will do this. It will also be a major financial asset to the area as a result of a community benefit fund being set up and also because of the fact that the wind farm will generate rates to the local Council".*

The persons who have raised objections (112) are listed in an appendix to this report. Approximately 62 of these letters take the form of a standard letter (main points a) to g) below) The various grounds of objection raised by both individuals and organisations may be summarised as follows:

a) Visual Impact

The giant industrial turbines would be highly visible over a wider area, in particular from the ferry routes to Cowal from Gourock and Wemyss Bay to Rothesay, from within the National Park at Ardbeg, Kilmun and Strone , from the nearby Bishop's Seat hills, Inverchaolain, Rothesay, Helensburgh, Largs, Skelmorlie and the coast roads A78 and A770. The presence of the turbines would significantly damage the high quality of the local natural landscapes and seascapes.

b) Cumulative Impact

With seven other industrial wind farms known to be proposed (including 4 in planning) around the Upper Firth of Clyde, the visual impact of an additional 19 giant turbines on Black Craig, itself over 500m above sea level would be insensitive and unacceptable.

c) Landscape Impact

The proposed wind farm would be highly visible from numerous points within the nearby Loch Lomond and Trossachs National Park – “a Special Place”. Dunoon’s status as the Maritime Gateway to the park would be undermined. The location for this development is only a few miles away from the world-famous Kyles of Bute, a National Scenic Area and would be highly visible and dominant from the approaches to the East Kyle.

d) Tourism

The development could significantly damage Dunoon and South Cowal’s tourism industry, which is dependent on the quality of its land and seascapes and the related heritage.

e) Reduced Property Values

Information from the Royal Institute of Chartered Surveyors shows that property values are likely to be undermined by the presence of a nearby wind farm.

f) Disruption

The main A815 coastal route, used by commuters and tourists is likely to be subject to serious disruption throughout the lengthy construction period.

g) Bird Strike

Golden eagles are known to nest near this site, and other protected species such as hen harriers and merlin are likely to be casualties if this wind farm is built.

h) Shadow Flicker

The movement of the giant rotors would often produce this strobe’ effect at various times, which would be seen from afar and wide over the Firth of Clyde.

i) Environmental Statement Shortcomings

Cumulative impact has not been adequately assessed in this document which omits mention of some nearby wind farm plans (e.g. Leapmoor Forest near Inverkip). Potential pollution to some local rivers and the effect on fish stocks is of concern.

j) Cost/Benefit

Although this development would have a huge visual impact of the Upper Firth, it will only make a minuscule contribution to national power requirements and have no measurable effects on reducing carbon dioxide emissions or global warming.

Below is a summary of further objections and concerns raised:

- *The Cowal hills including the Black Craig ridge running up to the Bishop’s Seat are clearly visible from most of the settlements on the Clyde Coast and Bute. Siting these high industrial structures on top of these hills will ruin the natural beauty;*
- *The scale of the development is inappropriate to the landscape in that the height of the turbines at over 100 metres is 25% the height of the hills which are around 400 metres. It would have an unacceptable visual impact to the detriment of landscape character and quality.*
- *Very serious concerns from a number of residents in Bute that the proposed development would have devastating effects on tourism, local businesses and the economy generally where the magnificent views of the Cowal hills from Rothesay including Port Bannatyne to Ascog would be lost as a result of this potential environmental catastrophe;*
- *The highly visible nature of this site will adversely affect tourist routes both by land and sea and will impact greatly on views of Cowal from the Isle of Bute and the Colintraive peninsula. The site would be prominent from the Wemyss Bay to Bute Ferry and from the Gourock crossings.*
- *In an area of landscape driven tourism, inappropriately sited wind farm developments should be resisted. A significant number of objectors from outside Argyll have indicated that they would not consider visiting the area if it was subject to inappropriately sited wind power developments.*

- *The Planning Committee should consider the total number of turbines and total impact on the Isle of Bute which depends on tourism for a large part of its economy;*
- *Will Argyll and Bute Council accept responsibility for the financial loss in value of properties on Bute?;*
- *The proposal would contribute to the cumulative impact of wind farm sites in South Cowal (one operational, one application imminent and another at scoping stage as well as others in Inverclyde). Argyll has already reached saturation with wind farm development. Development of the site will contribute to cumulative impact upon the Kyles of Bute National Scenic Area and approaches.*
- *Number of wind farms already (and proposed) in Argyll and Bute;*
- *Expected output of an average wind farm is regularly as low as 5% of the advertised rating and will seldom rise above 40% even in ideal conditions;*
- *Not against the use of renewables including wind power generally but wish to see alternative forms e.g. hydro, wave power, bio mass in more sensitive locations;*
- *Wind farm schemes may be better located in less contentious areas e.g. 190 turbines at Eaglesham Moor only attracted 40 objections;*
- *Any distribution of money or benefits to local agencies or communities would be far outweighed by the loss of natural resources;*
- *Drive towards wind energy is not because the landowners have become eco-friendly, or care about the environment, but because of the income it brings in. Profiteering by landowners on the Governments failure to support alternative energy sources.*
- *The development could have a potentially damaging impact on golden eagle and black grouse. The developers are unable to prove conclusively that these protected species will not be threatened by their proposal.*
- *Potential conflict of interest on the survival of raptors on the wind farm site within an estate used extensively to breed birds for commercial shooting.*
- *Believe that the potential impact that construction will have on golden eagle is understated. Investigation into this and other species i.e. osprey and peregrine should be “real” and not “assumed”;*
- *In view of its adverse consequences for landscape quality and nature conservation interests, the proposal would conflict with development plan policy and national planning guidance and should therefore be resisted.*
- *Additional development would lead to a consequent need to reinforce the grid system, which is already near capacity, thereby bringing the unwelcome prospect of further pylon lines. Reinforcement of the grid system will also only be countenanced by the National Grid where a cluster of prospective developments makes investment worthwhile. A small scheme such as this would be unlikely to go ahead unless other schemes can share costs. A consent in this location would therefore act as an incentive to attract other prospective developers to this area.*
- *Given the relative small scale of this site, its contribution to the reduction in global CO₂ emissions would be negligible. The proposal would contribute a unpredictable and intermittent contribution towards energy requirements in which Scotland is already self-sufficient, in disregard of UK and international wildlife conservation laws.*
- *Any suggested economic benefits associated with the proposal are illusory given that the market in renewably generated electricity is artificially supported at public expense.*
- *Concerns regarding TV reception in Rothesay which relies on a signal bounced from Toward;*
- *Proposed site is outwith areas identified for wind farms*

- *The Environmental Statement is inadequate in its assessment of noise to nearby properties, shadow flicker, soil and peat stability, and drainage issues, and in particular, run off from the site could exacerbate local risk of flooding.*
- *The development will contribute to environmental noise to the detriment of the quality of life of nearby residents.*
- *Any compensation which might be offered to the local community would be entirely inadequate compared to the detrimental impacts on residents, businesses and visitors. Likewise any potential short-term benefit to Campbeltown from turbine manufacturing (i.e. Vestas) should not be a consideration which weighs in favour of development in an inappropriate location.*

C. ASSESSMENT

(i) Renewable Energy Policy

In considering this proposal, in addition to having regard to local environmental issues, it is necessary to have regard to those macro-environmental factors which are material considerations in assessing the acceptability of renewable energy developments. UK energy policy has its most up to date expression in the Energy White Paper 2003, which sets a long term goal of reducing UK CO₂ emissions by 60% by 2050, in order to address global warming and climate change. In Scotland, SPP6 now confirms that Scottish Ministers have set a target of generating 40% (6GW) of Scotland's electricity from renewable sources by 2020. The current application proposal would have an installed capacity of 38 MW, which the applicants estimate would have an average output sufficient to meet the electricity needs of approximately 21,247 homes over its design life of 25 years.

In terms of planning policy, SPP6 advises that 'Support for renewable energy developments and the need to protect and enhance Scotland's natural and historic environment must be regarded as compatible goals if an effective response is to be made to the challenges of sustainable development and climate change.' (para 8)

In terms of Development Plan policy, the adopted Cowal Local Plan was produced in advance of the development of commercial wind farms, and therefore it does not have policies relating specifically to them. It does, however, through policies RUR 1 and RUR 2, exert influence over developments which would have undesirable effects on scenic areas, including the Kyles of Bute National Scenic Area, Bute and South Cowal Regional Scenic Area, the Isle of Bute Regional Scenic Area, and nature conservation interests, particularly in the case of protected bird species.

The approved Structure Plan, through Policy STRAT RE 1, reflects government policy in expressing support for the development of wind farms provided that they do not have adverse consequences for landscape assets, the historic environment, nature conservation interests, local communities or telecommunications installations. In addition to statutory policy, the Council's 1995 'Wind Farm Policy' still remains relevant, and may be considered in conjunction with the more recently adopted structure plan policies.

The Structure Plan indicates that, through the local plan process, the Council will seek to identify specific areas of search for future wind power developments. Whilst the Modified Finalised Draft of the 'Argyll and Bute Local Plan' introduces sensitive areas for wind farms which are defined spatially, representations lodged in respect of the wind farm policies of the plan mean that they can only be accorded limited weight in the determination of this application, as the policies will require to be reviewed at the forthcoming public local inquiry into the Plan, and may therefore be subject to change.

(ii) The Proposal

The application relates to an upland area of between 400 to 522m AOD, comprising open moorland on a rising broad ridge, west of the forested steep flanks of Glen Fyne, some 5 km south west of the major settlement of Dunoon, 7km north east of Port Bannantyne, and 2km from Loch Striven. The application site lies wholly within the Bute and South Cowal Regional Scenic Areas as identified in the Cowal Local Plan within an Area of Panoramic Quality, as identified in the Argyll and Bute Modified Finalised Draft Local Plan. The wind farm site with its high and prominent location on the crest of this broad ridge would also have an immediate visual impact on parts of the Kyles of Bute National Scenic Area, adjacent Areas of Panoramic Quality, the Firth of Clyde, Loch Lomond and the Trossachs National Authority and Inverclyde and North Ayrshire Councils.

The applicant's agent suggests that the development cost is in the region of £35M with an expected site start during January 2008 and completion by January 2009. The development is expected to result in 2 full time staff being employed.

- *Turbines*

The proposal involves the development of a wind farm involving the erection of 19 No. wind turbines, each with a capacity of up to 2.5MW. The turbine structures comprise a 60-metre tubular steel tower with nacelle and hub atop, with three blades with a rotor diameter of 83 metres. This would result in a maximum height of 101.5 metres from ground level to blade tip height. The finish and colour of the turbines and blades are likely to be semi matt and pale grey.

The 19 turbines would be located in roughly two parallel lines from the lower slope of Blar Buidhe in the south at approximately 400m AOD following the broad ridge running north-east at the northern slopes of Black Craig at 522m AOD.

Each turbine would be sited in concrete foundations (approx 20 x 20 metres each with temporary crane hardstandings of 15 x 45 adjacent), but the specifications may change once ground conditions have been confirmed.

In terms of operation, blades will rotate at approximately 6-22 revolutions per minute generating power for all wind speeds between 9-56mph. When operating at wind speeds above 34mph the blades will be feathered to regulate output. At wind speeds greater than 56mph the turbines will shut down for self-protection. The Environmental Statement suggests that these latter wind conditions usually only occur for about 1% per year in this area.

Each turbine requires a transformer which can either be located within the turbine tower or outside depending on the type of turbine to be installed. The agents comment that it is Argyll Wind farms intention to source turbines with transformers inside, if possible and if so would require external steps and handrails for maintenance. If outside, they would be located adjacent to the base of the turbine in housing approx 2 x 2 x 2 metres and coloured either green or the same colour as the turbines. The transformers will increase the electrical voltage to 33kv where buried cables (approx. 5.9km) would connect the turbines to the substation.

The grid connection is not covered by this application. It is anticipated that it will involve underground cabling to a grid substation at Sandbank. A separate application will be lodged separately by the local grid operator as required.

- *Substation*

The scheme will require the erection of a permanent on-site substation and this will be located beside Turbine No. 17 at the northern extremity of the site and at a height of 485m AOD on the steep slopes overlooking Inverchaolain Glen. The switchroom/sub-station (25 x 5 x 6 metres) would have cement rendered walls and slated pitch roof with septic tank and located within a hardstanding compound approx. 40 x 20 m.

- *Anemometers (wind monitoring masts)*

There are currently two temporary 60 metre high anemometer masts on the ridge. The proposal involves the erection of one permanent lattice wind anemometer mast (60 metres high) and associated concrete foundations, and this would be located west of Turbine No. 11 at 460m AOD. In addition, two temporary anemometer masts will also be required (no details submitted at this stage).

- *Access to Site*

It is proposed to deliver all turbine components (tower sections, blades, hubs, nacelle units) and all other construction materials by sea to the southern harbour at Ardyne Point. From there they will be transported along the private access track onto the public unclassified C10 road to the site entrance at the northern end of the Gortansaig Farm road. Upgrading and improvements are proposed to the unclassified public C10 road which will involve:

- widening of the junction where the private Ardyne access track meets the C10;
- general site clearance of overhanging verges/trees along the C10 to allow for vehicles up to 5m in height;
- widening of two bends to allow for swept path of the vehicles;
- potential temporary strengthening work of bridge crossing Ardyne Burn;
- upgrading of site access junction which may require existing stone wall to be temporarily removed.

- *On-site access*

Approximately 1.8 km of existing track from the site entrance to borrow pits 2 and 3 at Corriebeg Wood will be used where an additional 2.6km of new track will be constructed around the south eastern slope of Kilmarnock Hill to access the wind farm area. Approximately 6.9km of new tracks would be required to connect the turbines.

- *Borrow Pits*

Stone for track and turbine base construction will be excavated from 10 No. borrow pits with estimated extraction of 50,000m³ of material. Four of the borrow pits are existing quarries and have been used in the past for the extraction of stone. While six of these borrow pits are located along existing tracks in Glen Fyne, Kilmarnock Wood and at the site entrance, four would be located on the summit ridge. Only limited information and estimated extraction figures have been submitted at this stage. The borrow pits will however require to be the subject of separate mineral consent applications.

- *Temporary Construction Compound*

Two temporary construction compounds (100 x 50 metres and 30 x 20 metres) will be required where the main site would be located at the site entrance and the other at 400m AOD at the southern extremity of the wind farm site.

A concrete batching plant will be located close to the site entrance where it is proposed to source sand and gravel aggregate from nearby Killellan Farm.

(iii) The Environmental Statement

The application is accompanied by an Environmental Statement and Non-Technical Summary dated September 2006, which was the subject of 'scoping' with the Council and consultees prior to preparation, in order to ensure that all relevant issues were examined as part of the application process. The purpose of the Environmental Statement is to identify any significant effects on the environment arising from the development proposed, to assess the magnitude of those effects, and the extent to which they can be avoided or mitigated as part of the design and implementation process.

In terms of site selection, two alternative site locations were considered early in the process but these were restricted to locations within the Glenstriven Estate. The locations were on a very prominent southerly ridge of Cruach nan Capull and areas south of the Bishop's Seat. The alternatives were discounted for reasons including areas of deep peat, steep slopes affecting wind turbulence, potential for greater landscape and visual impacts, difficulties with access due to steep topography and need to cross numerous watercourses.

The key issues arising from the environmental statement are summarised in sections a) to j) below compared with responses from consultees and public representations and concluding with the department's views.

a) Landscape and visual considerations

The Environmental Statement comments that the proposal involves the development of the Black Craig ridge within Glenstriven Estate, which is situated within an area of 'open moorland ridge within remote rural upland landscape', at around 400-540 metres above sea level. The site lies 2 km from Loch Striven and the eastern approaches to the Kyles of Bute. The closest main settlement is Dunoon 5km to the north-west with Rothesay and Port Bannantyne some 8km to the south. There are no properties within the wind farm site. The closest residences are situated at Inverchaolain Farm (1200m), Gortanansaig Farm and around Knockdow, all within 1 km of the site. The site itself is not within any designated scenic area, although the development, in view of its scale, it would have an influence over a number of such areas within 35 km – namely four National Scenic Areas (Kyles of Bute, Loch Lomond, North Arran and Knapdale), four Regional Scenic Areas (South Cowal, North Argyll, Loch Lomond and Knapdale), four Regional Scenic Coasts (Loch Long, Loch Goil, and East and West Loch Fyne) and a number of designated historic gardens and designed landscapes.

A landscape and visual assessment has been carried out over a 35 km radius, with 27 representative viewpoints being addressed by means of wireframe diagrams and photomontages to illustrate the likely impact of the development. The Environmental Statement concludes that during construction of the wind farm, there will be significant visual impacts on the development site itself, where there would be significant visual impact from eight viewpoint locations. During operation, visual impacts of major significance are predicted from 12 viewpoints (5 major and 7 moderate) with minor or negligible impacts predicted for the remainder. Significant visual impacts are also identified for Rothesay and Port Bannantyne and from the A886 on the Island of Bute.

From the scenic designations noted above it is predicted that the wind farm will have no significant impact on the character of any of these landscapes. In addition, no significant impacts are predicted on the Loch Lomond and Trossachs National Park or the Clyde Muirshiel Regional Park. While The Environmental Statement identifies that there will be a major impact on the character of the site itself during construction and operation (due to the transition from a undeveloped moorland landscape to a developed energy-generating site with tall structures (major significance)), it is concluded that there will not be a significant impact on the wider 'landscape character types' within which the wind farm site falls. Furthermore, the impact on the landscape character of the surrounding landscape is also judged not to be of significance.

Consultees/Representations

Based on their own landscape and visual assessment Scottish Natural Heritage disagree with the findings of the ES and conclude that the development is likely to have significant adverse impacts and major alteration of key baseline characteristics on the landscape character of the Steep Ridgeland and Mountains Landscape Character Types (LCT); the visual resource of 12 specific viewpoints including locations close to the site and a number of locations across the Sound of Bute and Firth of Clyde; the visual resource of the settlements of Port Bannantyne/Rothesay and Gourock and the sequential visual experience on the A886 and the Wemyss Bay to Rothesay ferry route, where the wind farm site is presently seen in a highland or coastal context that is relatively unmodified by built development .

On the basis that the development could have potentially serious adverse impacts on the landscape and visual interests within a LCT with "high to very high" sensitivity to wind farm development, SNH has objected to the proposal.

Given the department's comments which are supported by the specialist landscape advice provided by SNH, this point of view should be accepted and the development resisted on landscape and visual grounds, with particular emphasis being given specifically to the impact of the development on the Isle of Bute. Similarly, many objectors contend that the Environmental Statement significantly underplays the significance of the wind farm development on the Clyde coast, the Kyles of Bute, Glen Striven and on the Isle of Bute, and ignores the effects upon ferry travellers on various Clyde crossings. Dunoon and Cowal Marketing Group comment that there are no views or wire frames included from Greenock Lyle Hill, Loch Eck, Puck's Glen, Cruach nan Capull, Kilbride Hill and the Bishop's Seat. A local resident from Rothesay comments that the site would have a serious detrimental visual impact on a famous and popular view from Canada Hill where a wide panorama of unspoilt scenery would be ruined.

South Cowal Community Council comments that there is no firm commitment that all necessary cabling would be underground where the use of pylons should be avoided in respect of impact on visual amenity and landscape.

The Department's View

The applicant's agents discussed and agreed 27 viewpoint locations to be included as photomontage or wireframe images within a 35km radius. Whilst the original number of viewpoints was reduced, the choice to produce these locations as photomontages or wireframes has resulted in insufficient information to assess fully the visual impact on a number of sensitive locations. Viewpoint locations close to the site result in distorted views whereas on moving further away from the site the full visual impact becomes more apparent. Areas which would be most affected with maximum number of turbines visible include Inverchaolain Glen, west Loch Striven, Port Bannantyne, Rothesay and Inverclyde coast with less turbines visible from sites on higher ground or sites further away.

Images taken from within Inverchaolain Glen do not provide an accurate context of the same impact when viewed from Strone Point, Colintrave or from Port Bannantyne and Rothesay. Viewpoint 2 from Bealach na Sreine provides a more accurate impression of the turbines when viewed from the col which separates Glen Kin from Inverchaolain Glen. A series of images from within these glens may have provided a more accurate impression. The view from Strone Point should have been submitted as a photomontage in addition to a wireframe image. That said, the department concurs with the findings of the ES that the visual impact from Inverchaolain, Bealach na Sreine and Strone Point will be major.

Similarly the view from Craigendive at the head of Loch Striven would have been better represented as a photomontage in addition to the wireframe image as many of the turbines would be prominent when viewed from the B836 Dunoon to Glendaruel road. The department considers that the visual impact on Craigendive and areas at the head of Loch Striven would not be negligible but minor or moderate.

Since Rothesay and Port Bannantyne are the most populated areas to experience high visual impact from the proposed development, a number of key viewpoints from popular locations were suggested to the agents. These have not been submitted where specifically, a very poor viewpoint from Canada Hill does not represent the full impact that the scheme would have. Other viewpoints from within the built-up areas of Rothesay and Dunoon have not been submitted which could have shown the full visual impact of the scheme on populated areas and sensitive/historic locations. The wide angle viewpoints from Rothesay Bay and Kames Bay do not provide an accurate impression of the entire wind farm development where all turbines would be visible from many lower and higher level locations. The views from Bute merely emphasise the high visual impact that the wind farm would have where from certain locations the turbines appear as dense clusters and not as a carefully designed group. The department would disagree with the findings of the ES that visual impact from Canada Hill (minor), Rothesay (moderate) and Port Bannantyne (moderate) as it is considered that the impact on a number of different locations within these populated areas would be major.

One of the key viewpoints of the windfarm on the South Cowal peninsula will be from the Toward areas in particular from Toward Quay and Ardyne Point towards Knockdow. While this area is at present sparsely populated, the public C10 road runs through this open agricultural area towards east Loch Striven. Within the Argyll and Bute Modified Finalised Draft Local Plan, potential development areas have been identified at Castle Toward (PDA 2/42), Ardyne (PDA 2/43) and Knockdow (PDA 2/44) for mainly mixed use developments comprising tourism, marina, leisure and housing developments. The department agrees with the findings of the ES that visual impact on this area will be major.

While no views have been submitted from the Bishop's Seat or Kilbride Hill (both popular walking peaks), a view has been submitted from Buachailean from the south. Whilst this hill and recreational viewpoint is at a height of 346 metres and across Glen Fyne from the application site, it does provide a very accurate impression of the surrounding landform and topography and visual prominence of the high Black Craig ridge with no suitable higher backdrop. Given height and proximity it is no surprise that visual impact on this area will be major.

Viewpoint 5 from Castle Hill in Dunoon appears to be contradicted by Viewpoints 9 and 13 where it would appear that more than one part of a blade tip would be visible from many parts of Dunoon, Kirn and Hunter's Quay. Whilst the ES finds that impact on Dunoon Castle will be negligible, it is considered that many other parts of the town could have moderate or major visual impact.

Views from the north from Kilmun Arboretum are also similarly poor representations from important leisure and recreational routes where many of the turbines would be visible overlooking Glen Kin. The department would however concur with the findings of the ES that visual impact will be moderate.

Views from the Firth of Clyde and Inverclyde appear understated in terms of overall visual impact. The submitted views do not accurately reflect the full impact that the wind farm development would have on Clyde ferry crossings or sailing craft. The department would however concur with the findings of the ES that visual impact will be moderate.

b) Cumulative impact

The Environmental Statement has also considered cumulative impacts upon other wind farm sites within a 30km radius from Black Craig. The findings conclude that:

- *multiple wind farms will be visible from the open sea, particularly the Firth of Clyde and Sound of Bute;*
- *high tops tend to have more wind farms visible;*
- *the western coast of the Firth of Clyde (i.e. Innellan, Bullwood) has limited views of Black Craig but views across to the wind farms on the east side (Inverclyde Council) where this will also be reversed when viewed from that side;*
- *locations on Bute, Rosneath and the Corlarach Hill ridge have views to both Black Craig and to developments on the Clyde Muirshiel hills.*

The Environment Statement concludes that although most of the locations/routes assessed will have a view of more than one wind farm, the cumulative visual impacts for all but one (from Buachailean, one of the nearest hill tops) of the locations/routes assessed was judged to be of minor to negligible significance. No significant cumulative impacts were identified for landscape character.

Consultees/Representations

Scottish Natural Heritage do not share the view of the ES and consider that the proposal would have potentially significant additional cumulative landscape and visual impacts which are inadequately addressed within the ES at present because it does not include an assessment of all cumulative impacts, nor of the impacts on all relevant landscape character types. The ES states that the proposals at scoping stage are excluded from the assessment. This is in conflict with earlier requests from SNH for a cumulative assessment of all public domain proposals, including the adjacent Corlarach Hill and Eilligan wind farm proposals, and the Leapmoor scheme in Inverclyde that has been in the planning system for several months that have all been excluded from the ES. It is also suggested that the included angle for the cumulative wireframes is insufficient to illustrate all the additional wind farms visible. SNH consider that the ES presents insufficient information to enable a full assessment to be made of all cumulative landscape and visual impacts and object to this particular aspect of the application until stated information is submitted.

Many objectors (including Dunoon and Cowal Marketing Group, Community Councils and other objectors) state that the cumulative impact assessment does not include several proposed wind farm schemes including Leapmoor Forest near Inverkip, Corlick Hill near Kilmacolm, Allt Dearg, North Kintyre, An Suidhe as well as on Corlarach Hill and Eilligan on The Bishop's Seat. Many objectors consider that cumulative effects have been underestimated, particularly the impact upon longer distance views from Isle of Bute, Loch Lomond and

Trossachs National Park, Inverclyde, North Ayrshire and ferry routes where more than one wind farm will be visible. In particular, it is their view that the Firth of Clyde corridor would become characterised by a series of wind farm sites. It is also suggested that views of the proposed site along with the proposed scheme at Corlarach Hill and possibly Eilligan on north of the Bishop's Seat, would create a cluster of turbines that would impact cumulatively upon many settlements and popular road and ferry routes, where their presence would be significant.

The Department's View

None of the photomontage or wireframe images include any other wind farm developments to fully assess cumulative impact. The inclusion of the Corlarach wind farm scheme across Glen Fyne (details submitted at scoping stage and application imminent) and other schemes in Inverclyde would have been beneficial to assess the capacity of these low lying but prominent hills for wind farm development given their proximity to many established and populated areas and historic and areas of panoramic quality.

c) Ecology

Ecological surveys were undertaken to assess impacts on habitats and animal species. The site itself is not covered by any statutory or non-statutory nature conservation designations. A number of Ancient Woodland Inventory sites are located between the boundary of the site and Loch Striven and along the access track to the south of the site. The site comprises a mixture of upland moorland vegetation types which are common in Scotland. The layout of the site has been designed to avoid areas of better botanical habitat and to minimise disturbance to peat hydrology. The site is not to be considered of special value to either invertebrates, mammals or other fauna, although evidence of otter activity has been identified. Red squirrels were sighted within the site boundary, confined to a coup of coniferous woodland, where an access track has been diverted. A Habitat Management Plan seeking to deliver specific nature conservation benefits and an Ecological Clerk of Works are proposed. The development is most likely to give rise to impacts during the construction phase, although subject to recommended mitigation measures (pollution control and vegetation reinstatement for instance) the residual impacts are considered by the applicants to be low.

Consultees/Representations

Argyll and Bute Local Biodiversity Partnership comment that insufficient information concerning red squirrel which have been identified on and near the site have been adequately considered. These views are echoed by South Cowal Community Council who consider that insufficient time and information has been spent on ecological surveys.

The Department's View

The ES contains information and mitigation measures for flora and fauna. SNH have not objected to the proposal on this aspect and further information requested regarding red squirrels and other species could be addressed by planning conditions or within a Habitat Management Plan.

d) Ornithology

An assessment on predicted impacts of the proposed wind farm on birds was undertaken over a two year period. Findings include breeding hen harriers, skylark, red grouse, snipe, ravens, song thrush and crossbill, with infrequent visitors including merlins, peregrine, osprey and short-eared owl. Small populations of black grouse occupy two areas adjacent to the proposed wind farm. A pair of golden eagles nest more than 5km from the proposed wind farm where surveys suggest that there is golden eagle activity over the site in the non-breeding period. It is suggested that the levels of sightings are distorted by the deliberate provision of large amounts of carrion within the site for Estate management purposes. In the absence of this carrion, eagle activity is likely to be much reduced. Further survey work is proposed.

The Environmental Statement concludes that during construction activities, noise and visual disturbance will temporarily displace some breeding and foraging birds and disrupt the routines of others. This impact is considered to be of minor significance for all species. The effect of habitat loss are considered to be of negligible significance, given the small, area affected. Potential collision risk is not predicted to be an impact of significance for any species, with the exception of the golden eagle.

Consultees/Representations

SNH state that the Black Craig application area is known to support golden eagle (listed on Annex 1 of the European Birds Directive 1979 and an Argyll and Bute LBAP species) and black grouse (listed on Annex 2 of the European Birds Directive 1979 a UK BAP and Argyll and Bute LBAP species).

Golden eagle is afforded special protection under Schedule 1 of the Wildlife and Countryside Act 1981 (as amended). They are also listed under Annex 1 of the European Birds Directive 1979, and as such they are a material consideration in the determination of a planning application.

SNH disagrees with the conclusion of the ES that impacts on golden eagle would not be significant and object on this basis. SNH consider that the current pattern of intense flight activity within the development footprint could have a significant impact upon the golden eagle territory in this area. While it is indicated that further studies are to be undertaken during winter 2006/07 this must include collision risk modelling scenarios and full details of the proposed mitigation package highlighted within the ES.

SNH also note that black grouse could be affected by the proposed development where further surveys will be required for the proposed development and grid connection works in order to establish a habitat management plan and mitigation measures to ensure that the serious and continuous decline of Scottish black grouse population is not accelerated.

The site is also frequented by other bird species including peregrine, hen harrier and merlin but SNH are content that the impacts on these species will be low. Suggestions made to create a 200 metre exclusion zone to avoid disturbance to any of these bird species during breeding season.

Argyll and Bute Local Biodiversity Partnership highlights species of local and national concern which have been identified on and near the site where their protection and monitoring requires further input into a Habitat Management Plan. RSPB object on the basis that there is insufficient information in the ES to fully assess collision risk for golden eagle including flight activity details. Concern is also raised about the cumulative impact of wind farm schemes on golden eagles through habitat loss within mainland Argyll.

The Department's View

Collision risk is only assumed at this stage while the ES confirms that further studies are required to establish the extent to which birds are able to avoid collision with wind turbines. It is suggested that indications from studies so far are that collisions are rare events and occur mainly at sites where there are unusual concentrations of birds and turbines, or where the behaviour of the birds concerned leads to high-risk situations. Examples include migration flyways, situations where large numbers of birds may be flying at night or in poor visibility and areas where the food resource, and therefore level of bird activity, is exceptional.

However, as no further details have been submitted these presumptions cannot be accepted as a reliable mechanism for the prediction of mortality levels. As there is no guarantee that this will necessarily be the case, and there is room for error in one or more of these areas, the precautionary stance taken by the RSPB and Scottish Natural Heritage is understandable.

The onerous requirement to maintain the integrity of European protected sites and to avoid attrition of protected species is such that development ought not to be permitted unless there is reasonable certainty that qualifying interests will not be prejudiced as a consequence. The applicants have not ably demonstrated that there would be no risks to existing birdlife on and near the wind farm site or associated with significant construction and infrastructure works. Clearly, the only entirely safe course of action is to invoke the precautionary principle and not to permit wind farms in areas frequented by protected birds forming part of a vulnerable population. In that event, it may be concluded that this area of undeveloped moorland in its coastal location is fundamentally inappropriate to wind farm development, which would be better located elsewhere, in circumstances where considerations relating to European protected species do not assume the level of importance that they do in this case.

e) Hydrology and Hydrogeology

The site is located within the headwaters of three main river catchments, Inverchaolain Burn, Ardyne Burn and Knockdhu Burn. There are no public water supplies in the area and local properties rely on private water supplies from springs or streams. The construction period (and decommissioning) is most likely to give rise to implications for the water environment, particularly in connection with the formation of access tracks and turbine bases. However, no significant consequences for water resources are identified, subject to prudent construction practice and appropriate mitigation measures being employed, as identified in the Environmental Statement.

Consultees/Representations

SEPA object to the development on the basis that the proposal includes the culverting of five watercourses and extending existing culverts where insufficient information has been submitted. This information was requested at the scoping stage, where the ES should have identified all water crossings and include a systematic table of watercourse crossings or channelising with a detailed justification and design to minimise impact. This has not

been included in the ES where SEPA will uphold their objection until such information is submitted, demonstrating that the choice of watercourse crossing is the best environmental option. Culverting is considered to be the least desired option as they are a frequent cause of local flooding due to inadequate design or maintenance.

The proposal also involves water abstraction as part of the concrete batching plant proposal, which may also require CAR authorisation from SEPA. In terms of water abstraction, SEPA has had experiences where developers have assumed they'd be able to obtain a water supply but then it has turned out that there is no suitable water supply locally. However in these instances I believe it may be possible for developers to tanker in water. So again we'd expect them to supply information demonstrating where they are obtaining the water supply from or stating if they cannot obtain a source locally they would tanker water in.

In terms of flooding SEPA expect the developer to demonstrate that the designs chosen minimise the risk of flooding and can cope with expected flows with full details submitted on flow rates. While SEPA have objected due to a lack of information the flooding aspect could be addressed by conditions. On the basis of insufficient information including source of water and potential abstraction rates and volumes, SEPA object to this aspect.

The Department's View

The construction period (and decommissioning) is most likely to give rise to implications for the water environment, particularly in connection with the formation of access tracks and turbine bases.

While the access appears to have been designed with minimal watercourse crossings (in consultation with SEPA regarding appropriately designed crossing solutions) SEPA still request further information on watercourse crossings and water abstraction where it needs to be fully demonstrated that there is suitable access (with minimal and appropriately designed watercourse crossings) to the site and a suitable water supply can be obtained for the concrete batching.

f) Cultural Heritage

The Environmental Statement includes impacts on features of national importance within 5km and of exceptional sensitivity within 35km of the site boundary. There are no features of national or regional importance, or with formal cultural heritage designations within the site boundary. Only one site of cultural heritage interest, a shepherd's cairn known as 'Bodach Bochd' and a ruinous stone dyke was also identified on Kilmarnock Hill. Direct impacts on the cairn will be avoided. A short fragment of the stone dyke will be affected by the construction of the access track. There are 18 sites of national importance within 5km of the wind farm where impacts on seven within the zone of theoretical visibility are judged to be negligible. Consequences for archaeology within the site itself are considered to be of low magnitude.

No impacts during construction or operation are considered to be of greater than negligible significance on any of the heritage sites or features.

Consultees/Representations

While Historic Scotland is unable to comment on the proposal due to insufficient information, concern is raised on the potentially adverse impact of the development on the setting of Castle Toward Designed Landscape (Candidate Inventory Site) and Ardgowan House Designed Landscape. It is considered that the ES has not adequately assessed potential impact on cultural heritage features. Significant concerns are raised about the methodology used to assess impact on the historic environment. While the ES concludes that impact is not significant, Historic Scotland cannot place confidence in this conclusion given criticisms of the methodology employed. Further information is requested regarding the B-Listed Castle Toward and its Designed Landscape including views from the sea, and from Ardgowan House and Designed Landscape.

While West of Scotland Archaeology Service (WoSAS) are satisfied with the methodology and findings, an archaeological safeguarding condition is recommended in respect of mitigation for construction compound and borrow pit areas and specific safeguarding of site HA8 (Bodach Bochd Cairn) at the Ellers Burn during construction activities.

WoSAS however disagree with the findings of the ES that there would only be a negligible impact on two non-scheduled significant archaeological sites at Ardmaleish Point, Bute (site HA17) and a dun at Ardyne Point (site HA18), where these should have been assessed as moderate.

The Department's View

The viewpoint from Ardgowan has been taken from the coastal edge and not from within the grounds of Ardgowan House. Similarly there are no views taken from the grounds or including Knockdow House a Category B-Listed Building or within Castle Toward Designed Landscape.

Whilst the proposed turbines will be visible from a number of designated sites (and this visibility, however distant, may well impinge upon visitors' enjoyment of these historic sites), neither Historic Scotland nor West of Scotland

Archaeology consider that the development impinges on the setting of any of the designated sites to such a degree as to warrant objection being raised.

g) Noise and safety

Baseline noise levels have been recorded at the nearest dwellings to the site at Brackley Cottage and Inverchaolain at 1700 metres distant and at eleven other locations. The assessment has been carried out by comparing the predicted levels with the noise limits recommended in Planning Advice Note 45 which are derived from DTI/ETSU guidance on The Assessment and Rating of Noise from Wind farms (ETSU-R-97). This concludes that predicted levels meet both the night time noise limit and the lower amenity hours noise limits in all circumstances. Higher noise levels were attributed to the presence of a nearby watercourse.

Consultees/Representations

Subject to conditions, SEPA are satisfied with the submitted information regarding pollution prevention, winter working, foul drainage in respect of welfare facilities for site compounds and substation, protection of surrounding private water supplies, concrete batching mitigation measures, fuel storage area, substation bunding and oil storage and waste management licensing.

In terms of peat, SEPA comment that while a peat survey was undertaken in the north of the site, a peat depth survey has not been undertaken for the entire site. This should include Peat Slide Hazard and Risk Assessment for the entire site where peat stability should be fully investigated.

The Department's View

In terms of peat slide hazards SEPA's concerns are the potential pollution/environmental impacts created if a peat slide occurs. The applicant needs to demonstrate that there is no risk of peat slide. If no risk in peat stability SEPA may be satisfied in a planning context.

h) Access and traffic

Due to size of turbine components, a number of delivery and transportation options were explored. It is proposed that all turbine components will be delivered by sea to the southern harbour at Ardyne Point and then by road (private and public) to the site. No construction vehicles, with the exception of site personnel, will use the A815 from Dunoon. This is estimated at an average of 21 two-way vehicle movements of cars or mini buses per day from Dunoon over the 12 month construction period. Also estimated that there would be an average of 4 HGV two-way journeys from nearby Killellan Farm where sand and gravel would be sourced. Improvements are proposed and these have been summarised already. A Construction Traffic Management Plan will be agreed with the Council including transportation surveys, road maintenance and improvement and mud/debris on roads. Operational traffic is expected to be insignificant.

Consultees/Representations

The Area Roads and Amenity Services Manager is satisfied with the access arrangements proposed, subject to a minor upgrading of the junction with the A83. There are no road safety issues and the proposal is consistent with Structure Plan and Roads Policy. The ES is indefinite about eventual transportation and delivery routes to the site.

South Cowal Community Council expresses concern regarding potential impact of the proposed development upon traffic levels and related noise, road safety and pollution during the construction period.

The Department's View

The entire proposal is based on the fact that all turbines and components would be delivered by sea which would relieve pressures on the existing roads network. Access matters and off-site highway improvements could be covered by specific recommended conditions or Section 75 Agreements.

i) Tourism and Socio-Economic Effects

The Environmental Statement considers that no significant impacts on the existing estate activities are predicted. In terms of employment, it is estimated that the number of people employed on site during the 12-month construction period could vary from 15-70, with a small amount of spin-offs to local businesses/contractors. The construction phase of the development is likely to give rise to direct and indirect benefits to businesses in the area.

The Environmental Statement suggests that the presence of the wind farm will not act as a deterrent to tourists, and a number of studies are referred to in support of this. It is concluded that impacts on tourism due to the operation of the wind farm are considered to be of minor significance.

Consultees/Representations

Dunoon and Cowal Marketing Group strongly object to the proposal on the basis that it would cause significant damage to the fragile local tourist industry and cite alternative surveys that conclude that serious financial damage can result from wind farm development in scenic tourism areas. DCMG also note that the applicant has employed Land Use Consultants who ironically were the authors of the Strategic Framework & Action Plan document for Dunoon and the National Park Gateway in which it is stated, "the area is a unique place which benefits from a particularly high quality natural environment". This would appear to support any views that 19 giant turbines would be totally unacceptable on a high moorland ridge. It is also pointed out that in the ES, only hotels and restaurants are covered with no mention of other forms of holiday accommodation including caravan parks and self-catering and other visitor attractions.

VisitScotland represent a number of local Cowal tourism businesses who are keen to point out that while they are generally supportive of renewable energy in principle, they object to inappropriate and insensitive siting of large industrial wind turbines. These could have a devastating impact on the many scenic views enjoyed by visitors as well as potential operational noise impact. It is suggested that tourism is worth £300m per year to the economy of Argyll and Bute contributing around one third of the area's GDP and employing up to 505 of the population. Recent visitor surveys suggest that 40% of all visitors choose to visit the area because of the quality of the scenery, rising to 66% of overseas visitors. A study by VistScotland highlighted that a quarter of visitors were less likely to visit an area because of the cumulative visual impact of a number of wind farms. Little consideration appears to have been given in the ES on potential impact to the tourism industry, particularly in this fragile rural area. Suggest that in such areas more sustainable and alternative sources e.g. tidal, wave, solar and biomass be considered to reduce environmental impact.

The Department's View

Other objectors from within Argyll and Bute involved in the provision of tourist services concur with the views of DCMG, and many of the previous visitors to the area who have written to object, have expressed the view that the presence of wind farms would be a deterrent to them making return visits. Clearly, opinions are polarised on the acceptability of wind farms generally, and willingness to accept them as a feature in the countryside may well be influenced by attitude and ideology, as much as the specific attributes of any particular development. It is probably fair to say that the more prominent a scheme is, and the more an area becomes subject to multiple wind farm sites, the less likely it is to prove attractive as a destination to tourists. While no specific policy relating to tourism, visitors to this area come for its scenery, wildlife, natural and historical heritage where the development would be contrary to such policies.

Accordingly, the department would support the views of the consultees/objectors.

j) Telecommunication and Aviation Interests

No adverse impacts are identified and no objections have been raised by any other military or civilian aviation interests or telecommunication operators.

Consultees/Representations

Only NATS/NERL originally objected to the proposal but comment that that while the proposal is likely to impact on electronic infrastructure, no safeguarding objection is raised. No other aviation or telecommunication concerns have been raised.

The Department's View

Based on the comments from consultees, the department has no reason to doubt the findings contained in the ES.

(iv) Conclusions

Within Argyll and Bute, The Council has already responded to renewable energy development in particular to wind farm development with several schemes now operational and more in the planning process. In the Argyll and Bute Modified Finalised Draft Local Plan June 2006 'preferred areas of search' have been identified with potential capacity to accommodate further growth. Outside these favoured locations, 'constrained areas' have been identified where these are considered to be essentially incompatible for commercial wind farm development, irrespective of turbine height. Incompatibility in these 'constrained areas' is based on the presence of National Scenic Areas, highly valued landscapes with semi-wilderness or panoramic qualities, highly valued settings in and around outstanding conservation areas and historic landscapes, and cumulative impacts with existing or consented wind farm developments.

The proposed wind farm development lies within a 'constrained area', close to a National Scenic Area and within and affecting areas of panoramic quality and highly valued natural and historical landscapes.

The Environmental Statement contains significant information including photomontage and wireframe images from a number of agreed locations. These photomontages and wireframes are considered to be the best realistic impression to assess the visual impact of 19 No 101.5m high turbines sited on the crest of a prominent 400 metre high ridge. It is however considered that the precise locations and quality of these images are inconclusive to support the Environmental Statement opinion that the wind farm would only have a general moderate impact. While the wind farm site would be comparatively screened from many parts of Dunoon, Bullwood, Hunter's Quay and Sandbank, settlements and sensitive locations further away will be most significantly affected e.g. Rothesay, Port Bannantyne, Inverchaolain, Inverclyde, in addition to ferry/sailing movements on the Firth of Clyde and approaches to the Kyles of Bute.

Given the impact on a National Scenic Area, and other areas of panoramic quality it is considered that the social or economic benefits of the scheme do not outweigh the overall integrity and potential environmental damage to these areas. No mitigation measures are proposed that would lessen the impact that 19 No. high industrial structures and associated plant, buildings and extensive tracks would have on an area of natural beauty in a wider unspoiled landscape.

While the applicant has submitted significant information within the Environmental Statement it is considered that there is insufficient and inconclusive evidence to suggest that ecological and habitat concerns would not be significantly affected during both construction and operation. In particular, golden eagle, a European protected species and black grouse, a UK and locally protected species, could be significantly affected. Council policies seek to safeguard and enhance ecological interests and habitats where the proposal would be contrary to many policies at National, Structure and Local Plan level. This view is supported by consultees and objectors. NPPG 14 'Natural Heritage' advocates that in instances where scientific evidence is inconclusive and potential damage could be significant, the precautionary principle is recommended in safeguarding biodiversity.

Given all of the foregoing, it is considered that any perceived social or economic benefits of the scheme do not outweigh the significant impact that the proposed wind farm development could have on recognised and historic areas of high landscape value and the development of moorland and moorland fringe that provides habitat to particular protected (and important unprotected species).

The proposal is contrary to many policies contained at European, National, Structure and Local Plan levels. Scottish Natural Heritage, the RSPB, Bute Community Council, South Cowal Community Council, Dunoon and Cowal Marketing Group, Isle of Bute Marketing Group and the Ramblers Association all have serious concerns for the proposal which could have such a devastating impact on the landscape and environment to the detriment not just to the flora and fauna within but in terms of landscape and visual impact with associated concerns for tourism. To date the department has received 151 letters of representation with 112 letters of objection and 39 letters of support. Many concerns raised relate to the impact of the wind farm on established areas of panoramic quality in terms of ecological and visual impact. The Council, through its adopted policies in the Cowal Local Plan and through the emerging Argyll and Bute Local Plan, are continually trying to improve and enhance Cowal as a tourist destination for developments which would not adversely affect or destroy the environment. The scale of the proposal and its detrimental impact on an unspoiled prominent moorland area with its associated habitats leaves the department with no alternative than to recommend refusal.

06/02000/DET Letters of Objection (112)

T Heijgelaar,	105 Alexandra Parade Dunoon PA23 8AN	09/10/2006	O
Eva Thomson	133 Bullwood Road Dunoon PA23 7QN	09/11/2006	O
James Douglas	133 Bullwood Road Dunoon PA23 7QN	09/11/2006	O
David Dain	14 Dixon Avenue Kirk Dunoon Argyll PA23 8NA	30/11/2006	O
Mrs Daisy Heaney	15 Parkway Court Off Blairhill Street Coatbridge ML5	11/10/2006	O
Mary Daley	16 Ashmill Court Beulah Grove West Croydon Surrey CR02QU	12/10/2006	O
Ian Hopkins	179 High St. Rothesay	19/10/2006	O
Ian Hopkins	179 High Street Rothesay PA20 9BS	19/10/2006	O
Roderick Angus	2 Melford Avenue Giffnock Glasgow G46 6NA	10/10/2006	O
Amanda Hawkins	2 Woodhurst Lane Wokingham Berkshire RG41 1JQ	09/10/2006	O
H MacLean	20 Clyde Street Kirk Argyll PA238DX	17/10/2006	O
James Dougall	23 Mount Pleasant Road Rothesay Isle Of Bute Argyll And Bute PA20 9HQ	19/10/2006	O
Mrs S Tole	23 Pointhouse Crescent Port Bannatyne PA20 0LG	12/10/2006	O
Ms A Clelland	25 Argyle Street Rothesay PA20 0AU	13/10/2006	O
John Hoddart	25 Marine Road Port Bannatyne Isle Of Bute PA20 0LL	17/10/2006	O
Harry Lymburn	27 Argyle Place Rothesay Isle Of Bute PA20 0BA	17/10/2006	O
James Henry Law And Diana Jane Law	3 Birch Lodge Bullwood Road Dunoon Argyll PA23 7QN	17/10/2006	O
John Coniam	31 Deansgate Hansworth	11/10/2006	O

	Bracknell Berkshire RG12 7HU 31 Deansgate Hanworth Bracknell RG12 7HU	13/10/2006	O
Kathy Coniam	34 High Road Port Bannatyne PA20 0PP	12/10/2006	O
R And E Chisholm	34 High Road Port Bannatyne PA20 0PP	01/11/2006	O
R And E Chisholm	34 Shore Road Port Bannatyne Isle Of Bute Argyll And Bute PA20 0LQ	11/10/2006	O
Michelle Craig	35F Alfred Street Dunoon PA23 7PG	31/01/2007	O
James Moir	38 Mount Stuart Road Rothesay Isle Of Bute PA20 9EB	17/10/2006	O
Margaret Whaley	38b Church Lane Wingfield Trowbridge Wiltshire	12/10/2006	O
Bernard G Pendle	BA14 9LW 38b Church Lane Wingfield Trowbridge Wiltshire	12/10/2006	O
Alison Mary Pendle	BL14 9LW 4 Millhouse Road Strathaven	06/11/2006	O
Owner /Occupier	ML10 6DB 40 Argyle Street Rothesay PA20 0AX	10/10/2006	O
William And Heather Finlay	41 Pigott Road Wokingham Berkshire	13/10/2006	O
Muriel Brown	RG40 1PZ 46 Leapmoor Drive Wemyss Bay PA18 6BT	08/11/2006	O
R Charnock-Smith	5 Butterfield Woburn Green Bucks	13/10/2006	O
Sandra Maxwell	HP10 0PX 5 Shore Road Port Bannatyne Isle Of Bute PA20 0LQ	17/10/2006	O
Mrs M Harman	5 Shore Road Port Bannatyne Isle Of Bute PA20 0LQ	01/11/2006	O
Mrs M Harman	51/2 Argyle Place Rothesay PA20 0BZ	04/12/2006	O
Philip Mason	53 Bissley Drive Maidenhead Berkshire	13/10/2006	O
Beatrice Lyons	SL6 3UX 55 Hazelwood Grove Sanderstead South Croydon	12/10/2006	O
Linda Daley	Surrey		

CR2 9DW

Rickie Daley	55 Hazelwood Grove Sanderstead South Croydon Surrey CR2 9DW	12/10/2006	O
Jean Hawkins	55 River Way Christchurch Dorset BH23 2QQ	13/10/2006	O
Alan Cumming	66 Langhouse Road Inverkip PA16 0BN	20/11/2006	O
Kevin Hawkins	8 Craignethan Mountstuart Road Rothesay PA20 9LF	09/10/2006	O
Ms A Cunningham	9 Scour O'Doon Road Ayr KA8 0SS	13/10/2006	O
Andrew Stevenson	9a Marine Place Rothesay PA20 0LF	13/10/2006	O
Wallace Fyfe	Ascog Hall Isle Of Bute Argyllshire PA20 9EU	23/10/2006	O
Katherine Fyfe	Ascog Hall Isle Of Bute PA20 9EU	11/10/2006	O
Wallace Fyfe	Ascog Hall Isle Of Bute PA20 9EU	11/10/2006	O
Franklin McLean	Balandra 20 Clyde Street Kirn Argyll PA23 8DX	20/10/2006	O
Heather McLean	Balandra 20 Clyde Street Kirn Argyll PA23 8DX	20/10/2006	O
Mr A C Harrison	Balmory Hall Isle Of Bute PA20 9LL	13/10/2006	O
Mrs B Harrison	Balmory Hall Isle Of Bute PA20 9LL	13/10/2006	O
Stuart Malcolm	Beechcroft 25 Kilbride Avenue Dunoon Argyll PA23 7LH	24/10/2006	O
Kathryn M D Logan	Benview Tayinloan Tarbert Argyll PA29 6XG	13/10/2006	O
Mrs E A Wilton	Burnfoot Cottage Glenstriven Toward Argyll PA23 7UN	07/12/2006	O
G A Leonard	Cannon House Hotel 5 Battery Place Rothesay PA20 9DP	13/10/2006	O

Allan Angus	Cherrygale Cottage Portavadie Tighnabruaich PA21 2DA Chirnside Shore Road Innellan Dunoon	12/10/2006	O
Janet Lowe	Argyll Chirnside Shore Road Innellan Dunoon	17/10/2006	O
Alma Lowe	Clandale Eastlands Road Isle Of Bute Dunoon	17/10/2006	O
Alastair MacKenzie	PA20 9EN Clandale Eastlands Road Isle Of Bute	17/10/2006	O
Alistair McKenzie	PA20 9EN Clansdale Eastlands Road Rothesay	01/11/2006	O
Alastair MacKenzie	PA20 9EN Corra Otter Ferry Argyll	11/10/2006	O
Shirley F Callan	PA21 2DH Corra Otter Ferry Argyll	10/10/2006	O
Tom Callan	PA21 2DH Craiglea 27 Mount Stuart Road Rothesay	10/10/2006	O
John B Dunn	PA20 9EB Craiglea 27 Mount Stuart Road Rothesay	01/11/2006	O
John B Dunn	PA20 9EB Daisy Cottage 30 Wyndham Road Isle Of Bute	10/10/2006	O
Elizabeth Rae	PA20 0NR Daisy Cottage 30 Wyndham Road Isle Of Bute	01/11/2006	O
Elizabeth Rae	PA20 0NR Drum Cottage Kilfinnan Tighnabruaich Argyll	09/10/2006	O
W S Sutherland	PA21 2ER Dunagoil Farm Kingarth Isle Of Bute	17/10/2006	O
A J Steven	PA20 9LX Dunoon And Cowal Marketing Group Lyll Cliff 141 Alexandra Parade Dunoon	06/10/2006	O
Philip Norris	PA23 8AW Flat 2 Gillemart Court 94 Buccleuch Street Glasgow	09/10/2006	O
Brenda Lowe	G3 6DU Glasvaar Cottage Ford By Lochgilphead Argyll	17/10/2006	O
PBJ Holt		17/10/2006	O

PA31 8RJ			
P E Holt	Glasvaar Cottage Ford By Lochgilphead Argyll PA311 8RJ Glencairn 14 North Campbell Road Innellan Dunoon	17/10/2006	O
Karen Mitchell	PA23 7SE Hillcrest Clachan By Tarbert Argyll	25/01/2007	O
Derrick Lewin	PA29 6XL Hillcrest Clachan By Tarbert Argyll	09/10/2006	O
D Lewin	PA29 6XL Isle Of Bute Marketing And Tourism Cannon House Battery Place Rothesay	06/10/2006	O
Tony Harrison	PA20 9DP Marnock Glenburn Road Rothesay	13/10/2006	O
Cameron And Philomena Middleton	PA20 9JP Millburn Cottage Ascog Rothesay	09/10/2006	O
Dr And Mrs D H Reid	PA20 9ET Millburn Cottage Ascog Rothesay	09/10/2006	O
Dr D H Reid	PA20 9ET Mount Stuart Isle Of Bute	01/11/2006	O
John C Bute	PA20 9LR	18/10/2006	O
Alistair Tough	No Address	24/10/2006	O
Barbara A Hill	No Address	24/10/2006	O
Frank J Hill	No Address	24/10/2006	O
Gordon Hill	No Address	26/10/2006	O
Jean Tough	No Address	24/10/2006	O
Nick Beckwith	No Address	20/10/2006	O
Patricia Hill	No Address	24/10/2006	O
W D Cockburn	No Address	10/10/2006	O
Irene Chapman	No Address Submitted	10/11/2006	O
Jean Hassall	No Address Submitted	16/11/2006	O
W M Hassall	No Address Submitted	16/11/2006	O
Mrs L E Cowan	Oatfield House Campbeltown PA28 6PH Prestwick Court Carrickstone Cumbernauld	09/10/2006	O
Yvonne Davie	G68 0JE Ranachan House High Cluniter Innellan Dunoon	12/10/2006	O
Iain R Gamage	PA23 7SA Ranachan House Innellan Dunoon	21/11/2006	O
S J Gamage	PA23 7SA	22/11/2006	O

Mr Robert McSeveney	Requested By Email Rhudle Farm By Lochgilphead Argyll	06/10/2006	O
Frances Warmerdam	PA31 8QE Rhudle Farm By Lochgilphead Argyll	10/10/2006	O
Mr J Warmerdam	PA31 8QE River Rocket Holy Loch Marina Snadbank Dunoon Argyll	10/10/2006	O
John Orr	PA23 8FE Rose Cottage 42 Shore Road Port Bannatyne Isle Of Bute	28/11/2006	O
Richard Snape And Alison Ramsey	PA20 0LQ Secretary Bute Community Council Craigielea Cottage Ardbeg Isle Of Bute	09/10/2006	O
Julian Hankinson	PA20 0NL Stewart Hall Isle Of Bute	24/10/2006	O
Donald Campbell	PA20 0QE Stuck Farm Rothesay	10/10/2006	O
Iain F Crawford	PA20 0QL The Coach House 48 Forsyth Street Greenock	12/10/2006	O
Alex McWhirter	PA16 8DY The Ferns Sandybeach Innellan Dunoon	07/12/2006	O
Wendy Higgis	PA23 7SS The Shore House Shore Road Brodict Isle Of Arran	09/10/2006	O
Mrs Sheila Tracey	KA27 8AJ Tigh An Drochaid Kilchrenan Taynuilt Argyll	09/10/2006	O
G R Henderson	PA35 1HD Tigh An Drochaid Kilchrenan Taynuilt Argyll	11/10/2006	O
M Henderson	PA35 1HD Upper St Brendans 16 Crichton Road Rothesay	11/10/2006	O
W T And Isabel H Robertson	PA20 9JR Wells Old Lodge Bedrule Nr Hawick Roxburgh	12/10/2006	O
Simon Blackwood	TD9 8TD Westpoint 40 Shore Road Port Bannatyne	06/10/2006	O
Robert W Crawford	PA20 0LQ	12/10/2006	O

Wildland Campaign Officer
The Ramblers' Associaton
Kingfisher House
Auld Mart Business Park
Milnathort
Kinross
KY13 9DA
Woodside
Toward
Dunoon
Argyll
PA23 7UJ

Davie Black

27/10/2006 O

Mrs B McFarlane

30/10/2006 O

112 letters of objection

06/02000/DET Letters of Support (39)

Alan Gibb	13 Ros-Mhor Gardens Sandbank Dunoon Argyll 133 Fairhaven Kirn	11/01/2007	S
Paul Cruickshanks	Dunoon 145 Edward Street Dunoon	12/01/2007	S
Norman Livingstone	Argyll PA23 7PH 15a King Street Dunoon	30/11/2006	S
Victoria Oliphant	Argyll PA23 7BH 2 Eldon Cottage 18 Wellington Street Dunoon	04/12/2006	S
F Findlay	PA23 7LA 2 Eldon Cottage 18 Wellington Street Dunoon	13/12/2006	S
J Findlay	PA23 7LA 2 Montgomery Place Strachur Argyll	13/12/2006	S
A Blair	PA27 8DR 3 Dixon Park Dunoon	12/01/2007	S
J Oliphant	PA23 8JG 4 Alexandria Terrace William Street Dunoon	04/12/2006	S
Karen Rooney	PA23 7JE 42 Forest View Strachur Argyll And Bute	17/01/2007	S
Owner /Occupier	PA27 8DQ 6 Deer Park Glen Massan Dunoon	12/01/2007	S
Dinah McDonald	PA23 8RA 7 George Street Hunters Quay Dunoon	15/01/2007	S
Archie Kennedy	PA23 8JT 8 Argyll Terrace Kirn Dunoon	04/12/2006	S
Gillian Stewart	Argyll PA23 8 8 Argyll Terrace Kirn	04/12/2006	S
David Stewart	Dunoon PA23 8LR 9 Dunselma Court Strone Dunoon	06/12/2006	S
David Anderson	PA23 8RT 93 Shore Road Innellan	12/01/2007	S
Alison Ireland	93 Shore Road Innellan Argyll	30/11/2006	S
Stanley Ireland	PA23 7SP	30/11/2006	S
A Gilmour	95 Alexander Street	28/11/2006	S

	Dunoon PA23 7BD Aurelia 15A King Street		
Ronald Oliphant	Dunoon PA23 7BH Blairanboich Toward	04/12/2006	S
Sheila R Lang	Dunoon PA23 7UJ Brackley Cottage	06/12/2006	S
Sheila Stewart	Inverchoalin Brackley Cottage Toward	06/12/2006	S
Alan Stewart	Dunoon PA23 7UN Burnbank Top Flat Wynham Road Innellan	06/12/2006	S
Andrew Gillies	Dunoon Argyll PA23 7 Burnbank Wyndham Road Innellan	04/12/2006	S
Carrol Gillies	Dunoon Argyll C/o Lamont House Toward	04/12/2006	S
M MacDonald	Dunoon Argyll PA23 8UJ Caol Ile Cottage 145 Edward Street	06/12/2006	S
Michelle Livingstone	Dunoon Argyll PA23 7PH Drumclog 4 Alfred Street	30/11/2006	S
Nimisaha Dunn	Dunoon PA23 7QU Flat 1/1 100 John Street	30/11/2006	S
Jean S Munn	Dunoon PA23 7NS Hazelwood (Lower Flat) Cromlech Road Sandbank	04/12/2006	S
Alison Titmus	Dunoon PA23 8PZ Hope Cottage Blairmore	30/11/2006	S
W A Stewart	Dunoon PA23 8TP Inverchaolain Lodge Toward	06/12/2006	S
W McCaffrey	Dunoon PA23 7UN Inverchaolain By Loch Striven	06/12/2006	S
Mary Lamb	Dunoon PA23 7UN Killellan Farm Toward	30/11/2006	S
B Mitchell	Dunoon Argyll PA23 7UJ Killellan Farm Toward	04/12/2006	S
A Mitchell	Dunoon	04/12/2006	S

J Mitchell	Argyll PA23 7UJ Lamont House Toward Dunoon Argyll And Bute PA23 7UJ Neamh 77a Argyll Road Dunoon	04/12/2006	S
Grace Gilbride	PA23 8LZ T/L 4 Alexandria Terrace William Street Dunoon	30/11/2006	S
Andrew Rooney	PA23 7JE The Lodge Glenstriven Estate Toward	11/01/2007	S
I Smith	PA23 7UN The Lodge Glenstriven Estate Toward	28/11/2006	S
V Smith	By Dunoon PA23 7UN	28/11/2006	S

39 letters of support

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23 March 2007

Mr David Eaglesham
Planning Department
Argyll & Bute Council
Milton House
Milton Avenue
Dunoon PA23 7DU

Bond Pearce LLP
3 Temple Quay
Temple Back East
Bristol BS1 6DZ

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DX 200561 Bristol Temple Meads

marcus.trinick@bondpearce.com
Direct: +44 (0)845 415 6880

Our ref:
GMT1/SBT1/361957.1
Your ref:

Dear Mr Eaglesham

**Proposed Black Craig Wind Farm, Glen Fyne, Argyll
Application 06/02000/DET**

I wrote to your colleague Brian Close on 8 March requesting deferral of consideration of the application until supplementary environmental information was available, which would at the earliest be in July 2007. Land Use Consultants also wrote to Angus Gilmore on 14th March setting out in more detail the supplementary information that would be prepared. I have in front of me the Planning Officer's report to the 20 March meeting of the Development Services Committee and understand that on 20 March members resolved to defer matters only until the committee's meeting on 11 April 2007.

The purpose of this letter is to set out the reasons why the approach resolved by members is not acceptable, and to repeat my request that matters be deferred until July 2007 (and possibly longer if the supplementary environmental information which is to be prepared is not ready by then).

1. My clients are irritated by the apparent determination of your members not to allow a determination of the application at a time when all relevant material will be available. At an earlier stage in this project there were very extensive delays on the part of the Council in responding to approaches from Argyll Wind Farms. For example, it took 22 weeks to obtain an EIA scoping opinion and as you will be aware the statutory determination period is five weeks.

In the circumstances I must record a very real concern that the patience which Argyll Wind Farms displayed at an earlier stage in waiting for information from your Council is not now being reciprocated.

2. A request was made by the Council for supplementary environmental information by a letter dated 24 November 2006. The request having been made it would be very peculiar if your Council was not willing to wait until receipt of the required material before determining the application. The material cannot be submitted prior to the 11th April as it will include the results of bird survey work which is seasonally constrained and will not be completed until the end of June 2007. In any event, you will be aware that even if the information was submitted to the Council before for the Committee meeting on the 11 April, there would not be time for the statutory consultees to comment on the supplementary information.

We also refer to our meeting in your offices at Kilmory, Lochgilphead on the 29 November 2006 attended by Angus Gilmore, Neil McKay, Fergus Murray and Brian Close of your department and Peter Blacker of Argyll Windfarms Ltd and Marc van Grieken of Land Use Consultants. At this meeting the content of your letter dated was discussed and Land Use Consultants confirmed that the required information would be prepared and submitted. It was confirmed at this meeting that this information would be treated as Supplementary Environmental Information and would require further consultation with the relevant consultees. It was also understood that you deemed it unlikely that the Supplementary Environmentally Information would change the overall view of the department although you acknowledged that it may be possible to reduce or remove some of the concerns.

3. The Planning Officer's report to committee has partly been overtaken by events. Reference is made within the report to the fact that the development is outside "any designated wind farm

areas including Preferred Areas of Search, but located within an area zoned as very sensitive countryside ..." (page 38). You will be aware that SPP6: 2007 was issued on 22 March. It envisages in paragraph 23 that development plans should set out a spatial framework, supported by broad criteria, for the consideration of wind farm proposals over 20MW. Paragraph 23 clearly advises that "This framework should not be used to put in place a sequential approach to determining applications".

Annex A to SPP6 gives further advice on projects of the scale referred to in paragraph 23. It is made very clear that where a scheme is proposed outside a broad area of search, and also outside "areas that will be afforded significant protection" (para 3 Annex A) a criteria based approach should apply.

Therefore an approach to an assessment of development which has as a starting point a presumption against permission unless a proposal is within a Preferred Area of Search is now inconsistent with national advice. I have no doubt that you will wish to reflect the advice in SPP6 in your next report to committee.

4. There are legal inaccuracies within the report. I refer to the claim that an appropriate assessment has been undertaken (bottom of page 38), to the conclusion on page 39 that the proposal conflicts with the interests of "European nature conservation legislation" and to the proposed reason 2 for refusal. This reason refers again to appropriate assessment and claims that the proposal is contrary to the provision of the Birds Directive 1979

The claims made in the report depend necessarily on the existence of a Special Protection Area, since an appropriate assessment could only be required where a proposed development is assessed as likely to have significant effects on an SPA. You may wish to look at Regulation 48 Habitats Regulations 1994 in order to verify what I am saying. Since there is no SPA there could never be an appropriate assessment of this project. I am sure that you will wish to check the position with SNH. Habitat protection under the Habitats and Birds Directives, and under Regulation 48 Habitats Regulations 1994 is quite different from species protection which involves matters of judgment, and no absolute requirement to avoid any particular level of impact.

The proposed reason 2 for refusal is thus legally flawed.

There are a number of other matters within the Planning Officers report with which Argyll Wind Farms take issue, but they will be addressed separately.

It is clear to me that a determination of this application (whether positive or negative) in advance of the receipt of further environmental information (requested by your Council) would be grossly unfair to Argyll Wind Farms. Were the application to be refused the contents of this letter would be drawn to the attention of a Reporter at a subsequent inquiry. I request that the deferral sought by the applicant should be granted and I look forward to hearing from you.

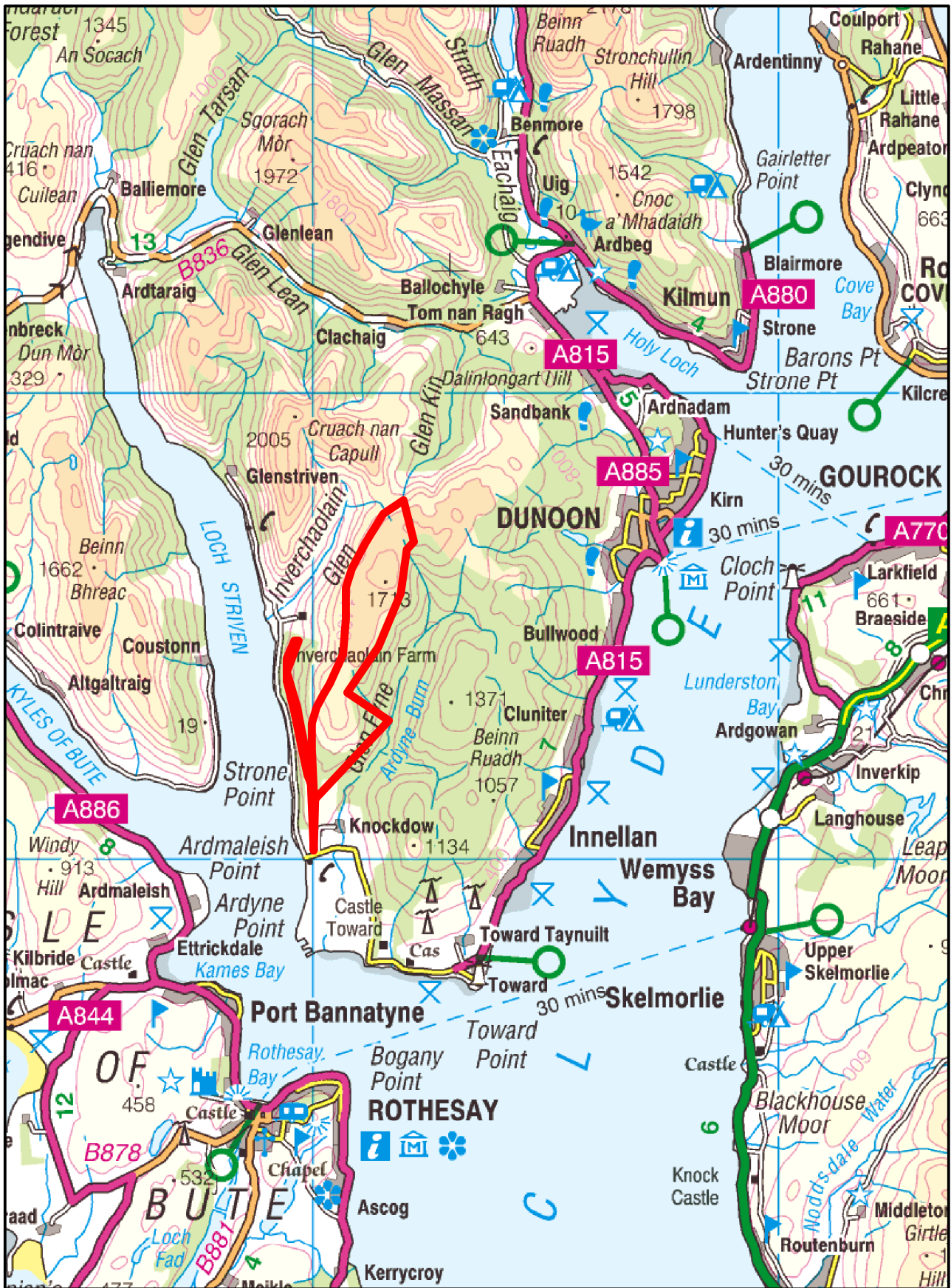
Please do not hesitate to get in touch if any matters in this letter need clarification.

Yours sincerely

Marcus Trinick

Partner

for and on behalf of Bond Pearce LLP



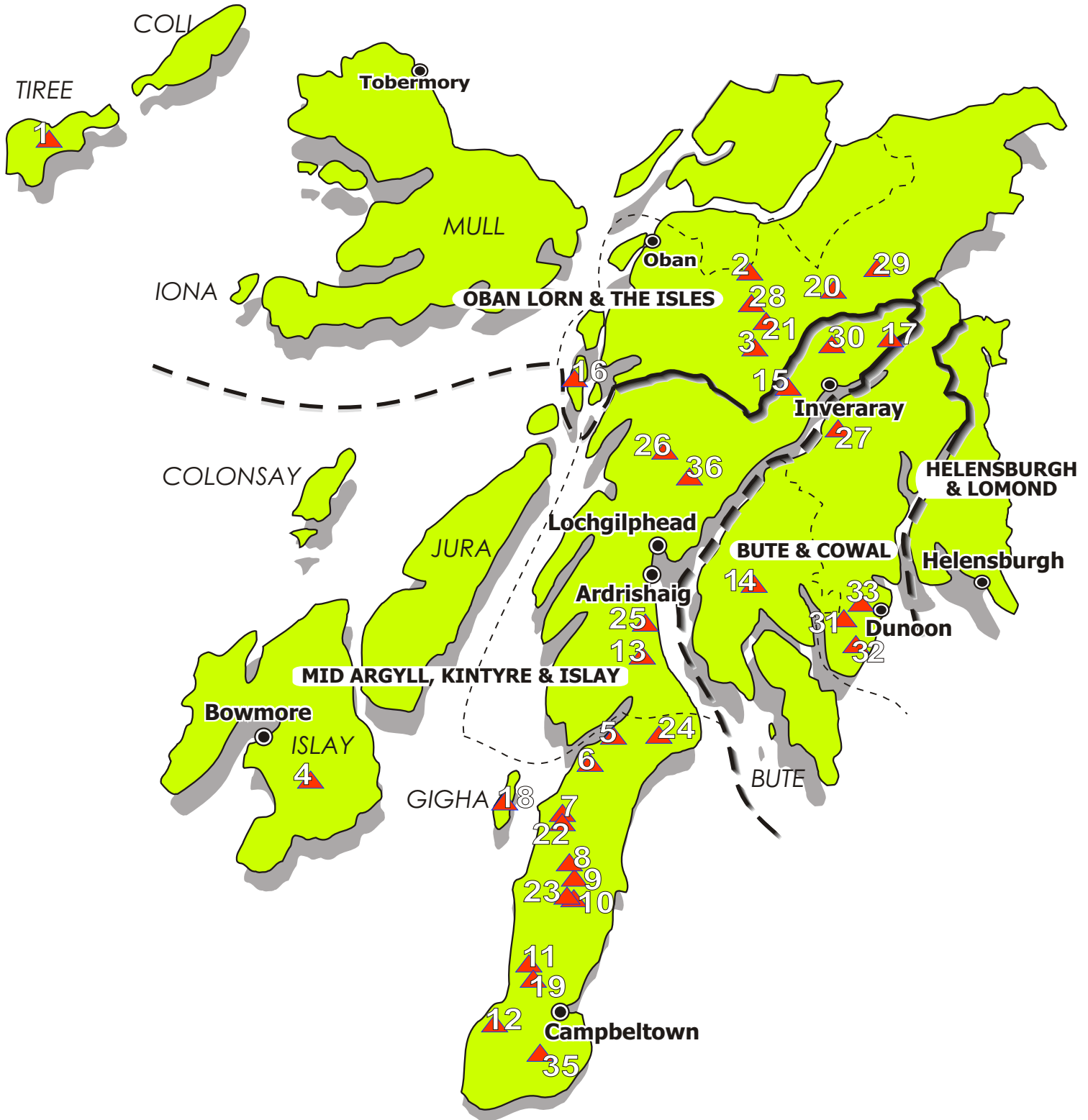
**COMMITTEE LOCATION PLAN
RELEVANT TO APPLICATION: 06/02000/DET**



1:120,000

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**Windfarm Development
in Argyll & Bute
February 2007**

Location	Turbines	Ref no	Planning status
1. Baugh, Tiree	1	00/01660/DET	invalid
2. Carn Gaibhre, Taynuilt	16	97/00719/DET	operational
3. Inverliever Forest, Loch Awe	22	02/01980/DET	withdrawn
4. Beinn Churlach, Laggan Estate	5	01/95/00461	refused - nature conservation grounds
5. Gartnagrenach, by Clachan	24		invalid
6. Corriecheive by Clachan	30	95/00415/DET	refused - landscape grounds
7. Largie Estate by Tayinloan	25	94/00772/DET	refused - nature conservation grounds
8. Deucheran Hill by Carradale	9	01/95/00863	operational
9. Cruach nan Gabhre by Carradale	15	98/00714/DET	refused - nature conservation grounds
10. Beinn an Tuirc by Carradale	46	98/00597/DET	operational
11. Tangy by Kilkenzie	17	94/00739/DET	operational
12. Ballygrogan Farm by Machrihanish	30	94/00771/DET	refused - landscape grounds
13. Meall Mhor, Tarbert (Ormsary)	3	00/01330/DET	decision pending
14. Cruach Mhor, Glendaruel	35	01/01553/DET	operational
15. An Suidhe, Inveraray	24	00/00220/DET	approved
16. Isle of Luinig	2	98/00373/DET	operational
17. Clachan Flats, by Caindow	9	02/00953/DET	approved
18. Isle of Gigha	3	03/01659/DET	operational
19. Tangy, by Kilkenzie	7	04/01291/DET	approved
20. Stacain, Inverary	21	05/00770/DET	decision pending
21. Inverliever, Loch Awe	17	04/02070/DET	refused - landscape impact
22. Largie Estate by Tayinloan	19	04/01606/DET	decision pending
23. Beinn an Tuirc 2 by Carradale	21	05/01397/DET	approved pending legal agreement
24. Skipness, North Kintyre	35		scoping opinion issued
25. Allt Dearg, Inverneil/ Erines	15	06/01158/DET	decision pending
26. Ederline, Loch Awe	60		scoping report
27. Creagan an Eich North of Strachur	N/A		scoping report
28. Carraig Gheal, Loch Awe	24	05/00016/ELSA36	decision pending
29. Shira Dalmally	36	06/00554/ELSE	under construction
30. An Suidhe 2, Inverary	24	05/01711/VARCON	under construction
31. Black Craig	19	06/02000/DET	decision pending
32. Corlarach Hill	12		scoping opinion issued
33. Eilligan	16		scoping opinion issued
34. Kilchatten	11		scoping opinion issued
35. A'Chruach	24		scoping report

**DEVELOPMENT SERVICES
PLANNING APPLICATION REPORT
Bute and Cowal Area**

Local Member - Councillor L Scoullar
Date of Validity - 24th November 2006
Committee Date - 11 April 2007

29 March 2007

Reference Number: 06/02346/DET
Applicants Name: Bute Homes
Application Type: Outline
Application Description: Erection Of 40 Dwellinghouses
Location: Land South West Of Rose Creek And Inishmhor, Eastlands Road, Rothesay, Isle Of Bute

(A) THE APPLICATION

Development Requiring Express Planning Permission.

- erection of 40 dwellinghouses (22 detached, 12 semi, 6 terraced);
- formation of new vehicular access to Eastlands Road
- formation of open space/play area;
- laying of foul and surface water sewers including detention basin and attenuation system

Other Specified Operations

- connections to existing public water main and public sewers.

(B) RECOMMENDATION

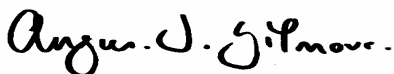
It is recommended that planning permission be **Granted** subject to the standard condition and reason and the conditions and reason(s) set out overleaf, subject to a '*discretionary hearing*'.

(C) DETERMINING ISSUES AND MATERIAL CONSIDERATIONS

The application site is allocated for housing in both existing and emerging Development Plan policy where there is a presumption in favour of residential development.

Whilst there is no extant Planning Permission for the whole site, many of the stipulations set down for previous permissions in terms of layout, scale, massing and finishes are followed in the current scheme. The density of the proposal is a finely-balanced issue but it is not considered that there would be such an overdevelopment of the site as to warrant a refusal of the application.

On the basis of the foregoing, the proposal is considered to be in accordance with the relevant Central Government guidance and existing and emerging Development Plan policies.



Angus J Gilmour, Head of Planning Services

Case Officer:	D. Eaglesham	01369-70-8608
Area Team Leader	D. Eaglesham	01369-70-8608

CONDITIONS AND REASONS RELATIVE TO APPLICATION 06/02346/DET

2. Prior to the commencement of development, the information listed below shall be submitted in plan form and approved by the Planning Authority. Such details as may be approved shall be constructed in accordance with the prescribed timescales unless the prior written consent of the Planning Authority is obtained for variation:
- a) The provision of a footway link from the site to the existing footway at UC28 *Eastlands Road* that shall be 90 metres in length and 1.8 metres in width before the construction of any dwellinghouse;
 - b) The provision of a 2m wide footway on either side of the carriageway to the southern most boundary and curtilage of each dwellinghouse prior to the first occupation of each dwelling;
 - c) The access to each plot shall be in accordance with Figure 10.16 of the Area Roads Manager's *Development Guidelines* and shall be formed as such prior to the occupation of each dwelling ;
 - d) The construction of a turning area or loop suitable for service vehicles within the development prior to the first occupation of any of dwelling;
 - e) The provision of parking space for two vehicles within the curtilage of each plot that shall be formed prior to the occupation of each dwelling and thereafter be retained in perpetuity for such a dedicated purpose.

Reason: *In the interests of road safety.*

3. The proposed access shall have visibility splays of 35 x 2.5 metres in each direction formed from the centre line of the proposed access. Prior to work starting on site these visibility splays shall be cleared of all obstructions over one metre in height above the level of the adjoining carriageway and thereafter shall be maintained clear of all obstructions over one metre in height.

Reason: *In the interests of road safety.*

4. The gradient of the carriageway shall not exceed 4% within 2.5 metres of the edge of the existing carriageway and shall thereafter not be steeper than 8%.

Reason: *In the interest of road safety.*

5. The access serving this site shall be a Road over which the public has a right of access in terms of the Roads (Scotland) Act 1984 with provision of a bus "pull-in" within the development and shall be constructed in consultation with the Council's Area Roads Manager to the satisfaction of the Council as Planning Authority.

Reason: *In order to ensure that provision is made for a service "road" commensurate with the scale of the overall development and having regard to the status of the proposed access as a residential service road.*

6. The base course of the access road and pavement shown on the approved plans leading from *Eastlands Road* and serving any individual dwelling within the development granted consent shall be completely constructed prior to the occupation of any individual dwelling; the final wearing surface shall be applied concurrently with the construction of the last dwellinghouse, unless prior written consent for variation is obtained in writing from the Planning Authority.

Reason: *In the interests of road safety and to ensure that an adequate level of access is provided for the development.*

(CONTINUED)

CONDITIONS AND REASONS RELATIVE TO APPLICATION 06/02346/DET (CONTINUED)

7. No development shall commence until details have been submitted for the prior written approval of the Planning Authority in consultation with Scottish Water of a drainage scheme that shall incorporate the basic principles of *Sustainable Urban Drainage Systems* identified in 'Planning Advice Note 61' and which shall provide details of surface water run off, measures to slow down run off; methods of treatments and its release into the system, unless prior written consent for variation is obtained in writing from the Planning Authority.

Reason: *In order to provide for sustainable development, to protect existing and proposed development from the effects of flooding and to address pollution arising from the interaction of rainwater and the development.*

8. The type and colour of materials to be used in the development shall be as specified on the approved drawings and application form received 17 November 2006 unless the prior written approval of the planning authority is obtained for other materials.

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

9. Within 60 days from the first commencement of the development, a strategic landscaping scheme shall be submitted to and approved in writing by the Planning Authority. This scheme shall specifically include the proposed landscaping within each plot including the age species and location of planting. The landscaping scheme, as may be approved, shall be fully implemented on each individual house plot within the first six months of the first occupation of the relevant dwelling, unless consent for variation is approved in writing by the planning authority

Reason: *In the interests of visual amenity and to help integrate the proposal into the surrounding townscape setting.*

10. For a period of five years following the completion of landscaping scheme as may be approved (*condition 9 above*), any trees or shrubs removed, dying, being severely damaged or becoming seriously diseased, or affected in any other way, or areas of grass which become eroded or damaged shall be replaced and reinstated by the end of the following planting season. Any change in species proposed as part of the maintenance/replacement scheme over the initially approved details shall be the subject of the prior written agreement of the Planning Authority.

Reason: *To ensure that the proposed scheme of landscaping is established and maintained in the long term and to ensure that it is established in order to protect and enhance the amenity of the area.*

11. Notwithstanding the approved plans, unless consent for variation is approved in writing by the planning authority, within 60 days from the first commencement of the development details of a scheme of boundary treatment and surface treatment for each dwelling shall be submitted to and approved in writing by the Planning Authority. Details of the scheme shall include:

- location and design, including materials of any walls, fences and gates
- surface treatment of means of access and hardstanding areas.
-

No dwellinghouse shall be first occupied until its approved boundary and surface treatment works has been undertaken in accordance with the approval details

Reason: *To ensure the implementation of a satisfactory and comprehensive scheme of boundary treatment precluding the use of a post and wire fence and to ensure a degree of uniformity and consistency in the interest of the character of the street scene.*

(CONTINUED)

CONDITIONS AND REASONS RELATIVE TO APPLICATION 06/02346/DET (CONTINUED)

12. Before development begins a scheme for the provision of a play area as detailed on drawing reference (insert) shall be submitted to and approved in writing by the Planning Authority. The details shall include a play area designed in accordance with the provisions of BS 5696 (Play Equipment Intended for Permanent Installation Outdoors), together with:

- i) full details and location of the proposed play equipment
- ii) details of the sub-base and surface treatment of the play area, in addition to any fences, walls or other boundary treatment
- iii) proposals for the implementation/phasing of the play areas(s) in relation to the construction of houses on the site; this programme shall ensure that the play area is provided no later than the occupation of the 20th residential unit.

Reason: *In the interests of public safety and to ensure compliance with the standards contained in BS 5696 (Play Equipment Intended for Permanent Installation Outdoors).*

13. All works required for the provision of the play area shall be completed in accordance with the scheme approved in writing by the Planning Authority.

Reason: *In the interests of public safety and to ensure compliance with the standards contained in BS 5696 (Play Equipment Intended for Permanent Installation Outdoors).*

14. Before development begins and the agreed play equipment is installed a scheme for the maintenance of the open space, including the play area, within the development shall be submitted to and approved in writing by the Planning Authority. Such details shall include a maintenance schedule in accordance with the provisions of BS 5696 and include full details relative to the equipment's ongoing inspection, recorded and certified inspections and the procedures for dealing with defects to the equipment, surfacing and boundary treatment.

Reason: *In the interests of public safety and to ensure compliance with the standards contained in BS 5696 (Play Equipment Intended for Permanent Installation Outdoors).*

NOTES TO APPLICANT RELATIVE TO APPLICATION 06/02346/DET

1) *The Area Roads Manager has stated the following:*

- **The development road will be the subject of a New Road Construction Consent and a Road Bond (or equivalent security) for the complete scheme from the access with U28 Eastlands Road.**
- **Details of a proposed traffic management scheme and safety details should be included within Road construction Consent, including the incorporation of a “Twenty’s Plenty” scheme;**
- **Design and construction specification should be in accordance with Development Guidelines;**
- **A surface water drainage system will be required to prevent water passing onto the road;**
- **The developer will be responsible for the provision of street name plates to be similar to existing signage in the area.**

2) Your attention is drawn to the attached letter from Scottish Water dated 16 January 2007.

A. OTHER MATERIAL CONSIDERATIONS

(i) **Site History** Outline Planning Permission (ref: 00/00241/OUT) granted subject to conditions on 5th May 2000 for the erection of four dwellings on land to the east of *Clyde View*, Eastlands Road, Rothesay and contained within the subject site.

Outline Planning Permission (ref: 00/00403/OUT) granted subject to conditions on 5th May 2000 for the erection of one dwelling on land to the west of *Rosecreek*, Eastlands Road, Rothesay (land opposite the site referred to in the preceding paragraph and also contained within the subject site).

Approval of Reserved Matters (ref: 02/01725/REM) was granted on 2nd December 2002 for the construction of the access road pertaining to the five plots referred to above.

Detailed planning permission (ref: 03/00929/DET) was granted on 3 September 2003 for the erection of 10 dwellinghouses on land south west of *Rose Creek & Inishmhor*, Eastlands Road, Rothesay.

(ii) Consultations

Area Roads Manager (response dated 12 & 29 March 2007): No objections subject to conditions regarding sightlines, access, gradient, car parking and turning and advisory notes regarding surface water drainage and road opening permit.

Scottish Water (response dated 16 January 2007): No objection subject to advisory comments.

Statutory Plans (response dated 5 December 2006): Site covers Housing Allocation H-AL 1-3 in the Finalised Draft Local Plan where there is an indicative capacity of 40 units and no affordability requirement. No representation has been received in respect of this allocation.

Scottish Environment Protection Agency (response dated 7 December 2006, 26 January 2007 and 12 March 2007): No objections in respect of foul drainage. Regarding surface water, Rothesay public sewer currently suffers from surface water intrusion but applicant's proposal to direct surface water to a detention basin is acceptable in terms of water quality. Water quantity/flooding issues should be checked with other agencies.

(iii) Publicity and Representations

Under Article 9 neighbour and '*Potential departure*' advertisement (expiry date 29 December 2006), notification procedures, 11 letters of representation have been received from: Heather Hislop (e-mail dated 1 December 2006); J Y Riddick (letter dated 20 December 2006); Mr T O'Reilly (letter dated 3rd December 2006); Mr W McFie (letter dated 20th December 2006); Alastair MacKenzie (letter dated 24 December 2006); Neill Robertson (letter dated 27 December 2006); Peter Goodwin (letter dated 29 December 2006); Robert C Lambert, (letter dated 23rd December 2006); Mr W McFie (letter dated 28 December 2006 with petition containing 53 signatures - one since withdrawn); G Pellegrotti (letter dated 28 December 2006); and Jack and Jennie Torrens (letters dated 20 January 2007 and 9 March 2007)

Representations relate to issues of:

- Lack of detail on application drawings. Sewerage system unclear

Comment: The submitted drawings are considered adequate

- Entrance close to series of blind bends
- Poor water supply to Arden Craig estate

Comment: Scottish Water confirm the treatment works has sufficient capacity

- No pavement on upper reaches of Eastlands Road

Comment: As with the previous permission, this can be required by suspensive condition

- Trees have been cleared

Comment: This occurred prior to submission of the application. Landscaping can be required by condition.

- Neighbour notification incomplete

Comment: This has been rectified

- Lack of parking

Comment: The submitted layout complies with standards in respect of both in-curtilage and visitor parking.

- Overdevelopment

Comment: The scale of development accords with the emerging Local Plan

- Overprovision of private sector housing in Rothesay

Comment: The scale of development accords with the emerging Local Plan

- Conflict with Ardrbrannan Riding centre

Comment: The principle of development is supported in the adopted and emerging Local Plan

- Loss of wildlife

Comment: The principle of development is supported in the adopted and emerging Local Plan and any development of the site would affect any wildlife interest.

B. POLICY OVERVIEW

(i) SCOTTISH PLANNING POLICY: The following Scottish Planning Policy documents are applicable:

Planning Advice Note 44 “*Fitting New Housing Development into the Landscape*” (1994) provides advice on how improvements can be secured in the environmental quality of new housing developments in terms of their relationship to the landscape. It advocates the use of a design process that involves an analysis of all of the constraints and opportunities inherent in the site under consideration, the ranking of these in importance and the development of the most appropriate solution to satisfy them.

SPP 3: Planning for Housing

However, this advice is substantially incorporated in the Council’s adopted and emerging Development Plan policies.

(ii) Argyll and Bute Structure Plan 2002: The following policies are applicable:

STRAT SI 1 Sustainable development

- h) conserve the built environment and avoid significant adverse impacts on built heritage resources;
- i) respect the landscape character of an area and the setting and character of settlements.

The above policies are developed further in the Argyll and Bute Local Plan (Modified Finalised Draft) 2006.

(iii) Bute Local Plan 1990 (adopted 1991)

This application relates to the entire area which is allocated for private residential development under Policy POL HO 2 of the Bute Local Plan 1990. From this perspective, the proposal fully accords with this policy.

(iv) Argyll and Bute Modified Finalised Draft Local Plan (June 2006)

In the Argyll and Bute Modified Finalised Draft Local Plan, the application site is the majority of Housing Allocation H-AL 1-3 in the Finalised Draft Local Plan where there is an indicative capacity of 40 units and no affordability requirement. No representation has been received in respect of this allocation.

Policy LP ENV1 - Development Impact on the General Environment

Development is of a form, location and scale consistent with Structure Plan Policies STRAT DC1 to 6 and should protect, restore or enhance the established character and local distinctiveness of the landscape in terms of its location, scale, form and design. Considerations include location and nature of the proposed development, land use, layout, design, external appearance and landscaping in addition to current Government guidance, other policies in the Argyll and Bute Structure and Local Plan.

Policy LP ENV 7 seeks to resist development likely to have an adverse impact on trees and will ensure, through the development control process, that adequate provision is made for the preservation of woodland/trees. It also states that new development may offer the opportunity for new planting in accordance with the local pattern of woodlands.

Policy LP ENV 19 - Development Setting, Layout and Design

A high standard of appropriate design is expected in accordance with the Council's design principles. Development shall be sited and positioned to pay regard to the context within which it is located. Development layout and density shall effectively integrate with its countryside setting of the development.

Policy LP HOU 1 – General Housing Development

There is a general presumption in favour of housing development with listed exceptions. Such development will be supported unless there is an unacceptable environmental, servicing or access impact.

Policy LP TRAN 4 – New and Existing, Public Roads and Private Access Regimes

(B) New public roads shall be constructed to a standard specified in the Council's Roads Design Guide.

C. ASSESSMENT

Site and surrounding area

The 6.2 acre site lies to the south of Eastlands Road, Rothesay, south-west of the properties known as 'Rose Creek' and 'Inishmhor'. The site is bounded to the west by agricultural land and to the east by the grounds of *Arden Craig*. The land falls steeply from west to east and more gently from the centre to both north and south. A belt of trees divided the site in two but was felled prior to submission of the application, while other trees fringe the boundaries.

The Proposal

It is proposed to erect 40 one and one-and-a-half storey dwellings, some of split-level design. Finishes would be off-white render with slate grey concrete tile roof covering; and upvc windows. The internal access road will be from Eastlands Road and connection will be made to existing public services.

Principle of Residential Development

In terms of both existing and emerging Development Plan policies, the site is allocated for housing development where there is a presumption in favour of residential development unless there is an unacceptable environmental, servicing or access impact. In addition, Planning Permissions have been obtained for residential development on parts of the site over the last seven years.

In view of the foregoing, there is clear support in principle for some form of residential development on this piece of ground.

Design, Layout and Density of Current Proposal

The density of the proposal accords with the indicative site capacity in the Argyll and Bute Local Plan. The layout is somewhat suburban and is constrained to a rather linear pattern by the shape of the site. The dwelling types reflect many of the design elements (external wall finish; roof covering; and fenestration) that were stipulated in previous permissions. On this basis, their design is considered to be acceptable.

Road Safety

The Area Roads Manager has no objections to the proposal but has recommended conditions in respect of the status of the roads to serve the site together with off-site road improvements requiring the connection of the site to the public footway in Eastlands Road some 90m downhill. Although these issues can be addressed via suitably-worded conditions, there may be some difficulty in designing and implementing the off-site works.

Infrastructure

It is proposed to connect into the public water supply and the public sewerage system. Scottish Water has advised that the Loch Dhu Water Treatment Works and Rothesay's Waste Water Treatment Works currently have sufficient capacity to service this proposed development. They have clarified that there are no known issues within either the water or waste water networks that would serve the development.

Surface Water Drainage and Flooding

A condition can be attached that requires the submission and approval of a sustainable urban drainage system prior to the commencement of the development. The Area Roads Manager has also requested the submission of a Flood Risk Assessment and this will be attached as a condition.

Play Space Provision

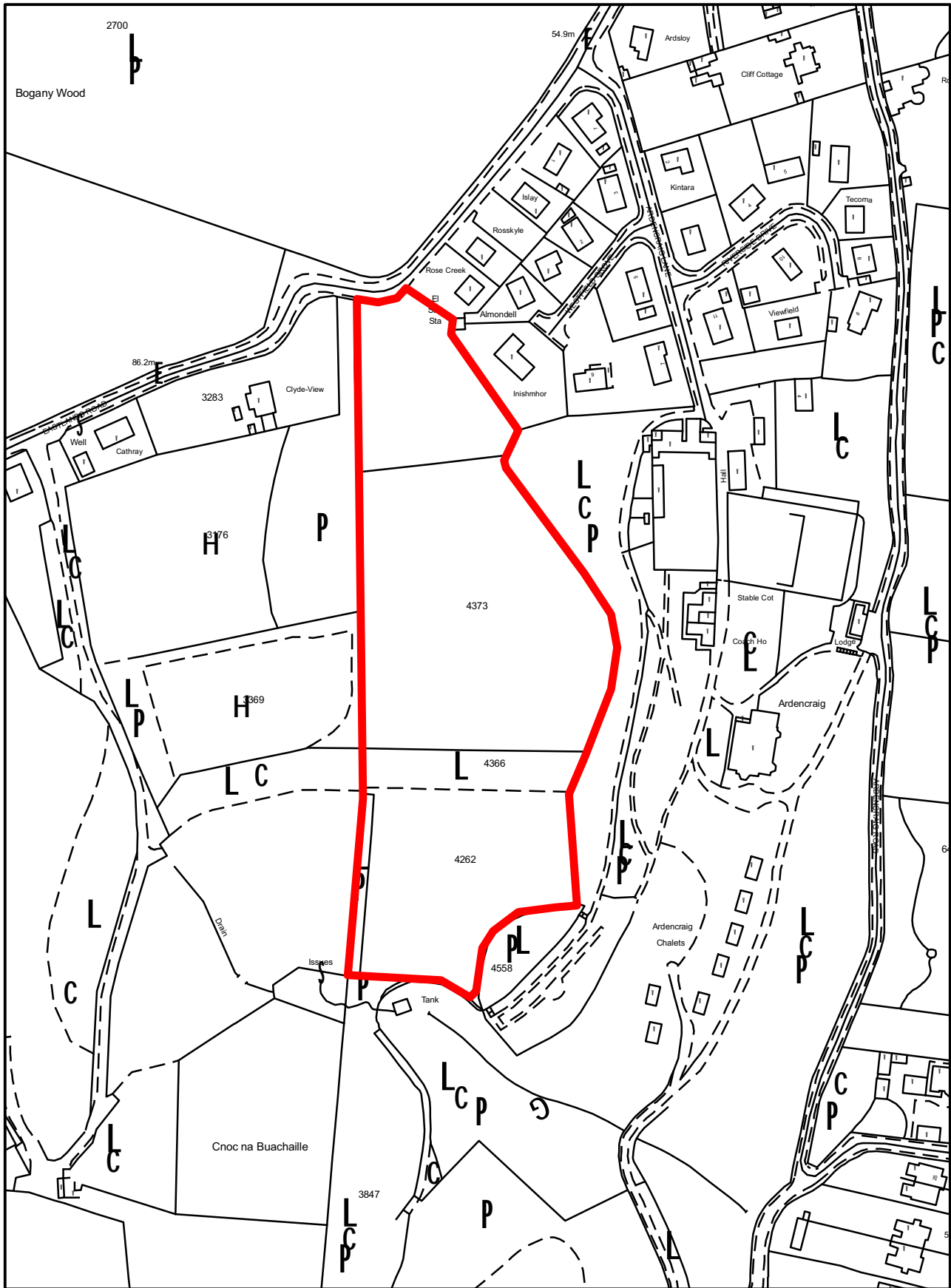
The proposal includes the provision of an open space within the confines of the application site where an equipped play area could be provided and this is considered acceptable, given that both existing and emerging Development Plan policies require such a facility where the number of residential units exceeds 20 (Modified Finalised Draft 2006) or 25 (Bute Local Plan 1990).

CONCLUSION

The application site is allocated for housing in both existing and emerging Development Plan policy where there is a presumption in favour of residential development. Whilst there is no extant Planning Permission for the whole site, many of the stipulations set down for previous permissions in terms of layout, scale, massing and finishes are followed in the current scheme. The density of the proposal is a finely-balanced issue but it is not considered that there would be such an overdevelopment of the site as to warrant a refusal of the application. On the basis of the foregoing, the proposal is considered to accord with relevant Central Government guidance and existing and emerging Development Plan policies.

In recognition of the significant interest from local residents, it is recommended that a '*discretionary*' hearing take place in respect of this application.

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COMMITTEE LOCATION PLAN RELEVANT TO APPLICATION: 06/02346/DET



1:2,500

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**DEVELOPMENT SERVICES
PLANNING APPLICATION REPORT
Bute and Cowal Area**

Local Member Councillor L. Scoullar
Date of Validity - 22nd August 2006
Committee Date - 11th April 2007

29 March 2007

Reference Number: 06/01710/DET
Applicants Name: Mr & Mrs P Hardy
Application Type: Detailed
Application Description: Erection of eight flats (in blocks of four) and two detached dwellinghouses, formation of vehicular access and parking; and installation of private foul drainage system.
Location: Field to South of Southpark, Ascog, Isle of Bute, Argyll.

(A) THE APPLICATION

Development Requiring Express Planning Permission.

- Erection of eight flats (in blocks of four).
- Erection of two detached dwellings with detached garages.
- Installation of private foul drainage system.

(B) RECOMMENDATION

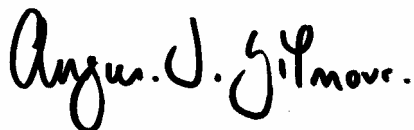
It is recommended that planning permission be **Granted**, subject to a formal "PAN 41 Hearing" being held, to the standard condition and reason, to the following conditions and reasons and the '*note to the applicant*' all as set out overleaf.

(C) DETERMINING ISSUES AND MATERIAL CONSIDERATIONS

The application site is contrary to the residential policies contained within the Bute Local Plan 1990, as a sizeable part of it is located within the '*Countryside Safeguarding Zone*'. However, the principle of development on the application site is established in the Modified Finalised Draft Argyll and Bute Local Plan 2006 as the entire site is located within the settlement boundary of Rothesay/Ascog within which, under Policy LP HOU 1, there is encouragement for small, medium and large-scale residential development unless there is an unacceptable environmental, servicing or access impact.

There have been no representations to the emerging Local Plan in connection with this site and therefore the emerging Local Plan can be used as a material consideration in the determination of this application.

The design, scale, massing and layout of the proposed development complements the surrounding settlement character and is considered to be appropriate, large scale infill development that is consistent with the surrounding, established built form.



Angus J Gilmour
Head of Planning Services

Case Officer: J. Irving 01369-70-8621
Area Team Leader: D. Eaglesham 01369-70-8608

"In reaching my assessment on this application, I have had regard to the documents identified in brackets above which are available for public inspection in terms of the Local Government (Access to Information) Act 1985".

APPENDIX RELATIVE TO 06/01710/DET

A. OTHER MATERIAL CONSIDERATIONS

(i) Site History

N/A

(ii) Consultations

Area Roads Manager (memo dated 15th September 2006): No objection subject to conditions.

Scottish Water (letter dated 4th September 2006): No objection subject to advisory information.

Public Protection Service (memo dated 12th September 2006): No objection subject to condition.

SEPA (letter dated 27th September 2006): Objection to this application on flooding grounds only given the lack of information submitted with the application.

Development Plan Team (memo dated 29th August 2006) *'the proposed site lies within the settlement boundary defined in the Finalised Draft Local Plan. There have been no representations to the Local Plan in connection with this site and therefore the new Local Plan can be used as a material consideration when determining this application.'*

Roads & Amenity Services (Engineers) (memo dated 9th October 2006): *'There are no recorded flooding incidents at this location. If filtration systems are proposed porosity testing should be carried out to prove that they will function. Surface water from the new development and existing system could however be discharged to the River Clyde via appropriate treatment systems.'*

Scottish Civic Trust (letter dated 28th November 2006): *'The Trust believes that this application would represent an overdevelopment of the site and has strong reservations about the architecture.'*

(iii) Publicity and Representations

Under Article 9 neighbour notification procedures, Section 34, Section 65, Section 60 (published 1st September 2006, expired 22nd September 2006) and *Potential Departure* advertisements (published 1st August 2006, expired 22nd August 2006, 25 letters of representation have been received. Letters of representation have been received from the following:

Tony Harrison (letter dated 14th August 2006), Balmory Hall, Isle of Bute, PA20 9LL. Esther J. Henry (letter dated 3rd September 2006), Hawkestone Lodge, Ascog, Isle of Bute, PA20 9EU. Marjorie A. Falconer (letter dated 4th September 2006) Hawkestone Lodge, Ascog, Isle of Bute, PA20 9EU. Ronald H. Falconer (letters dated 4th September 2006 & 27th September 2006), Hawkestone Lodge, Ascog, Isle of Bute, PA20 9EU. Julia M. Lowe (letter dated 4th September 2006), 2A Macquarie Street, Bolton Point, NSW 2283, Australia. A J Steven (letter dated 5th September 2006) Dunagoil Farm, Kingarth, Rothesay, Isle of Bute, PA10 9LX. Jacqueline Hendry (letter dated 6th September 2006), Invergyle Cottage, Ascog, Isle of Bute, PA20 9EU. Sam Tweedlie (letter dated 6th September 2006), 96 High Street, Flat 3, Rothesay, Isle of Bute, PA24 8AQ. Julia M. Lowe (e-mail dated 10th September 2006), 2A Macquarie Street, Bolton Point, NSW 2283, Australia. Andrew Henry (e-mail dated 10th September 2006), Flat 12, Roosevelt Court, 84a Augustus Road, London, SW19 6EL. David Henry (e-mail dated 11th September 2006), 2A Macquarie Street, Bolton Point, New South Wales, Australia. Lindsay Hendry (e-mail dated 12th September 2006) 139 Buckler Court, Eden Grove, N7 8EF. Michael Henry (letter dated 17th September 2006), 21 Crichton Road, Rothesay, Isle of Bute, PA20 9JR. Wallace Fyfe (letter dated 18th September 2006), Ascog Hall, Isle of Bute, PA20 9EU. Gianna Zavaroni (letter dated 18th September 2006) *Torwood*, 21 Crichton Road, Rothesay, Isle of Bute, PA20 9JR. Katherine Fyfe (letter dated 18th September 2006), Ascog Hall, Isle of Bute, PA20 9EU. Philip Kirkham (letter dated 19th September 2006) Crofton Cottage, Ascog, Isle of Bute, PA20 9LN. Henry & Irene Thomson (letter dated 20th September 2006), PA20 9EU. Norman Foster (letter dated 20th September 2006) Seal Lodge, Ascog, Isle of Bute, PA20 9EU. Gail Foster (letter dated 20th September 2006) Seal Lodge, Ascog, Isle of Bute, PA20 9EU. Joyce Zavaroni (letter dated 20th September 2006) High Craigmore, Rothesay, Isle of Bute, PA20 9LA. Sue Dennis (letter dated 20th September 2006) The Pumphouse Caravan, Ascog Park, Ascog, Isle of Bute, PA20 9EU. John Dennis (letter dated 21st September 2006) The Pumphouse, Ascog Park, Ascog, Isle of Bute,

PA20 9EU. David T Brown (e-mail dated 21st September 2006) 3 Cumbrae View, The Wee Bay, Kingarth, Isle of Bute, PA20 9NP. Dr D. H. Reid & Mrs J. W. Reid (letter dated 26th September 2006) Millburn Cottage, Ascog, Rothesay, Isle of Bute, PA20 9ET.

The points raised can be summarised as follows:

- i. *The proposed development is contrary to the current valid 1990 Bute Local Plan both in terms of number of dwellings and the size and character of these dwellings. In particular to the following policies - POL HO 3, POL BE 1, POL BE 6, POL BE15, POL RUR 1.*

Comment: See assessment below.

- ii. *The Modified Finalised Draft Local Plan is not at this time a material consideration for this development and cannot be until such time as the matters have been satisfactorily resolved and the inquiry has reported.*

Comment: The application site lies wholly within the 'settlement boundary' defined in the Modified Finalised Draft Local Plan within which residential infill and rounding-off developments are encouraged. No representations were received to this designation during the consultation period on the Finalised Plan in mid 2005.

- iii. *If the Modified Finalised Draft Local Plan were to be adopted the proposed development would be contrary to the following sections. Policy LP ENV 1, LP ENV 10, LP ENV 13(a), LP ENV 1(iii), LP ENV 2, LP CST (D), LP HOU 2 (B), LP SERV 8.*

Comment: See assessment below.

- iv. *The proposal for two blocks of four flats is completely out of character with the types of dwellings currently existing in this part of Ascog. There is no sensitivity in the scale or design of the proposed development it will have a huge environmental impact both physically and visually.*

Comment: See assessment below.

- v. *The proposals form a development that is at odds with the Ascogs conservations status. In parallel the development will be detrimental to the setting of the neighbouring listed building.*

Comment: The site lies outwith the boundary of the defined Rothesay Conservation Area.

- vii. *The proposed development will lead to further congestion on the main road and lead to further road safety concerns.*

Comment: The Area Roads Manager has raised no objection towards this application.

- vii. *The proposed development would constitute 'Ribbon Development' (not infill development as summarised in the planning application) in that it extends development southwards along the coastline.*

Comment: See assessment below.

- viii. *The level of amenity presently enjoyed by Hawkestone Lodge will be adversely impacted by this proposal particularly in terms of outlook to the north and north-east.*

Comment: Hawkestone Lodge is in excess of 30 metres to nearest proposed building. The department does share the concerns of this objection point.

- ix. *Concern regarding light pollution. Night-time darkness which surrounds Hawkestone Lodge will be destroyed by the street light associated with the development*

Comment: The Council's Public Protection Service has raised no such concerns in this regard.

- x. *Increase in noise and dust levels during construction works and increased noise levels due to increased persons and traffic residing at the development.*

Comment: The Council's Public Protection Service has raised no such concerns in this regard.

- xi. *The proposed development due to its close proximity to Hawkestone Lodge could have an adverse effect on day lighting.*

Comment: Hawkestone Lodge is in excess of 30 metres to nearest building proposed. It is not considered that existing levels of daylight to Hawkestone Lodge will be compromised.

- xii. *The foreshore will become a private amenity space for the use of those residing in the development. It appears that this public amenity is to be denied.*

Comment: The submitted drawings include the foreshore within the application site, however no development or change of use is sought for the foreshore.

- xiii. *Concerns regarding local flora, fauna and wildlife that has been seen within the application site. No environmental survey has been undertaken.*

Comment: There are no known natural heritage interests within the site and there is no requirement for an environmental or ecological survey to be undertaken.

- xiv. *SUDS drainage may not be feasible due to existing ground conditions.*

Comment: SEPA have raised no such concerns in this regard.

- xv. *If the soakaway drainage includes discharge from the packaged sewage treatment plant then this could contaminate groundwater leading to unpleasant and possibly malodorous conditions and possibly a potential health hazard both on site and at Southpark and Hawkestone Lodge.*

Comment: SEPA have raised no such concerns in this regard.

- xvi. *If discharges were to the existing outfall or perhaps a new outfall they would then have to satisfy requirements of the Water Environment and Water Services (Scotland) Act 2003 and Controlled Activities Regulations. Neither requirement has been mentioned in the application so far as I am aware. Contaminated discharge to the shore and sea could be detrimental to the local environment. Could be a potential health hazard and might even adversely affect the local seal population. This would be contrary to WEWS Act and Also policy POL BE 6 of the Bute Local Plan and policies LP ENV 13 (a) and LP SERV1 (iii) of the emerging local plan.*

Comment: SEPA have raised no such concerns in this regard.

- xvi. *A new cut-off drain is likely to intercept more run-off and could well result in the capacity of the existing drainage system being exceeded. If this were the case, or if soakaways were installed, ground water levels would be likely to rise possibly causing a flood risk to the proposed development itself and possibly adversely impacting groundwater levels and possible flood risk. No reference has been made in this application to possible tidal flood risk and as such I would contend that a full flood risk assessment has not been undertaken*

Comment: The applicant has submitted a Flood Risk Assessment which concludes with the recommendation of increasing final floor levels and creating a minimum ground level across the site. Should these measures be incorporated in the development the risk to the proposed properties within the site from surface water accumulation is low to moderate.

- xvii. *The proposed development will require a significant increase in the local supply of potable water. This could adversely affect the supply to adjacent properties including Hawkestone Lodge.*

Comment: Scottish Water have raised no objections to this application.

- xviii. *The Ascog road is used by many tourists and local people for recreation, including tourist buses visiting Mount Stuart. The overall ambience is important in attracting return visitors to the island. I believe this would be diminished by the proposed development.*

Comment: See assessment below.

xix. *The development has no affordable housing for young islanders and their families.*

Comment: There is no requirement for affordable housing allocation at this site.

xx. *Such a high density of development is quite out of keeping with general character of the area.*

Comment: See assessment below.

xxi. *The development is contrary to Scottish Planning Policy 3 – ‘Planning for Housing’ as the development fails to maintain and enhance the quality of the natural and built heritage.*

Comment: See assessment below.

(iv) Applicants supporting Information

Summary of applicant’s agent letter dated 19th September 2006:

Adverse Impact on Local Environment – The ‘SUDS’ element will be commented on by SEPA. Our client is aware of the requirement to carry out ground condition tests prior to establishing the exact nature of surface water disposal. The improvements of the land drainage within the application site can only result on an improvement to adjacent sites.

Flood Risk Assessment – The applicant is happy to undertake a Flood Risk Assessment if required.

Water Supply – The developer is generally required to commit to contributing to a Water Impact Study if this is required by Scottish Water. Our experience suggests that such application are made after planning permission is approved since water is supplied on a first come, first served basis.

Flora & Fauna – The applicants, who are keen amateur gardener, are unaware of any unusual flora, fauna or animals frequenting their ground. The development is not large enough or located in an area which requires either an ecological or environmental survey to be undertaken.

The financial benefits rationale behind this development is not a material planning consideration.

We agree the development could be considered as contrary to the 1990 Bute Local Plan, however we believe due regard should be had to the emerging Local Plan as a material consideration.

Ribbon Development – The development is clearly ‘infill’ in terms of the Local Plan definitions.

Building Line – The building line’ is arbitrary in this instance. The buildings have been sited carefully to respect the setting of both Southpark and Hawkestone Lodge.

Foreshore Access – There is no suggestion that the foreshore will become a private amenity. The area is (rightly) included within the application to ensure access to the storm water outfall is available. “Right to roam” legislation effectively ensures that ‘tourism potential’ would not be an issue.

Village Boundary – The development is within the settlement zone of the emerging local plan. It is therefore not a “continuation and uncontained spread of ribbon coastal development”.

Impact & Scale – We are surprised that the “amount” and “scale” of the development is a concern. Our view is that the proposal is sympathetic to the village and wider conservation area.

B. POLICY OVERVIEW

Central Government Guidance

Historic Scotland’s ‘Memorandum of Listed Buildings and Conservation Areas’ (1998) states that, within Conservation Areas, new development that is well designed, respects the character of the area and contributes to its enhancement should be welcomed.

National Planning Policy Guideline 18 (*'Planning and the Historic Environment'*) advises that Planning Authorities should examine the impact of proposals upon the character and appearance of the whole Conservation Area. If any proposed development would conflict with the objective of preserving or enhancing the designated area, there should be a presumption against granting planning permission.

Scottish Planning Policy 3 (*'Planning for Housing'*) seeks to promote well-located, high quality new housing to create quality residential environments, guide new housing development to the right place and to deliver housing land. With regard to housing in rural areas, SPP3 seeks to meet housing requirements within or adjacent to existing settlements. This is to prevent the sprawl and coalescence of settlements, make efficient use of existing infrastructure and public services and to help conserve natural heritage and rural amenity.

Planning Advice Note 44 (*'Fitting New Housing Development into the Landscape'*) provides advice on how improvements can be secured in the environmental quality of new housing developments in terms of their relationship to the landscape. It advocates the use of a design process that involves an analysis of all of the constraints and opportunities inherent in the site under consideration, the ranking of these in importance and the development of the most appropriate solution to satisfy them.

Argyll & Bute Structure Plan

STRAT DC 1 encourages, within the main towns and the smaller towns and villages, the development of up to medium scale development (between 6 and 30 dwellings) on appropriate infill, rounding-off and redevelopment sites.

STRAT DC 9 states that development that damages or undermines the historic, architectural or cultural qualities of the historic environment will be resisted; particularly if it would affect a Conservation Area.

Bute Local Plan 1990

The site falls within Countryside Safeguarding Zone as defined by the adopted Bute Local Plan.

The settlement strategy for Bute stresses the need for consolidation of the existing settlements, including Rothesay. Policy POL HO 1 encourages residential development of infill, rounding-off and redevelopment sites within existing settlements.

To complement the above policy, the Bute Local Plan sought to restrict development on the periphery of settlements, thereby protecting agricultural land and the appearance of the landscape (particularly around the southern fringe of the Rothesay Outstanding Conservation Area). The mechanism for achieving this objective was to formulate Policy POL HO 3, which introduced the *'Countryside Safeguarding Zone'* around Rothesay, Port Bannatyne, Kilchattan and Kingarth. Within this zone, small-scale residential development will not generally be permitted nor will it be considered as infill or rounding off development.

The proposal is therefore contrary to the Bute Local Plan policy POL HO 3 *'Countryside Safeguarding Zone'*.

The site is just outwith the southern end of Rothesay Conservation Area; however the sites close proximity to conservation area requires this application to be assessed against policy POL BE 6 which seeks to prevent any deterioration in the character or setting of the Rothesay Outstanding Conservation Area through unsympathetic new development and changes of use.

Argyll and Bute Modified Finalised Draft Local Plan 2006

The application site lies wholly within the *'settlement boundary'* defined in the Modified Finalised Draft Local Plan within which residential infill and rounding-off developments are encouraged. No representations were received to this designation during the consultation period on the Finalised Plan in mid 2005. The following policies also apply or have been highlighted by the letters of representation received.

Policy LP ENV 1 – Development Impact on the General Environment

'In all development zones the Council will assess applications for planning permission for their impact on both the natural, human and built environment. When considering development proposals, the following general considerations will be taken into account, namely: Structure Plan, Impact upon amenity, landscape impact, location and nature of proposed developments, roads and public transport, infrastructure, water resources, government guidance, special areas of designation, historic environment.'

Policy LP ENV 2 – Development Impact on Biodiversity

'When considering development proposals the Council will seek to contribute to the delivery of the objectives and targets set by the Local Biodiversity Action Plan. Proposals that incorporate existing site interests within the design wherever possible will be encouraged. Where there is evidence to suggest that a habitat or species of local importance exists on a proposed development site, the Council will require the applicant, at his or her expense, to submit specialist survey of the site's natural interest.'

Policy LP ENV 10 – Development Impact on Areas of Panoramic Quality

'Development in, or adjacent to, an Area of Panoramic Quality will be resisted where its scale, location or design will have a significant adverse impact on the character of the landscape unless it is demonstrated that: (A) Any significant adverse effects on the quality for which the area has been designated are clearly outweighed by social and economic benefit of national or regional importance. (B) Where acceptable, development must also conform to Appendix A of the Local Plan.'

In all cases the highest standards, in terms of location, siting, landscaping, boundary treatment and materials, and detailing will be required within Areas of Panoramic Quality.'

Policy LP ENV 13 (a) Development Impact on Listed Buildings.

'All developments that affect listed buildings or their settings must be of a high quality and conform to Historic Scotland's Memorandum of Guidance on Listed Buildings and Conservation Areas (1998).'

Policy LP ENV 14 - Development in Conservation Areas & Special Built Environment Areas

'There is a presumption against development that does not preserve or enhance the character or appearance of an existing conservation area. New development within these areas and on the sites forming part of their setting must be of the highest quality, respect and enhance the architectural and other special qualities that give rise to their actual designation'

Policy LP SERV 1 – Private Sewerage Treatment Plant & Wastewater Systems.

'Elsewhere, connection to the public sewer will be required unless the applicant can demonstrate that (i) connection is not feasible, for technical or economic reasons, or (ii) the receiving waste water treatment plant is at capacity and Scottish Water has no programmed investment to increase that capacity; and (iii) the proposal is not likely to result in or add to existing environmental, amenity or health problems.'

Planning consent for development with private waste water systems will only be allowed where proposals satisfy (i) or (ii) above and satisfy (iii)...

Policy LP TRAN 4 – New & Existing, Public Roads & Private Access Regimes

'Acceptance of development utilising new and existing public roads and private access regimes.'

- (A) *Development shall be served by a public road (over which the public have right of access) except when: 1. The new private access forms an individual private driveway serving single user developments; 2. The new private access serves a housing development not exceeding 5 dwelling houses; 3. The new private access serves no more than 20 units in a housing court development; 4. The new private access serving commercial or institutional developments will not in the view of the Planning Authority, generate unacceptable levels of pedestrian or vehicular traffic;*
- (B) *In the case of new public roads the new road shall be constructed to a standard as specified in the Council's Roads Development Guide. Such a standard will be reflective of the development's location i.e in a settlement, in a rural or remote rural situation, or in a Conservation Area.*
- (C) *In the case of a new private access it shall be constructed to incorporate the following minimum standards to function effectively and safely. 1. Adequate visibility splays, to the satisfaction of the Area Roads Engineer, shall be provided at the access's junction with the public road network.'*

Policy LP CST 1 – Coastal Development on the Developed Coast

'Applications for development will generally be supported where the development: (A) Requires a coastal location; (B) Is of a form, location and scale consistent with STRAT DC 1-3; (C) Provides economic & social benefits to the local community; (D) respects the landscape/townscape character and amenity of the surrounding area; AND, (E) Is in accordance with Policy LP ENV 1.'

C. ASSESSMENT

Principle of Residential Development

As stated above, the application site is contrary to the residential policies contained within the Bute Local Plan 1990, as it is located within the '*Countryside Safeguarding Zone*'. However, the principle of development on the application site is established in the Modified Finalised Draft Argyll and Bute Local Plan 2006 as the entire site is located within the settlement boundary of Rothesay/Ascog within which, under Policy LP HOU 1, there is encouragement for small, medium and large-scale residential development unless there is an unacceptable environmental, servicing or access impact.

There have been no representations to the emerging Local Plan in connection with this site and therefore the emerging Local Plan can be used as a material consideration in the determination of this application.

Proposed Development

It is proposed to erect two flatted blocks with the application site, both of which comprising of four units. The blocks mirror each other in terms of their setting and overall design. Both blocks are two-storey in size and consist of a large amount of glazing, a variety of pitched roofs and flat roofs, using both natural slate lead and zinc. Both blocks are located within the centre of the site: the new access road that is to service the site runs between the two blocks towards a turning circle at the rear of the proposed flats.

To the rear of the turning circle, at the western end of the site, it is proposed to erect two large detached dwellinghouses and associated garages. The design of dwellings share similar design features of the proposed flatted blocks with modern glazing and a variety of roof pitches and finishing materials. It is proposed to incorporate a large amount of screening between the dwellinghouses and the flatted blocks.

Site Characteristics

The site largely consists of a vacant paddock/field and this is the area upon which the proposed buildings will be sited. To the east of the site is bounded by the foreshore and A844 and to the west the topography of the site becomes sloping wooded ground. The Category B listed building *Southpark*, is located to the north of site which has a dominating presence within the wider landscape setting. To the south lies the dwellinghouse known as Hawkestone Lodge. Both neighbouring properties to the site benefit from existing natural screening which runs along the dividing boundaries.

Character of Conservation Area

The application site lies just outwith the southern end of Rothesay Conservation Area. *Ascog* is at the very southern tip of Rothesay; generally, the buildings are located on the landward side of the A844 road except for two small nodes of shoreside development, firstly as one enters *Ascog* from a northerly direction and secondly surrounding *Ascog Point*.

When travelling along the A844 road in a southerly direction, *Ascog* appears as a linear settlement. Its character prior to *Ascog Mansion* is different from that which is evident as one exits the settlement; the density of housing is higher and there is less of a '*countryside*' ambience.

Impact upon neighbouring Listed Building *South Park*

The impact of the development upon the Category B listed building *South Park* located to the north of the development site and situated within a large generous curtilage is considered to be minimal. *Southpark* is some 70 metres from the nearest proposed dwellinghouse and there is a natural boundary between site and *South Park* which consists of vegetation and trees. Furthermore, layout of the development, particularly the positioning of the two flatted blocks has been designed to be consistent with and complement the established

surrounding settlement character which consists of South Park being a prominent building within the wider landscape setting.

Design of the New Development

The applicant's agent has submitted a Design Statement for this proposed development which details the design context and the concept of the design solution that has been submitted. This statement includes an assessment on the impact/relationship of the proposed development upon both neighbouring properties and that of the wider landscape setting.

“Designing Places”

In drawing together the various strands of the development from a built environment perspective, it is useful to refer to the Scottish Executive's *“Designing Places: A Policy Statement for Scotland”* (2002). In broad terms, this document places importance upon the common qualities that successful places have: they have a distinct identity; they have safe and pleasant spaces; they are easy to move around in, particularly on foot; visitors experience a sense of welcome; they adapt easily to changing circumstances; and, finally, they make good use of scarce resources i.e. they are sustainable.

The character of Ascog is of a *'village-type'* community and a key question in respect of this application is how this distinct character would be affected by the proposal.

Concerns have been raised that Ascog's character would be radically altered to its detriment by the development and such concerns should not be underestimated. However, if examined more positively, it is considered that the provision of housing within an attractive environment that has safe and pleasant private and open spaces within it, together with distinct identities (the three front villas and the dwellings within the walled garden to the rear) can contribute and enhance an area rather than detract from it.

In this regard, it is considered that the proposal would be a positive asset to Ascog rather than a development that would become a dominant and deleterious feature.

Road Safety

The Area Roads Manager has raised no objection towards this application. However, should planning permission be granted a number of conditions would need to be imposed to address road safety concerns and to ensure sightlines and parking provisions are attainable; the access road is constructed to an adoptable standard and fully constructed prior to development works commencing and minimum gradients and surface water drainage systems are incorporated.

A Flood Risk Assessment has also been requested, see *Flooding* section below.

Landscaping

The submitted drawings detail landscaping and screen planting within the site to address possible overlooking and privacy concerns between the proposed flatted blocks and the detached properties to the rear of the site. The location of this screen planting also ensures that the overall mass of development is broken up and successfully absorbed within the site.

Play Space Provision

Policy POL PU 6 of the Bute Local Plan 1990 relates to the provision of play space in new housing developments.

In developments of under 25 units (as in this case of the proposed development i.e. 10 dwellings) Policy POL PU 6 states that *“the level of provision required (if any) will be dependent upon the type of house to be built, plot sizes and an assessment of existing provision within the area”*.

In this particular case, the numbers of proposed units is below the threshold (i.e. 25 dwelling units) where play space provision is automatically required and there are mitigating circumstances (age of Local Plan and size of plots) to conclude that the provision of equipped play space is not required in this particular instance.

Infrastructure

Scottish Water has confirmed that there is no available public sewer in the area and SEPA has stated that if a sewerage system does not exist then, in a planning context, the proposals for bio disc treatment plant as a foul system is acceptable.

Flooding

Following the consultation responses, detailed in Section A above a full Flood Risk Assessment has been submitted by the applicant which has now been forwarded to the relevant consultees for further consultation. The assessment's conclusions and recommendations will required minimum floor levels to be attainable and this will require the imposition of an appropriate condition should planning permission ultimately be granted.

Justification for 'Minor Departure'

In taking into account all of the material considerations referred to above, it is considered that a case can be made for granting planning permission as a 'departure' to the Development Plan as follows:

"The proposal does not represent unsympathetic development, it would not have an adverse environmental impact and would not detract from the character of the Rothesay Conservation Area or that of the Category B listed South Park. It should be seen in the context of an aged Bute Local Plan that no longer accurately reflects the understood aspirations of the Council.

In addition, the application site is fully contained within the settlement boundary defined in the Modified Finalised Draft Argyll & Bute Local Plan 2065 and no specific representations were submitted in respect of either the application site or the proposed settlement boundary at this location arising from the public consultation on the finalised draft plan."

Requirement for Hearing

On the basis that the proposal represents a 'departure' from the Development Plan and there have been a 'substantial' number of representations, it is recommended that a formal "PAN 41 hearing" is convened prior to a decision being made on the application.

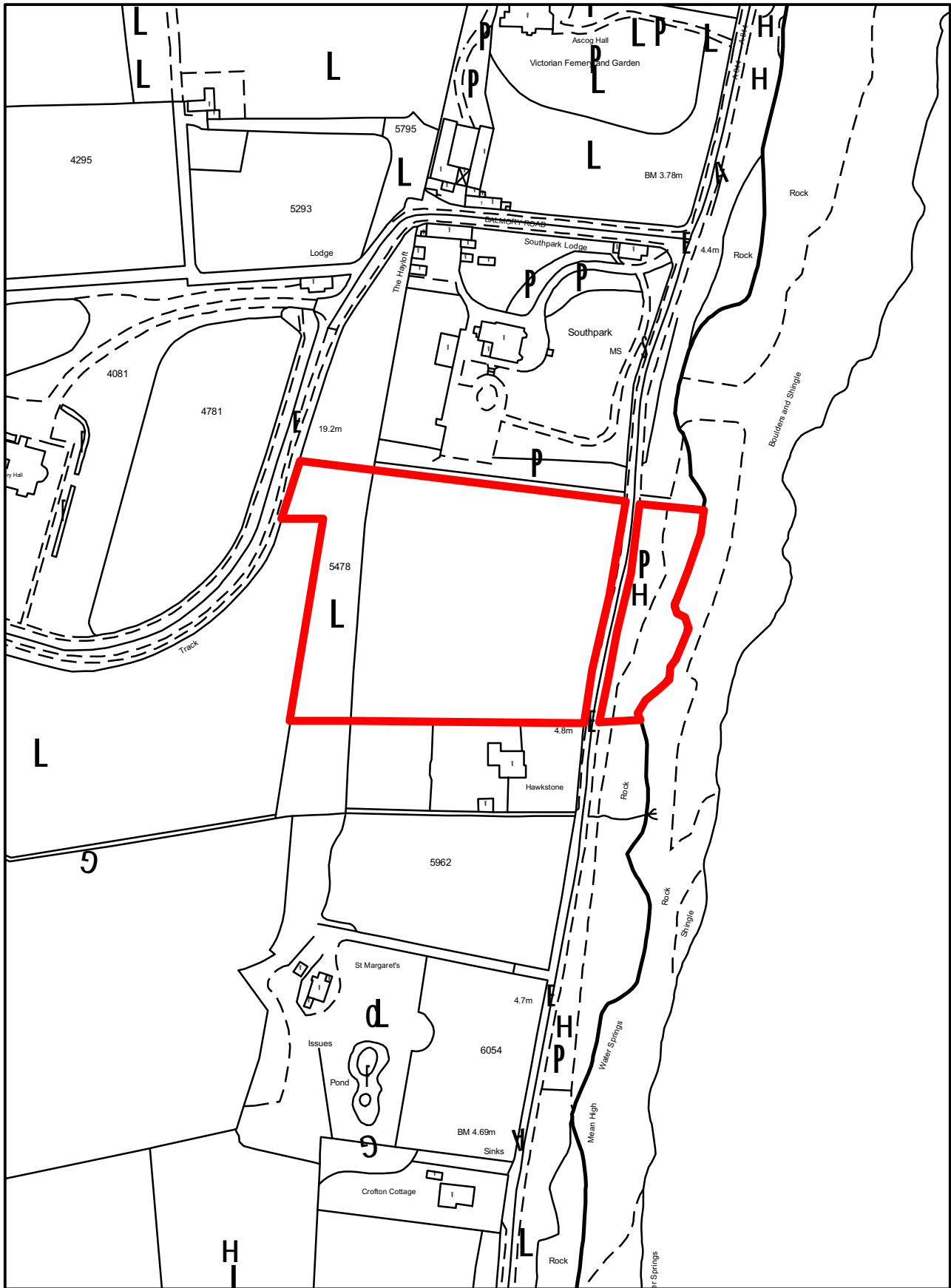
CONCLUSION

Section 25 of the Town and Country Planning (Scotland) Act 1997 requires that applications for planning permission be determined in accordance with the provisions of the Development Plan unless other material considerations indicate otherwise.

The application is contrary to the terms of the adopted Bute Local Plan 1990 but complies with the terms of the emerging Argyll and Bute Modified Finalised Local Plan.

It is considered that the adopted Local Plan is outdated. As the application complies with the terms of the emerging Local Plan, it is considered that this is a material consideration, which outweighs the development plan and would allow the Authority to grant planning permission as a departure to the development plan.

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COMMITTEE LOCATION PLAN
RELEVANT TO APPLICATION: 06/01710/DET



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DEVELOPMENT SERVICES**Local Members** Councillor B. Chennell & Councillor B. Marshall**PLANNING APPLICATION REPORT**
Bute and Cowal Area**Date of Validity** - 16th February 2007
Committee Date - 11th April 200729th March 2007

Reference Number: 07/00373/DET
Applicants Name: Cowal Leisure Ltd.
Application Type: Detailed
Application Description: Retention of 31 static caravans (amended 'as-built' layout previously approved under 00/01899/DET), temporary caravan transit parking; and the erection of 8 chalet lodges, installation of new water storage tank and septic tank.
Location: Hunter's Quay Holiday Village, Hunter's Quay, Dunoon

(A) THE APPLICATION**Development Requiring Express Planning Permission.**

- retention of 31 static caravans (amended 'as-built' layout previously approved under 00/01899/DET);
- retention of temporary caravan transit parking area;
- the erection of 8 chalet lodges on three sites with associated drainage within the existing chalet park area;
- formation of vehicular access;
- installation of new 100,000 litre water storage tank (6 x 6 x 3 metres) adjacent to existing water tank;
- installation of new 54,000 litre septic tank to supplement existing two tanks.

Other Specified Operations

- connection to existing private sewer and public water system
- tree planting;

(B) RECOMMENDATION

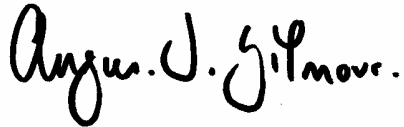
Given the outstanding consultation responses concerning issues of a visual and ecological nature, the number of representations received and a request from Hunter's Quay Community Council to have the application continued, it is recommended that the proposal be subject to a discretionary hearing.

(C) DETERMINING ISSUES AND MATERIAL CONSIDERATIONS

The proposal is for the retention of 31 static caravans (amended 'as-built' layout previously approved under 00/01899/DET), temporary caravan transit parking; and the erection of 8 chalet lodges, installation of new water storage tank and septic tank within Hunters Quay Holiday Park. Following refusal of a detailed masterplan scheme (ref. 04/02439/DET) on 5th September 2006 for an additional 9 new villages with a total of 291 caravan stances which included the current proposal, the applicant has reviewed his proposal for expansion and has lodged a separate application for the formation of 3 new villages (ref. 07/00379/DET) and deal with 'as-built' layouts within the current proposal.

At this stage, consultation responses are awaited from the Woodland Trust and Loch Lomond & Trossachs National Park, who had serious concerns for the previous 'masterplan' proposal. To date the department

has received 9 letters of objection where concerns raised relate to the impact on the woodland in terms of ecological and visual impact. In addition, Hunter's Quay Community Council request that the application be continued to allow a formal response to be made. Given all of the above and the timescales involved in dealing with this application, the department recommends that a discretionary hearing be held where the views of the applicant, consultees and objectors can be heard.



Angus J Gilmour
Head of Planning Services

Case Officer:	B. Close	01369-70-8604
Area Team Leader	D. Eaglesham	01369-70-8608

"In reaching my assessment on this application, I have had regard to the documents identified in brackets above which are available for public inspection in terms of the Local Government (Access to Information) Act 1985".

APPENDIX RELATIVE TO 07/00379/DET

A. OTHER MATERIAL CONSIDERATIONS

(i) Site History

Detailed planning permission (ref. 118/81) was granted in 1981 for the siting of 150 holiday chalets close to Hafton House. These chalets have now been sited.

Outline permission (ref 440/83) was granted in August 1983 for the provision of a static caravan park within the confines of the walled garden.

Detailed planning permission ref. 271/87 was granted in August 1987 for the erection of 44 holiday chalets within part of Hafton Estate, (part of Village A). A meaningful start was made upon this development. However, following negotiations, this permission was formally revoked.

Retrospective Listed Building Consent (ref. 01-89-0111-LIB) was granted in May 1989 for the demolition of parts of the original walled garden.

There is an extensive Tree Preservation Order (ref TPO 8/91) in place upon Cammesreinach Woods.

Detailed planning permission (ref. 01-93-0371-DET) was granted in September 1993 for the formation of a 320 unit caravan park, with an associated shop, office and warden's accommodation. This site is positioned to the north of Villages C, D, E and F. This development has been implemented.

Detailed planning permission (ref. 96/01229/DET) was granted in December 1996 for the erection of a leisure complex within the caravan park. Detailed planning permission (ref. 97/01681/VARCON) was granted in November 1999 for the variation of Condition 6 relative to the previous permission (ref 96/01229/DET), regarding the colour of the bright red roof (subsequently addressed) and modifications to other components of the building. This building has now been erected. Landscaping of the main car park has been implemented that significantly breaks up the expanse of the car park and helps to absorb the leisure complex.

Detailed application (ref. 99/01805/DET) submitted for the erection of seven holiday villages with 642 caravans and the installation of road and service infrastructure. In excess of 230 representations were received with approximately 80% objecting to the application. The applicant withdrew the application in February 2000 in response to concerns expressed by the Planning Authority with regard to the landscape and environmental impact of the development particularly with regard to Village B, Village G and to a lesser extent Village C.

Detailed application (ref. 00/00308/DET) for the extension of the caravan park through the creation of villages A, C, E and F to allow for the siting of 216 caravans. The applicant was unable to conclude a Section 75 Agreement for the footpath link and the application was refused on the grounds of road safety in September 2000.

A detailed application (ref. 00/00750/DET) for an alternative footpath link from Hunters Quay Holiday Village to Eccles Road was refused in July 2000 on the grounds of 'bad neighbour' that represented a loss of amenity to residents of Eccles Road and Hunters Quay.

Listed Building Consent (ref. 00/00751/LIB) for the demolition of the walled garden to allow for Village D was granted in July 2000.

A detailed application (ref. 00/00752/DET) for Village D for the siting of 44 caravans within the confines of the walled garden was recommended for approval subject to the conclusion of a Section 75 Agreement for a footpath link and conditions. The failure to conclude the Agreement resulted in the application being refused in September 2000 on the sole ground of road safety.

A detailed application (ref. 00/01455/DET) for 223 to establish 5 Villages A, C, D, E & F caravans was withdrawn in December 2000. The application was withdrawn following major concerns expressed by this department regarding the suitability of the proposed pedestrian crossing at the bottom of 'Renfield Brae'.

Unauthorised felling of trees (ref. 00/00045/ENFOTH) protected by a Tree Preservation Order (ref 8/91) to allow for the formation of Village F. The Procurator Fiscal considered that there was insufficient corroborative evidence to allow for a successful prosecution. A Notice under Section 167 and 168 of the 1997 Act identified replanting in nine areas by 30th April 2001. Replanting has already been undertaken.

An Enforcement Notice (ref. 00/00035/ENFOTH) was issued on 9th March 2001 to secure the removal of all caravans at Village F and infrastructure and the complete reinstatement of the ground. The sole reason for the Enforcement Notice related to the lack of a satisfactory footway link for pedestrians between Hunters Quay Holiday Village and the Hunters Quay/ Kirn environs.

A detailed application (ref. 00/01899/DET) for an extension to the Holiday Village to establish 5 Villages A, C, D, E & F and associated reception caravan sales area (partly retrospective siting of caravans), retention of LPG tanks, drainage, road & footpath infrastructure was approved on 21st December 2001 following conclusion of a Section 75 Agreement.

A detailed application (ref. 03/02258/DET) for an extension to provide changing and toilet facilities for the swimming pool was approved on 24th February 2004.

A recent application (ref. 06/01196/TPO) for the removal of specific diseased/dead trees and replanting is currently under consideration.

A detailed 'Masterplan' application (ref. 04/02439/DET) was refused on 5th September 2006 due to visual impact and serious adverse impact on the integrity and appearance of the woodland habitats and species including Pipistrelle Bats and Red Squirrel.

As a result of these applications, the site currently has permission for 613 caravans and 118 chalets.

Members should also note that there is an additional application (ref. 07/00379/DET) elsewhere on this agenda for the formation of three holiday villages comprising 66 static caravans, formation of vehicular access, earth works/remodelling and tree planting/landscaping.

(ii) Consultations

Scottish Natural Heritage (response dated 5th March 2007): No objections.

Hunters Quay Community Council (response dated 22nd March 2007): Surprised at speed at which this application appears to be pushed forward. Due to timescale and scheduled meetings request made to continue this application when it can be determined at an Area Committee meeting in Dunoon once all consultation responses have been received.

Scottish Water (expiry date 21st March 2007): No response.

Scottish Environment Protection Agency (expiry date 21st March 2007): No response.

Area Roads Manager (expiry date 21st March 2007): No response.

Loch Lomond and Trossachs National Park Authority (e-mail dated 6th March 2007): Seek extension until 16th April 2007 to allow detailed response to be made.

(iii) Publicity and Representations

The proposal was advertised under *Potential Departure* to policies POL RUR1, POL RUR2, POL TOUR14 and POL BE8 of the Cowal Local Plan 1993, advertisement published 9th March 2007 (expiry date 30th March 2007).

To date, the department has received 9 letters of objection from the Geir family, Lodge B15 Hafton, Hunters Quay (letter dated 19th February 2007); Alasdair and Elaine Marshall, Rose Cottage, Hafton Hunter's Quay (letter dated 23rd February 2007); R C Reid, The Old Mill, Ferry Road (e-mail dated 28th February 2007); Mrs. S Fitzpatrick, 4 Ennerdale, Newlandsmuir, East Kilbride (letter dated 4th March 2007; Mr. and Mrs. Pursley, 15 Deercroft, Hafton, Hunter's Quay (letter dated 12th March 2007); J. Harrington, Stonefield Cottage, Strone (letter dated 16th March 2007); A H Young, 28 Royal Crescent, Dunoon (letter dated 26th March 2007); Mrs. I.G. Young, 28 Royal Crescent, Dunoon (letter dated 26th March 2007); Yelnek Pott, Sloep 5, 3863 T6, Nykenk, The Netherlands (letter received 15th March 2007); Eddie Wassink Beehmansgoed 13, 3863 XL Nykenk, The Netherlands (letter dated 12th March 2007); Bryan-Kevin Van Alphen, Fratersgoed 22, 3865 XP Nykerk, The Netherlands (letter dated 12th March 2007);

The concerns and issues raised in the letters of objection can be broadly summarised as follows -:

- Adverse impact on wildlife and natural habitats including protected species such as bats and squirrels. Previous expansions of the caravan park have already resulted in a decrease in wildlife sightings.
- Existing access rights and condition of existing access roads in respect of surfacing and drainage;
- Connection to sewage system;
- No provision on plans for vehicular access, parking or footpaths;
- Lack of information on existing trees and shrubs around chalets;
- One of the chalets at Eaglecroft built on top of a burn – what happens to burn ?
- This proposal represents a gross overdevelopment of an already over large site and would remove what meaningful amenity/play/open space that remains between chalets.
- Road traffic increase affecting safety including pedestrians.
- Enforcement orders have been ignored and Section 75 agreements have not been carried out.
- Application is contrary to Cowal Local Plan policies POL RUR 1 and POL BE 8 in addition to local Biodiversity Plan.
- The existing 700 caravans in this holiday village are a blot on the landscape with their regiment position. The proposed expansion will further diminish the landscape character of the area.

These issues will be assessed in a finalised report.

(iv) Applicant's supporting Information

None.

(B)POLICY OVERVIEW

(i) Scottish Planning Policy

SPP 1: The Planning System sets out three primary objectives for the planning system; to set the land use framework for promoting sustainable economic development to encourage and support regeneration; and to maintain and enhance the quality of the natural heritage and built environment, *“protecting and enhancing the quality of the environment is a key objective of the planning system....the conservation and enhancement of both the natural and built environment brings benefits to local communities and provide opportunities for economic and social progress...”* (para 15).

SPP2: Economic Development; *“The environment is an important resource. High environmental quality can be used to promote an area for business development (para 47)....in making provision for economic development and considering proposals, planning authorities should seek to minimise adverse effects on natural and built heritage, consistent with national planning policies in SPPs/NPPGs (para 51).....”*

NPPG14: Natural Heritage :*“Within this wider framework for sustainable development, the Government's objectives for Scotland's natural heritage are to conserve, safeguard and, where possible, enhance: the overall populations and natural ranges of native species and the quality and range of wildlife habitats and ecosystems; geological and physiographical features; the natural beauty and amenity of the countryside and the natural heritage interest of urban areas;opportunities for enjoying and learning about the natural environment”(para 6).....”Past development has sometimes led to the fragmentation or isolation of habitats, substantially reducing their ecological value. Planning authorities should seek to prevent further fragmentation or isolation and identify opportunities to restore links which have been broken. A strategic approach to natural heritage planning, in which wildlife sites, landscape features and other areas of open space are linked together in an integrated habitat network, can make an important contribution to the maintenance and enhancement of local biological diversity”.(para 19).....”The presence of a protected species or habitat is a material consideration in the assessment of development proposals. Planning authorities should take particular care to avoid harm to species or habitats protected under the 1981 Act or European Directives, or identified as priorities in the UK Biodiversity Action Plan”.(para 20).....”Planning authorities should seek to protect trees, groups of trees and areas of woodland where they have natural heritage value or contribute to the character or amenity of a particular locality. Ancient and semi-natural woodlands have the greatest value for nature conservation”.(para 51).....”While much can be done to mitigate the environmental effects of development through the use of conditions or agreements, there may be instances where the scientific evidence is inconclusive but the potential damage could be significant. In view of the importance of safeguarding biodiversity, the Government is committed to the application of the precautionary principle where there are good scientific grounds for judging that a development could cause significant irreversible damage to our natural heritage”.(para 80)*

SPP15: Planning for Rural Development: *“Tourism is of vital importance to the social, economic, environmental and cultural well-being of rural Scotland. Planning authorities should support the development of the tourism and leisure industry with appropriate policies on siting and design of new development. The quality of the final product is crucial and planning authorities will have to carefully weigh the economic benefits with the environmental and social impact.(para 14)..... National planning policy and advice emphasises the importance of fit and design of new development in the landscape. This is often the key to making development acceptable and requires more emphasis in development plans. Some places cannot absorb any substantial change but for many others there can be some scope.(para 27).*

NPPG18: Planning and the Historic Environment: *Planning also has a positive role to play in enabling development that is appropriate in terms of land-use, location and design. In doing so it can safeguard the historic environment from inappropriate development and provide for change that respects the character of and provides for the needs of people within these areas. (para 11).....The cultural and environmental value of the historic environment adds to the quality of life of the local community. Additionally, it can help promote an area as a visitor destination which, in turn, can help generate widespread economic benefits through tourism and recreation.(para 26)*

(ii) Argyll and Bute Structure Plan (2002)

The overall aims of the Structure Plan include:

- promote ‘sustainable development’ within short- and long-term economic, social, and environmental perspectives.
- promote the safeguarding and the enhancement of the natural and historic environment and the maintenance of biodiversity within Argyll and Bute.
- guide the preparation of the detailed Argyll and Bute Local Plan ...

Under STRAT SI 1 Sustainable Development policies seek to :
b) make efficient use of vacant and/or derelict brownfield land;

- h) conserve the natural and built environment and avoid significant adverse impacts on biodiversity, natural and built heritage resources;
- i) respect the landscape character of an area;

STRAT FW2 – Development Impact on Woodland

Development shall not damage nor undermine the key environmental features of important woodland areas including the following categories:

- a) Woodland areas and trees which have been mapped for safeguarding in Argyll and Bute Local Plans or are protected by Tree Preservation Orders;
- b) Ancient and long established semi-natural woodland as identified in Scottish Natural Heritage Inventory sources;
- c) Other broadleaf woodland over 1 hectares in extent.

STRAT DC 2– Development within the Countryside Around Settlements

Within the Countryside Around Settlements encouragement shall be given to development which accords with the settlement plan for the area including appropriate small scale infill rounding-off and redevelopment.

STRAT DC 7 – Nature Conservation and Development Control

C) Development which impacts on Local Wildlife sites or other nature conservation interests, including sites, habitats or species at risk as identified in the Local Biodiversity action Plan, shall be assessed carefully to determine its acceptability balanced along with national – or local – social or economic considerations.

D) Enhancement to nature conservation interests will also be encouraged in association with development and land use proposals

STRAT DC 8 – Landscape and Development Control

A) Development which damages or undermines the key environmental features of a visually contained or wider landscape or coastscape shall be treated as 'non-sustainable' and is contrary to this policy

B) Protection, conservation and enhancement to landscape will also be encouraged in association with development and land use proposals

(iii) Cowal Local Plan 1993

In the adopted Cowal Local Plan 1993, the site is located between the settlements of Hunter's Quay and Ardnadam covered specifically by Policies POL RUR 1, RUR 2 and TOUR 14.

In terms of the Cowal Settlement Strategy, Policy STRAT 1 – Regeneration of Cowal advises that the prime strategy shall be economic regeneration and population increase throughout Cowal in a manner which is sustainable in its use of natural resources and does not compromise the natural heritage of the area.

The application site is situated within the Central and East Cowal Local Scenic Area as defined by POL RUR 1: Landscape Quality, under Areas of Local Landscape Significance specifically Camus Reineach Broadleaf Woodland where the Council will resist prominent or sporadic development which would have an adverse landscape impact.

The Council will under the provisions of POL RUR 2: Nature Conservation resist developments and land use changes, which would erode or have an adverse effect on features of wildlife and scientific value, in particular IV) ancient woodland inventory sites and all broadleaf woodland over 5 hectares and VI) local features of wildlife value and in particular small native broadleaf woodlands and 'scrub, and mixed woodland including amenity planting.

Under POL RUR 4: Forests, Woodlands and Trees, the Council will encourage the planting and positive management of forests and woodlands with regard to II) the protection of the landscape, III) nature and heritage conservation; V) the appropriate development or protection of tourism and recreational opportunities; VI) accepted sources of advice on good practice in particular the Forest Authority's guidelines on 'Forestry Landscape Design', 'Wildlife Conservation in Woodlands', and 'Management of Broadleaved Woodlands'.

Under POL COM 5 the Council will oppose potential "Bad Neighbour" developments when it is considered that they are likely to adversely affect the amenity of neighbouring properties and land.

Under POL TOUR 14 the Council will encourage the improvement and/or development of small-scale facilities at specific locations including Hafton.

Policy POL BE 8 encourages the retention and enhancement of existing tree groups and belts of trees within or directly adjacent to built up areas. The Council will normally require that developments and land use changes within its powers of control do not lead to the destruction of trees, woodlands and hedges and in appropriate cases may place tree preservation orders in the interests of conservation. In addition the Council may designate "woodland management areas" and seek management agreements with interested parties with a view to securing appropriate funding and organisations for the successful implementation of such proposals.

(iv) Argyll and Bute Modified Finalised Draft Local Plan June 2006

A Modified Finalised Draft of the Argyll and Bute Local Plan was approved in June 2006 for consultation purposes from 20 July to 1 September 2006. Although not finally adopted, the following policies should be accorded some weight, although some may be subject to objections which may have to be considered at a local plan inquiry.

The site is located within an area zoned as Countryside Around Settlement where only small-scale, infill and rounding off and redevelopment proposals will be supported where appropriate and provided they do not compromise the long term growth of the settlement. In terms of the proposed development the proposal constitutes a Large Scale Tourist Development (refer to Policy LP TOUR 1 below) which would be contrary to STRATDC2 where appropriate small scale infilling, rounding off and redevelopment is encouraged in these zones.

The Holiday Village site had been identified in the Argyll and Bute Finalised Local Plan May 2005 as a Potential Development Area for Tourism (PDA2/49). In response to objections submitted, this designation was removed from the Modified Draft Local Plan June 2006. However, further objections to this change will require to be considered at the Local Plan Inquiry.

The Structure Plan sets out economic, social and environmental objectives to guide an investment strategy for Argyll and Bute. These objectives are carried over as the main objectives of the Argyll and Bute Local Plan as follows:

Economic and Social Objectives SI 1

- a) to improve economic competitiveness and the relatively poor economic performance of Argyll and Bute as a whole.
- b) to enhance the economic and social prospects of the geographically diverse local communities in Argyll and Bute.
- c) to promote appropriate responses to the variety of challenging economic, transport-related and planning circumstances facing these local communities.
- d) to treat the rich natural and historic environment of Argyll and Bute as a not fully realised economic asset which, if safeguarded and enhanced, can stimulate further investment and increased economic activity.

Environmental Objectives SI 2

- a) to safeguard the diverse and high quality natural and built heritage resources, including the abundant landward and maritime biodiversity of Argyll and Bute.
- b) to reinforce the strength of protection given to the European and national statutorily protected nature conservation sites, habitats, species and built heritage sites, with which Argyll and Bute is particularly richly endowed.
- c) to enhance and invest in the quality of the natural and built environment and to engage development more effectively with this enhancement process.
- d) to encourage development of a scale, form, design and location appropriate to the character of the landscape and settlements of Argyll and Bute.

Policy LP ENV1 Development Impact on the General Environment

In all development control zones the Council will assess applications for planning permission for their impact on both the natural, human and built environment. When considering development proposals, the following general considerations will be taken into account, namely:

(A) The development is of a form, location and scale consistent with Structure Plan Policies STRAT DC 1 to 6:

(B) Likely impacts, including cumulative impacts, on amenity, access to the countryside and the environment as a whole;

(C) All development should protect, restore or where possible enhance the established character and local distinctiveness of the landscape in terms of its location, scale, form and design. The 'Landscape Assessment of Argyll and the Firth of Clyde' (ERM 1996, Review No. 78) will be used to inform assessment of development proposals.

(D) The location and nature of the proposed development, including land use, layout, design, external appearance, density, landscaping, open space, safety hazards, flood risk, air quality, crime prevention measures and privacy of existing and proposed development;

(F) The availability of infrastructure and relationship to existing community facilities;

(G) Water resources and the marine environment (particularly pollution controlled waters by any contaminants associated with the land); biodiversity; and other land uses in the area;

(H) Current Government guidance, other policies in the Argyll and Bute Structure and Local Plan and particularly those relating to the proposed type of development.

Policy LP ENV2 Development Impact on Biodiversity

When considering development proposals the Council will seek to contribute to the delivery of the objectives and targets set by the Local Biodiversity Action Plan (LBAP).

Proposals that incorporate existing site interests within the design wherever possible will be encouraged. Where there is evidence to suggest that a habitat or species of local importance exists on a proposed development site, the Council will require the applicant, at his/her own expense, to submit a specialist survey of the site's natural environment. Applications with significant adverse impacts will be refused unless the developer proves to the satisfaction of the Planning Authority that the following criteria are met: and,

(B) Satisfactory steps are taken to avoid, mitigate or compensate for damage.

Policy LP ENV6 Development Impact on Habitats and Species

In considering development proposals, the Council will give full consideration to the legislation, policies and conservation objectives, that may apply to the following:

Habitats and Species listed under Annex I, II & IV of the Habitats Directive;

Species listed under Annex I of the Birds Directive;

Species listed on Schedules 1, 5 and 8 of the Wildlife and Countryside Act 1981; (and as amended by the Nature Conservation (Scotland) Act 2004);

Habitats & Species listed in the UK Biodiversity Action Plan; AND, Habitats and Species which are widely regarded as locally important as identified in the LBAP.

Policy LP ENV7 Development Impact on Trees/Woodland

In accordance with Schedule FW 2, the Council will protect trees, groups of trees and areas of woodland by making Tree Preservation Orders (TPOs) where this appears necessary in the interests of amenity. In addition, the Council will resist development likely to have an adverse impact on trees and will ensure, through the development control process, that adequate provision is made for the preservation of and when considered appropriate the planting of new woodland/trees, including compensatory planting and management agreements.

Schedule FW 2 – Features of important woodland/trees to be safeguarded include:

The whole area of woodland or segments of woodland when these are highly valued and not capable of absorbing development without fundamental damage occurring to the integrity, appearance or prized features of the woodland.

The prize features of an important woodland may include:

- recreational value to local people;
- amenity value;
- The woodland setting;
- The habitat value;
- Highly valued tree specimens;
- Windbreak characteristics;
- The configuration of open space, glades, network, canopy and understorey components within the woodland area;
- The important contribution of the woodland, as key landscape features, to local and regional landscape character and distinctiveness.

Policy LP ENV 8 :Development Impact on Local Nature Conservation Sites

Development that would have a significant, adverse effect on Local Nature Conservation Sites or other nature conservation interests, including sites, habitats or species at risk as identified in the Local Biodiversity Action Plan will be refused unless the developer proves:

(A) Its public benefits at a local level clearly outweigh the nature conservation value of the site; and,

(B) There is no suitable or available alternative site for the development.

Where development is allowed which could affect any of the above sites, including beyond their boundaries, the developer must demonstrate that adequate measures will be taken to conserve and enhance the sites' ecological, geological and geomorphological interest, depending on the designated interest.

Policy LP ENV19 Development Setting, Layout and Design

The Council will require developers and their agents to produce and execute a high standard of appropriate design in accordance with the design principles set out in Appendix A of this Local Plan, the Council's sustainable design guide and the following criteria: -

Development Setting

(A) Development shall be sited and positioned so as to pay regard to the context within which it is located.

Development Layout and Density

(B) Development layout and density shall effectively integrate with the urban, suburban or countryside setting of the development. Layouts shall be adapted, as appropriate, to take into account the location or sensitivity of the area. Developments with poor quality or inappropriate layouts or densities including over-development and over-shadowing of sites shall be resisted.

Development Design

(C) The design of developments and structures shall be compatible with the surroundings. Particular attention shall be made to massing, form and design details within sensitive locations Within such locations, the quality of design will require to be higher than in other less sensitive locations.

Policy LP BAD 1 Bad Neighbour Development

In all Development Control Zones proposals for developments classed as "Bad Neighbour" Developments* will only be permitted where all the following criteria are satisfied.

(A) There are no unacceptable adverse effects on the amenity of neighbouring residents;

(B) The proposal includes appropriate measures to reduce the impact on amenity as defined by the use classes order (i.e. noise, light, smells);

(C) There are no significant transport, amenity or public service provision objections;

(D) Technical standards in terms of parking, traffic circulation, vehicular access and servicing, and pedestrian access are met in full (see Appendix C);

(E) The proposal does not conflict with any other Structure Plan or Local Plan policy.

Policy LP TOUR 1 Tourist Facilities and Accommodation, including Static and Touring Caravans

There is a presumption in favour of new or improved tourist facilities and accommodation provided:

(B) In the countryside development control zones the development is of a form, location and scale consistent with policies STRAT DC 2-6;

(C) They respect the landscape/townscape character and amenity of the surrounding area;

(D) They are reasonably accessible by public transport where available, cycling and on foot, or would deliver major improvements to public transport services;

(E) They are well relating to existing settlements and avoid dispersed patterns of development, unless the developer has demonstrated a locational requirement based on the need to be near to the specific tourist interest being exploited, and that the facility will not damage those interests; AND,

(F) The proposal is consistent with other policies contained in the Structure and Local Plan;

Policy LP SERV 3 Drainage Impact Assessment (DIA)

The Council will generally require developers to submit a Drainage Impact Assessment (DIA) with the following categories of development:

(C) Other non-householder extensions involving new buildings, significant hard standing areas or alterations to landform.

(C)ASSESSMENT

(i) Background

The existing Hunters Quay Holiday Park is characterised by a mixture of caravans, buildings and chalets in both a parkland and mature woodland setting. The site rises from the Holy Loch southwards towards higher and elevated wooded areas mainly along the eastern escarpment, central knoll and southern plateau. The mature woodland comprises primarily Scots Pine, Birch, Oak and Larch. The woodland structure provides a high amenity for walkers and visitors while making a significant contribution to the immediate and wider landscape with dense area of woodland primarily along the eastern and southern portions of the site. Cammesreinach woodland is classified as Long Established of Plantation Origin and an existing Tree Preservation Order (TPO 8/91) covers the entire application site and the adjacent Kennel Woods.

The Hunters Quay Holiday Park presently comprises 613 static caravans and 118 chalets with associated facilities at the Leisure Centre, reception building, shop and caretaker's house (it should be noted that this figure does not include modifications to the as approved layouts of *Burnside*, *Iona* and *Tiree* villages to formalise the as-built situation with an additional 31 caravan stances, the subject of this application).

The Holiday Park is located within what were once the policy woodlands and parkland for Hafton House, a Category-B listed building. The estate was sold in the 1980s as a leisure estate with planning permission for the chalet development. In 1989, the land and the majority of the chalet development was bought by Cowal Leisure and incorporated into the current Holiday Park of static caravans.

The built areas comprise a timber chalet site (Burnside Village) in the western side of the site with two dense areas of caravans on either side (Iona and Town Villages). The Town Village in particular comprises many caravans in twelve regimented lines with little separation distances between. In the centre of the site is Jura Village with Tiree Village wrapped round the wooded knoll, though still in regimented form. Islay Village is situated to the north east of the office and leisure complex, benefiting from a better layout and screening than the Town Village or Tiree Village.

(ii) The Proposal

The application seeks approval for the formalisation of the as-built layouts of Tiree, Iona & Burnside Villages relative to the layouts approved under ref. 00/01899/DET.

Tiree Village C had original approval for 71 units and the current proposal seeks approval for the as-built layout (of 71 units) which removed 19 caravans off the steeper eastern slopes of the Knoll and relocated them in a double row on the lower strip.

Iona Village D had original approval for 41 units and the current proposal seeks approval for the as-built layout of 70 units which shows a much tighter and closely packed layout than originally approved.

Burnside Village E had original approval for 21 units and the current proposal seeks approval for the as-built layout of 23 units which shows infilling of an open space gap between the previously looser layout.

The as-built layouts have created an additional 31 caravan stances which have resulted in more closely packed layouts in each of these Villages by utilising amenity space which provides a degree of separation and character between villages.

The proposal also involves the erection of 8 new chalet units with associated drainage within existing chalet park. Five new chalet units are proposed within the Deercroft area close to the western boundary between an existing five chalets and the site access route.

Two chalet units are proposed south of this area within the Eaglecroft area in a clearing surrounded by While this may not be the most contentious aspect of the proposal the formation of additional chalets in the three areas identified will remove what little meaningful open space exists between the chalets.

A new 100,000 litre water storage tank (6x6x3 metres) is proposed and located adjacent to the existing water tank in the south west corner of the site and screened by mature woodland. The storage tank will be constructed in grey

coloured GRP panels, sited on a concrete base with granite chips and enclosed by a 2.0 metre high green pvc coated chain link security fence and gates.

The proposal also involves the installation of a new 54,000 litre septic tank to supplement the existing two tanks located at the front of the holiday park site close to the A815. Discussions have taken place between the applicant, SEPA, Scottish Water where it is proposed to connect into the new Scottish Water sewer.

(iii) Policy Considerations

The following issues will require to be fully assessed in a final report when the views of all consultees (and representations) have been obtained:

(a) Environmental Impact - Landscape and Visual

Long range and wider views in particular from the Loch Lomond and the Trossachs National Park Authority including key viewpoints around the Holy Loch. Potential mitigation measures in respect of timetable for initial earthworks, screening and tree planting for effectively screening against the woodland backdrop.

(b) Ecology

A final report will include a detailed assessment of issues including potential ecological damage to wildlife and habitats as a result of the proposed development, where the introduction of an additional 8 chalets, their accesses and hard standings, drainage and other clearings required all have the potential to threaten the existing rich ecological interests within the site and its mixed mature woodlands.

Scottish Natural Heritage (SNH) have no comment to make on this application as it involves as-built layouts within existing village areas and new chalets within the chalet area.

(c) Servicing and Infrastructure

Scottish Water has no objections to the proposed development subject to advisory notes. No response has been received from Scottish Water or SEPA.

It is considered that any of the issues raised above could be addressed via specific recommended conditions.

(D) CONCLUSION

In the absence of all consultee responses, the number of objections received (9 to date), a request from Hunter's Quay Community Council to have the application continued to allow a detailed response to be made and local feeling towards the scheme, it is recommended that a discretionary hearing should be held before the application is determined. A finalised report will be prepared addressing all of the issues in more detail.

DEVELOPMENT SERVICES**Local Members** Councillor B. Chennell & Councillor B. Marshall**PLANNING APPLICATION REPORT**
Bute and Cowal Area**Date of Validity** - 16th February 2007
Committee Date - 11th April 200729th March 2007

Reference Number: 07/00379/DET
Applicants Name: Cowal Leisure Ltd.
Application Type: Detailed
Application Description: Formation of three holiday villages comprising 66 static caravans, formation of vehicular access, earth works/remodelling and tree planting/landscaping.
Location: Hunter's Quay Holiday Village, Hunter's Quay, Dunoon

(A) THE APPLICATION**Development Requiring Express Planning Permission.**

- formation of 3 new villages [66 static caravans contained in Bute(14 stances), Gigha (26 stances) and Colonsay (26 stances)];
- formation and improvement of vehicular accesses serving three proposed villages;
- earth works/ remodelling around proposed villages and screen bunds / landscaped buffers.

Other Specified Operations

- connection to existing private sewer and public water system ;
- tree planting and landscaping.

(B) RECOMMENDATION

Given the outstanding consultation responses concerning issues of a visual and ecological nature, the number of representations received and a request from Hunter's Quay Community Council to have the application continued, it is recommended that the proposal be subject to a discretionary hearing.

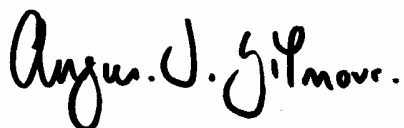
(C) DETERMINING ISSUES AND MATERIAL CONSIDERATIONS

The proposal is for a further 66 caravan stances contained within three new holiday villages within Hunters Quay Holiday Park. Following refusal of a detailed masterplan scheme (ref. 04/02439/DET) on 5th September 2006 for an additional 9 new villages with a total of 291 caravan stances the applicant has reviewed his proposal for expansion. Due to the reduced scale of the proposed development it is considered, that while it did not require an Environmental Assessment, a detailed Supporting Landscape Statement and Bat Roost Assessment would be required, and these are submitted as supporting information.

The previous refusal was based on the fact that major expansion would impinge on the established Camas Reinach Woodland, protected by a blanket Tree Preservation Order (TPO 8/91) and the majority of the remaining unbuilt areas comprise ancient and protected woodland, mainly deciduous, which not only provides important habitats but forms an integral part of the immediate and surrounding landscape. Previous applications and an assessment of the previous refusal suggested that the existing Hunters Quay Holiday Park was near or reaching capacity where such a large expansion would have an adverse visual and environmental impact.

However, the current proposal has been chosen carefully with sites located in the existing quarry and to the rear of the main town village. Proposed earthworks and remodelling of landform together with tree planting and landscaping may provide natural screening to help absorb these new villages into the overall landscape. The more sensitive areas, affected by the refused masterplan proposal have been avoided. The proposed villages will be sited in existing clearings where there should be little or no adverse environmental impact. In visual terms, with the aid of screening and landscaped buffers, it is considered that the proposed villages may have no further impact when viewed from long distance viewpoints (mainly to properties and viewpoints across the Holy Loch within the National Park) than exists at present.

At this stage, consultation responses are awaited from the Woodland Trust and Loch Lomond & Trossachs National Park, who had serious concerns for the previous 'masterplan' proposal. To date the department has only received 5 letters of objection where concerns raised relate to the impact on the woodland in terms of ecological and visual impact. In addition, Hunter's Quay Community Council request that the application be continued to allow a formal response to be made. Given all of the above and the timescales involved in dealing with this application, the department recommends that a discretionary hearing be held where the views of the applicant, consultees and objectors can be heard.



Angus J Gilmour
Head of Planning Services

Case Officer:	B. Close	01369-70-8604
Area Team Leader	D. Eaglesham	01369-70-8608

"In reaching my assessment on this application, I have had regard to the documents identified in brackets above which are available for public inspection in terms of the Local Government (Access to Information) Act 1985".

APPENDIX RELATIVE TO 07/00379/DET

A. OTHER MATERIAL CONSIDERATIONS

(i) Site History

Detailed planning permission (ref. 118/81) was granted in 1981 for the siting of 150 holiday chalets close to Hafton House. These chalets have now been sited.

Outline permission (ref 440/83) was granted in August 1983 for the provision of a static caravan park within the confines of the walled garden.

Detailed planning permission ref. 271/87 was granted in August 1987 for the erection of 44 holiday chalets within part of Hafton Estate, (part of Village A). A meaningful start was made upon this development. However, following negotiations, this permission was formally revoked.

Retrospective Listed Building Consent (ref. 01-89-0111-LIB) was granted in May 1989 for the demolition of parts of the original walled garden.

There is an extensive Tree Preservation Order (ref TPO 8/91) in place upon Cammesreinach Woods.

Detailed planning permission (ref. 01-93-0371-DET) was granted in September 1993 for the formation of a 320 unit caravan park, with an associated shop, office and warden's accommodation. This site is positioned to the north of Villages C, D, E and F. This development has been implemented.

Detailed planning permission (ref. 96/01229/DET) was granted in December 1996 for the erection of a leisure complex within the caravan park. Detailed planning permission (ref. 97/01681/VARCON) was granted in November 1999 for the variation of Condition 6 relative to the previous permission (ref 96/01229/DET), regarding the colour of the bright red roof (subsequently addressed) and modifications to other components of the building. This building has now been erected. Landscaping of the main car park has been implemented that significantly breaks up the expanse of the car park and helps to absorb the leisure complex.

Detailed application (ref. 99/01805/DET) submitted for the erection of seven holiday villages with 642 caravans and the installation of road and service infrastructure. In excess of 230 representations were received with approximately 80% objecting to the application. The applicant withdrew the application in February 2000 in response to concerns expressed by the Planning Authority with regard to the landscape and environmental impact of the development particularly with regard to Village B, Village G and to a lesser extent Village C.

Detailed application (ref. 00/00308/DET) for the extension of the caravan park through the creation of villages A, C, E and F to allow for the siting of 216 caravans. The applicant was unable to conclude a Section 75 Agreement for the footpath link and the application was refused on the grounds of road safety in September 2000.

A detailed application (ref. 00/00750/DET) for an alternative footpath link from Hunters Quay Holiday Village to Eccles Road was refused in July 2000 on the grounds of 'bad neighbour' that represented a loss of amenity to residents of Eccles Road and Hunters Quay.

Listed Building Consent (ref. 00/00751/LIB) for the demolition of the walled garden to allow for Village D was granted in July 2000.

A detailed application (ref. 00/00752/DET) for Village D for the siting of 44 caravans within the confines of the walled garden was recommended for approval subject to the conclusion of a Section 75 Agreement for a footpath link and conditions. The failure to conclude the Agreement resulted in the application being refused in September 2000 on the sole ground of road safety.

A detailed application (ref. 00/01455/DET) for 223 to establish 5 Villages A, C, D, E & F caravans was withdrawn in December 2000. The application was withdrawn following major concerns expressed by this department regarding the suitability of the proposed pedestrian crossing at the bottom of 'Renfield Brae'.

Unauthorised felling of trees (ref. 00/00045/ENFOTH) protected by a Tree Preservation Order (ref 8/91) to allow for the formation of Village F. The Procurator Fiscal considered that there was insufficient corroborative evidence to allow for a successful prosecution. A Notice under Section 167 and 168 of the 1997 Act identified replanting in nine areas by 30th April 2001. Replanting has already been undertaken.

An Enforcement Notice (ref. 00/00035/ENFOTH) was issued on 9th March 2001 to secure the removal of all caravans at Village F and infrastructure and the complete reinstatement of the ground. The sole reason for the Enforcement Notice related to the lack of a satisfactory footway link for pedestrians between Hunters Quay Holiday Village and the Hunters Quay/ Kirn environs.

A detailed application (ref. 00/01899/DET) for an extension to the Holiday Village to establish 5 Villages A, C, D, E & F and associated reception caravan sales area (partly retrospective siting of caravans), retention of LPG tanks, drainage, road & footpath infrastructure was approved on 21st December 2001 following conclusion of a Section 75 Agreement.

A detailed application (ref. 03/02258/DET) for an extension to provide changing and toilet facilities for the swimming pool was approved on 24th February 2004.

A recent application (ref. 06/01196/TPO) for the removal of specific diseased/dead trees and replanting is currently under consideration.

A detailed 'Masterplan' application (ref. 04/02439/DET) was refused on 5th September 2006 due to visual impact and serious adverse impact on the integrity and appearance of the woodland habitats and species including Pipistrelle Bats and Red Squirrel.

As a result of these applications, the site currently has permission for 613 caravans and 118 chalets.

Members should also note that there is an additional application (ref. 07/00373/DET) elsewhere on this agenda for the retention of 31 static caravans (regularisation of previously approved layouts), and erection of 8 chalet lodges.

(ii) **Consultations**

Scottish Natural Heritage (response date 28th March 2007): No objection subject to conditions in respect of provision of a woodland management plan and restricted felling of trees.

Scottish Water (response dated 7th March 2007): No objection in principle but advisory comments regarding connection to waste and water systems which still require to be fully catered for in Dunoon. It is noted that Loch Eck Treatment Works currently has sufficient capacity to service the proposed development.

Forestry Commission Scotland (response dated 20th March 2007): Comments regarding status of protected woodland. Lack of information regarding woodland survey and management plan. Once these details submitted more detailed comments can be made on the likely impact of the development on the woodland.

Hunters Quay Community Council (response dated 22nd March 2007): Surprised at speed at which this application appears to be pushed forward. Due to timescale and scheduled meetings request made to continue this application when it can be determined at an Area Committee meeting in Dunoon once all consultation responses have been received.

Scottish Environment Protection Agency (response dated 21st March 2007): SEPA would have no objection to the proposed foul drainage system if a Section 75 Agreement or planning condition be imposed to ensure that connection to the public sewerage is made when planned capacity has been implemented and a connection can be made.

Since no details have been submitted regarding surface water drainage SEPA objects to this aspect of the proposal. If details are submitted in respect of a satisfactory Sustainable Drainage System (SuDS) with no unacceptable adverse impact on the environment then this objection could be removed.

Additional comments on watercourse engineering and biodiversity.

Area Roads Manager (expiry date 21st March 2007): No response.

Lomond and Trossachs National Park Authority (expiry date 21st March 2007): No response.

(iii) Publicity and Representations

The proposal was advertised under *Potential Departure* to policies POL RUR1, POL RUR2, POL TOUR14 and POL BE8 of the Cowal Local Plan 1993, advertisement published 9th March 2007 (expiry date 30th March 2007).

To date, the department has received 5 letters of objection from Yelnek Pott, Sloep 5, 3863 T6, Nykenk, The Netherlands (letter received 15th March 2007); Eddie Wassink Beehmansgoed 13, 3863 XL Nykenk, The Netherlands (letter dated 12th March 2007); Bryan-Kevin Van Alphen, Fratersgoed 22, 3865 XP Nykerk, The Netherlands (letter dated 12th March 2007); Susan and Martin Harvey, 49 Cammesreinach Crescent, Hunters Quay (letter dated 26th March 2007); J. Harrington, Stonefield Cottage, Strone (letter dated 14th March 2007).

The concerns and issues raised in the letters of objection can be broadly summarised as follows -:

- Adverse impact on wildlife and natural habitats including protected species such as bats and squirrels. Previous expansions of the caravan park have already resulted in a decrease in wildlife sightings.
- If this development is permitted yet more high aesthetic value ancient woodland will be destroyed that is protected by a Tree Preservation Order.
- This proposal represents a gross overdevelopment of an already over large site.
- Road traffic increase affecting safety including pedestrians.
- Enforcement orders have been ignored and Section 75 agreements have not been carried out.
- This application contains a large element of disguised retrospective planning permission to deal with tree felling, road creation, siting too many caravans and not in accordance with previously approved plans.
- Application is contrary to Cowal Local Plan policies POL RUR 1, POL RUR 4, POL COM 4, POL COM 5, POL TOUR 1, POL TR 4, POL BE 8.
- Extra caravans and caravans would be a scar on the landscape when viewed from the nearest shore of Holy Loch, now part of the National Park.
- There is also an issue of noise pollution. Already noise can be heard from a wide area surrounding the existing site. If the site is enlarged as planned the only possible result will be increased noise.
- The existing 700 caravans in this holiday village are a blot on the landscape with their regiment position. The proposed expansion will further diminish the landscape character of the area.

These issues will be assessed in a finalised report.

(iv) Applicant's supporting Information

In support of their application, Cowal Leisure Ltd. has submitted in addition to detailed layout and section drawings, a Supporting Landscape Statement February 2007 and Bat Roost Assessment February 2007.

In the Supporting Landscape Statement the applicant's agent comment that the three discrete new villages are located on land close to but separate from existing villages. Bute Village will be located within the existing quarry where it will be screened by enclosing landform and by raising of the intervening bund to the north of the site. Regrading will re-instate the slope at the foot of the 'Knoll' where a track had been cut into the embankment and create a more natural topography. Woodland planting will be introduced to enhance the visual amenity of the site, improve ecological value and integrate the new development within its established landscape setting.

Colonsay and Gigha Villages will be located on either side of an existing track to the south west of the Town Village. Both areas have previously been cleared of trees and are currently clearings. Reducing the existing platform will help to minimise visual impact of Gigha Village where Colonsay will be regarded to form two terraces. Again, tree planting and landscaping is proposed to help minimise visual impact. Views from identified receptor viewpoints have been assessed using a caravan sited in these new village locations. Both magnitude and significance of impact have been considered to be neutral or slight. Mitigating planting will reduce impact still further over time.

The Bat Roost Assessment and Expert-eye Assessment undertaken in February 2007 found no evidence for bats during the survey/assessment but noted that the timing of the survey was in winter when bats are in hibernation not roosting. The survey concluded that although a few of the trees within the development zones may provide opportunities for roosting bats, it is clear that bats in the area around the holiday village have access to good roost resources in the large and small trees nearby. The absence of any signs of roosting during the survey does not however mean that bats are permanently absent from roosting in the trees and a Bat Method Statement should be used during development of the site to minimise the risk of harm to bats.

In terms of Red Squirrel, opportunities exist to build dreys within the area of Gigha and Colonsay Villages but the main opportunities lie outside the margins of the development zones. A single drey was recorded in a Scots pine on the margins of the site in a tree that is to be retained.

In ornithological terms, opportunities exist within the trees, shrubs and ground vegetation for nesting birds where the felling and vegetation clearance programme must consider either avoiding the nesting season until felling/clearing is complete or undertake nest checks within that season.

Recommendations made include:

1. Any felling of trees at the site should be carried out during the winter period (December to February) with reference to the Bat Statement;
2. Checks should be made of mature trees pre-felling to ensure no dreys have been built post-survey assessment;
3. The appended Bat Method Statement should be utilised at all times during tree felling and site clearance;
4. Undertake bird nest checks from March to September if site clearance not complete during the winter months, and utilise the appended Bird Method Statement.

(B)POLICY OVERVIEW

(i) Scottish Planning Policy

SPP 1: The Planning System sets out three primary objectives for the planning system; to set the land use framework for promoting sustainable economic development to encourage and support regeneration; and to maintain and enhance the quality of the natural heritage and built environment, "*protecting and enhancing the quality of the environment is a key objective of the planning system.....the conservation and enhancement of both the natural and built environment brings benefits to local communities and provide opportunities for economic and social progress...*" (para 15).

SPP2: Economic Development; "*The environment is an important resource. High environmental quality can be used to promote an area for business development (para 47)....in making provision for economic development and*

considering proposals, planning authorities should seek to minimise adverse effects on natural and built heritage, consistent with national planning policies in SPPs/NPPGs (para 51).....

NPPG14: Natural Heritage :*"Within this wider framework for sustainable development, the Government's objectives for Scotland's natural heritage are to conserve, safeguard and, where possible, enhance: the overall populations and natural ranges of native species and the quality and range of wildlife habitats and ecosystems; geological and physiographical features; the natural beauty and amenity of the countryside and the natural heritage interest of urban areas;opportunities for enjoying and learning about the natural environment"*(para 6).....*"Past development has sometimes led to the fragmentation or isolation of habitats, substantially reducing their ecological value. Planning authorities should seek to prevent further fragmentation or isolation and identify opportunities to restore links which have been broken. A strategic approach to natural heritage planning, in which wildlife sites, landscape features and other areas of open space are linked together in an integrated habitat network, can make an important contribution to the maintenance and enhancement of local biological diversity"*.(para 19).....*"The presence of a protected species or habitat is a material consideration in the assessment of development proposals. Planning authorities should take particular care to avoid harm to species or habitats protected under the 1981 Act or European Directives, or identified as priorities in the UK Biodiversity Action Plan"*.(para 20).....*"Planning authorities should seek to protect trees, groups of trees and areas of woodland where they have natural heritage value or contribute to the character or amenity of a particular locality. Ancient and semi-natural woodlands have the greatest value for nature conservation"*.(para 51).....*"While much can be done to mitigate the environmental effects of development through the use of conditions or agreements, there may be instances where the scientific evidence is inconclusive but the potential damage could be significant. In view of the importance of safeguarding biodiversity, the Government is committed to the application of the precautionary principle where there are good scientific grounds for judging that a development could cause significant irreversible damage to our natural heritage"*.(para 80)

SPP15: Planning for Rural Development: *"Tourism is of vital importance to the social, economic, environmental and cultural well-being of rural Scotland. Planning authorities should support the development of the tourism and leisure industry with appropriate policies on siting and design of new development. The quality of the final product is crucial and planning authorities will have to carefully weigh the economic benefits with the environmental and social impact.*(para 14).....*National planning policy and advice emphasises the importance of fit and design of new development in the landscape. This is often the key to making development acceptable and requires more emphasis in development plans. Some places cannot absorb any substantial change but for many others there can be some scope.*(para 27).

NPPG18: Planning and the Historic Environment: *Planning also has a positive role to play in enabling development that is appropriate in terms of land-use, location and design. In doing so it can safeguard the historic environment from inappropriate development and provide for change that respects the character of and provides for the needs of people within these areas. (para 11).....The cultural and environmental value of the historic environment adds to the quality of life of the local community. Additionally, it can help promote an area as a visitor destination which, in turn, can help generate widespread economic benefits through tourism and recreation.*(para 26)

(ii) Argyll and Bute Structure Plan (2002)

The overall aims of the Structure Plan include:

- promote 'sustainable development' within short- and long-term economic, social, and environmental perspectives.
- promote the safeguarding and the enhancement of the natural and historic environment and the maintenance of biodiversity within Argyll and Bute.
- guide the preparation of the detailed Argyll and Bute Local Plan ...

Under STRAT SI 1 Sustainable Development policies seek to :

- b) make efficient use of vacant and/or derelict brownfield land;
- h) conserve the natural and built environment and avoid significant adverse impacts on biodiversity, natural and built heritage resources;
- i) respect the landscape character of an area;

STRAT FW2 – Development Impact on Woodland

Development shall not damage nor undermine the key environmental features of important woodland areas including the following categories:

- a) Woodland areas and trees which have been mapped for safeguarding in Argyll and Bute Local Plans or are protected by Tree Preservation Orders;
- b) Ancient and long established semi-natural woodland as identified in Scottish Natural Heritage Inventory sources;
- c) Other broadleaf woodland over 1 hectares in extent.

STRAT DC 2– Development within the Countryside Around Settlements

Within the Countryside Around Settlements encouragement shall be given to development which accords with the settlement plan for the area including appropriate small scale infill rounding-off and redevelopment.

STRAT DC 7 – Nature Conservation and Development Control

C) Development which impacts on Local Wildlife sites or other nature conservation interests, including sites, habitats or species at risk as identified in the Local Biodiversity action Plan, shall be assessed carefully to determine its acceptability balanced along with national – or local – social or economic considerations.

D) Enhancement to nature conservation interests will also be encouraged in association with development and land use proposals

STRAT DC 8 – Landscape and Development Control

A) Development which damages or undermines the key environmental features of a visually contained or wider landscape or coastscape shall be treated as 'non-sustainable' and is contrary to this policy

B) Protection, conservation and enhancement to landscape will also be encouraged in association with development and land use proposals

(iii) Cowal Local Plan 1993

In the adopted Cowal Local Plan 1993, the site is located between the settlements of Hunter's Quay and Ardnadam covered specifically by Policies POL RUR 1, RUR 2 and TOUR 14.

In terms of the Cowal Settlement Strategy, Policy STRAT 1 – Regeneration of Cowal advises that the prime strategy shall be economic regeneration and population increase throughout Cowal in a manner which is sustainable in its use of natural resources and does not compromise the natural heritage of the area.

The application site is situated within the Central and East Cowal Local Scenic Area as defined by POL RUR 1: Landscape Quality, under Areas of Local Landscape Significance specifically Camus Reineach Broadleaf Woodland where the Council will resist prominent or sporadic development which would have an adverse landscape impact.

The Council will under the provisions of POL RUR 2: Nature Conservation resist developments and land use changes, which would erode or have an adverse effect on features of wildlife and scientific value, in particular IV) ancient woodland inventory sites and all broadleaf woodland over 5 hectares and VI) local features of wildlife value and in particular small native broadleaf woodlands and 'scrub, and mixed woodland including amenity planting.

Under POL RUR 4: Forests, Woodlands and Trees, the Council will encourage the planting and positive management of forests and woodlands with regard to II) the protection of the landscape, III) nature and heritage conservation; V) the appropriate development or protection of tourism and recreational opportunities; VI) accepted sources of advice on good practice in particular the Forest Authority's guidelines on 'Forestry Landscape Design', 'Wildlife Conservation in Woodlands', and 'Management of Broadleaved Woodlands'.

Under POL COM 5 the Council will oppose potential "Bad Neighbour" developments when it is considered that they are likely to adversely affect the amenity of neighbouring properties and land.

Under POL TOUR 14 the Council will encourage the improvement and/or development of small-scale facilities at specific locations including Hafton.

Policy POL BE 8 encourages the retention and enhancement of existing tree groups and belts of trees within or directly adjacent to built up areas. The Council will normally require that developments and land use changes within its powers of control do not lead to the destruction of trees, woodlands and hedges and in appropriate cases may place tree preservation orders in the interests of conservation. In addition the Council may designate "woodland

management areas” and seek management agreements with interested parties with a view to securing appropriate funding and organisations for the successful implementation of such proposals.

(iv) Argyll and Bute Modified Finalised Draft Local Plan June 2006

A Modified Finalised Draft of the Argyll and Bute Local Plan was approved in June 2006 for consultation purposes from 20 July to 1 September 2006. Although not finally adopted, the following policies should be accorded some weight, although some may be subject to objections which may have to be considered at a local plan inquiry.

The site is located within an area zoned as Countryside Around Settlement where only small-scale, infill and rounding off and redevelopment proposals will be supported where appropriate and provided they do not compromise the long term growth of the settlement. In terms of the proposed development the proposal constitutes a Large Scale Tourist Development (refer to Policy LP TOUR 1 below) which would be contrary to STRATDC2 where appropriate small scale infilling, rounding off and redevelopment is encouraged in these zones.

The Holiday Village site had been identified in the Argyll and Bute Finalised Local Plan May 2005 as a Potential Development Area for Tourism (PDA2/49). In response to objections submitted, this designation was removed from the Modified Draft Local Plan June 2006. However, further objections to this change will require to be considered at the Local Plan Inquiry.

The Structure Plan sets out economic, social and environmental objectives to guide an investment strategy for Argyll and Bute. These objectives are carried over as the main objectives of the Argyll and Bute Local Plan as follows:

Economic and Social Objectives SI 1

- a) to improve economic competitiveness and the relatively poor economic performance of Argyll and Bute as a whole.
- b) to enhance the economic and social prospects of the geographically diverse local communities in Argyll and Bute.
- c) to promote appropriate responses to the variety of challenging economic, transport-related and planning circumstances facing these local communities.
- d) to treat the rich natural and historic environment of Argyll and Bute as a not fully realised economic asset which, if safeguarded and enhanced, can stimulate further investment and increased economic activity.

Environmental Objectives SI 2

- a) to safeguard the diverse and high quality natural and built heritage resources, including the abundant landward and maritime biodiversity of Argyll and Bute.
- b) to reinforce the strength of protection given to the European and national statutorily protected nature conservation sites, habitats, species and built heritage sites, with which Argyll and Bute is particularly richly endowed.
- c) to enhance and invest in the quality of the natural and built environment and to engage development more effectively with this enhancement process.
- d) to encourage development of a scale, form, design and location appropriate to the character of the landscape and settlements of Argyll and Bute.

Policy LP ENV1 Development Impact on the General Environment

In all development control zones the Council will assess applications for planning permission for their impact on both the natural, human and built environment. When considering development proposals, the following general considerations will be taken into account, namely:

- (A) The development is of a form, location and scale consistent with Structure Plan Policies STRAT DC 1 to 6;*
- (B) Likely impacts, including cumulative impacts, on amenity, access to the countryside and the environment as a whole;*
- (C) All development should protect, restore or where possible enhance the established character and local distinctiveness of the landscape in terms of its location, scale, form and design. The 'Landscape Assessment of Argyll and the Firth of Clyde' (ERM 1996, Review No. 78) will be used to inform assessment of development proposals.*
- (D) The location and nature of the proposed development, including land use, layout, design, external appearance, density, landscaping, open space, safety hazards, flood risk, air quality, crime prevention measures and privacy of existing and proposed development;*

- (F) The availability of infrastructure and relationship to existing community facilities;
- (G) Water resources and the marine environment (particularly pollution controlled waters by any contaminants associated with the land); biodiversity; and other land uses in the area;
- (H) Current Government guidance, other policies in the Argyll and Bute Structure and Local Plan and particularly those relating to the proposed type of development.

Policy LP ENV2 Development Impact on Biodiversity

When considering development proposals the Council will seek to contribute to the delivery of the objectives and targets set by the Local Biodiversity Action Plan (LBAP).

Proposals that incorporate existing site interests within the design wherever possible will be encouraged. Where there is evidence to suggest that a habitat or species of local importance exists on a proposed development site, the Council will require the applicant, at his/her own expense, to submit a specialist survey of the site's natural environment. Applications with significant adverse impacts will be refused unless the developer proves to the satisfaction of the Planning Authority that the following criteria are met: and,

- (B) Satisfactory steps are taken to avoid, mitigate or compensate for damage.

Policy LP ENV6 Development Impact on Habitats and Species

In considering development proposals, the Council will give full consideration to the legislation, policies and conservation objectives, that may apply to the following:

Habitats and Species listed under Annex I, II & IV of the Habitats Directive;

Species listed under Annex I of the Birds Directive;

Species listed on Schedules 1, 5 and 8 of the Wildlife and Countryside Act 1981; (and as amended by the Nature Conservation (Scotland) Act 2004);

Habitats & Species listed in the UK Biodiversity Action Plan; AND, Habitats and Species which are widely regarded as locally important as identified in the LBAP.

Policy LP ENV7 Development Impact on Trees/Woodland

In accordance with Schedule FW 2, the Council will protect trees, groups of trees and areas of woodland by making Tree Preservation Orders (TPOs) where this appears necessary in the interests of amenity. In addition, the Council will resist development likely to have an adverse impact on trees and will ensure, through the development control process, that adequate provision is made for the preservation of and when considered appropriate the planting of new woodland/trees, including compensatory planting and management agreements.

Schedule FW 2 – Features of important woodland/trees to be safeguarded include:

The whole area of woodland or segments of woodland when these are highly valued and not capable of absorbing development without fundamental damage occurring to the integrity, appearance or prized features of the woodland. The prize features of an important woodland may include:

- recreational value to local people;
- amenity value;
- The woodland setting;
- The habitat value;
- Highly valued tree specimens;
- Windbreak characteristics;
- The configuration of open space, glades, network, canopy and understorey components within the woodland area;
- The important contribution of the woodland, as key landscape features, to local and regional landscape character and distinctiveness.

Policy LP ENV 8 :Development Impact on Local Nature Conservation Sites

Development that would have a significant, adverse effect on Local Nature Conservation Sites or other nature conservation interests, including sites, habitats or species at risk as identified in the Local Biodiversity Action Plan will be refused unless the developer proves:

- (A) Its public benefits at a local level clearly outweigh the nature conservation value of the site; and,

- (B) There is no suitable or available alternative site for the development.

Where development is allowed which could affect any of the above sites, including beyond their boundaries, the developer must demonstrate that adequate measures will be taken to conserve and enhance the sites' ecological, geological and geomorphological interest, depending on the designated interest.

Policy LP ENV19 Development Setting, Layout and Design

The Council will require developers and their agents to produce and execute a high standard of appropriate design in accordance with the design principles set out in Appendix A of this Local Plan, the Council's sustainable design guide and the following criteria: -

Development Setting

- (A) Development shall be sited and positioned so as to pay regard to the context within which it is located.

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Development Layout and Density

(B) Development layout and density shall effectively integrate with the urban, suburban or countryside setting of the development. Layouts shall be adapted, as appropriate, to take into account the location or sensitivity of the area. Developments with poor quality or inappropriate layouts or densities including over-development and over-shadowing of sites shall be resisted.

Development Design

(C) The design of developments and structures shall be compatible with the surroundings. Particular attention shall be made to massing, form and design details within sensitive locations Within such locations, the quality of design will require to be higher than in other less sensitive locations.

Policy LP BAD 1 Bad Neighbour Development

In all Development Control Zones proposals for developments classed as "Bad Neighbour" Developments will only be permitted where all the following criteria are satisfied.*

(A) There are no unacceptable adverse effects on the amenity of neighbouring residents;

(B) The proposal includes appropriate measures to reduce the impact on amenity as defined by the use classes order (i.e. noise, light, smells);

(C) There are no significant transport, amenity or public service provision objections;

(D) Technical standards in terms of parking, traffic circulation, vehicular access and servicing, and pedestrian access are met in full (see Appendix C);

(E) The proposal does not conflict with any other Structure Plan or Local Plan policy.

Policy LP TOUR 1 Tourist Facilities and Accommodation, including Static and Touring Caravans

There is a presumption in favour of new or improved tourist facilities and accommodation provided:

(B) In the countryside development control zones the development is of a form, location and scale consistent with policies STRAT DC 2-6;

(C) They respect the landscape/townscape character and amenity of the surrounding area;

(D) They are reasonably accessible by public transport where available, cycling and on foot, or would deliver major improvements to public transport services;

(E) They are well relating to existing settlements and avoid dispersed patterns of development, unless the developer has demonstrated a locational requirement based on the need to be near to the specific tourist interest being exploited, and that the facility will not damage those interests; AND,

(F) The proposal is consistent with other policies contained in the Structure and Local Plan;

Policy LP SERV 3 Drainage Impact Assessment (DIA)

The Council will generally require developers to submit a Drainage Impact Assessment (DIA) with the following categories of development:

(C) Other non-householder extensions involving new buildings, significant hard standing areas or alterations to landform.

(C)ASSESSMENT

(i) Background

Following recent refusal of a 'masterplan' proposal, this application refers to the creation of three 'villages' to be created within the existing Hunters Quay Holiday Park, Hunters Quay, Dunoon. The Holiday Park site is characterised by a mixture of caravans, buildings and chalets in both a parkland and mature woodland setting. The site rises from the Holy Loch southwards towards higher and elevated wooded areas mainly along the eastern escarpment, central knoll and southern plateau. The mature woodland comprises primarily Scots Pine, Birch, Oak and Larch. The woodland structure provides a high amenity for walkers and visitors while making a significant contribution to the immediate and wider landscape with dense area of woodland primarily along the eastern and southern portions of the site. Cammesreinach woodland is classified as Long Established of Plantation Origin and an existing Tree Preservation Order (TPO 8/91) covers the entire application site and the adjacent Kennel Woods.

The Hunters Quay Holiday Park presently comprises 613 static caravans and 118 chalets with associated facilities at the Leisure Centre, reception building, shop and caretaker's house. The Holiday Park is located within what were once the policy woodlands and parkland for Hafton House, a Category-B listed building. The estate was sold in the 1980s as a leisure estate with planning permission for the chalet development. In 1989, the land and the majority of the chalet development was bought by Cowal Leisure and incorporated into the current Holiday Park of static caravans.

The built areas comprise a timber chalet site (Burnside Village) in the western side of the site with two dense areas of caravans on either side (Iona and Town Villages). The Town Village in particular comprises many caravans in twelve regimented lines with little separation distances between. In the centre of the site is Jura Village with Tiree Village wrapped round the wooded knoll, though still in regimented form. Islay Village is situated to the north east of the office and leisure complex, benefiting from a better layout and screening than the Town Village or Tiree Village.

(ii) The Proposal

The proposal involves the expansion of the existing Holiday Park by almost one tenth to form 3 new villages in the rear portion of the Holiday Park comprising 66 static stances with associated roads, drainage, services, landscaping and reinforcement screen planting. These villages will be arranged in three separate 'neighbourhoods' located generally within the existing quarry or clearings in the south western corner of the site.

Bute Village

The easternmost compartment comprises Bute Village – 14 caravans, proposed within the existing quarry. The quarry is partially screened by a bund at the opening where the access track to the rear of the existing Jura Village swings uphill and round The Knoll. While part of this landscaped bund has been removed or altered, the proposal is to properly reinstate this as a natural buffer which will effectively the screen the proposed Bute Village sited on the levelled quarry floor at a height of 51.0 metres AOD at the rear to 48.0 metres AOD at the front. The existing ridgeline will be raised to a maximum height of 51-52 metres AOD in front of Bute Village forming a natural screen bund between Jura Village and Bute Village. This will help to minimise visual impact from longer distance and present a more natural remodelling of existing slopes around the quarry.

No trees exist within the quarry with all surrounding trees retained. Additional tree planting and landscaping on screen bunds will also help to improve integration.

An existing track has been cut close to a stand of mature trees at the foot of The Knoll. Proposals include regrading these sharp slopes to more natural sloping landform. As a result the existing track around The Knoll will be removed. The siting of 14 caravans within the quarry has a natural not regimental feel where planting and remodelling will assist in restoring the existing scarred and denuded area.

The remaining two villages, Gigha and Colonsay, are located at the end of the existing access track into a clearing in the south western corner of the site to the rear and uphill from the main Town Village.

Gigha Village

Gigha Village – 26 caravans are proposed south-west of the existing access track with 19 stances located in an existing clearing on a plateau. This area has a backdrop of mature trees between the Holiday Park and Lochan Wood. The caravans will be sited off a new single loop access. The site will be lowered slightly and levelled with remodelling of enclosing slopes to minimise visual impact. Only two existing trees within this clearing will be felled with all surrounding trees retained. Tree planting is proposed around the site. An existing thicket at the front of the site will be retained with tree planting proposed.

An additional 7 stances will be located south of the track on sloping ground to the rear of the proposed Colonsay Village.

Colonsay Village

Colonsay Village – 26 caravans located in three terraced tiers to the rear and south-west of the existing main Town Village. A proposed woodland thicket is proposed as a screen buffer between the densely packed Town Village and Colonsay Village. The three tiers would be accessed from the existing track with 12, 7 and 6 stances rising towards the proposed Gigha Village. Only one existing tree will be felled with all other existing trees retained and augmented. The tiers would be remodelled and planted with trees to form natural terraces screening both Colonsay Village as well as parts of Gigha Village.

The proposal also involves improvements to the existing access track to a width of 5.5 metres for the area serving the three new villages with internal vehicular access tracks serving the new villages. It is also proposed to connect to an existing private sewer system and connection to public waste water system.

(iii) Policy Considerations

The following issues will require to be fully assessed in a final report when the views of all consultees (and representations) have been obtained :

(a) Environmental Impact - Landscape and Visual

Long range and wider views in particular from the Loch Lomond and the Trossachs National Park Authority including key viewpoints around the Holy Loch. Potential mitigation measures in respect of timetable for initial earthworks, screening and tree planting for effectively screening against the woodland backdrop.

(b) Ecology

A final report will include a detailed assessment of issues including potential ecological damage to wildlife and habitats as a result of the proposed development, where the introduction of an additional 66 caravans, their accesses and hard standings, drainage and other clearings required all have the potential to threaten the existing rich ecological interests within the site and its mixed mature woodlands.

Scottish Natural Heritage (SNH) was involved in pre-application meetings and site visits and has expressed no objection to the proposal subject to safeguarding conditions. A woodland management plan for the entire Hunter's Quay Holiday Village must be prepared in accordance with Forestry Commission's Guidance note 12 – Management Plans and must include planting proposals to screen some of the new development and the implementation of the plan must be secured through a Section 75 agreement between the applicant and the Council. In addition, any felling of trees to take place during December to February and to be undertaken with reference to the bat method statement described at the Appendix to the BRAES report.

(c) Servicing and Infrastructure

No response has been received yet from the Area Roads Manager who previously advised that the site of this development is accessed from the A815 at Hafton within an urban 40 mph speed restriction.

Scottish Water has no objections to the proposed development subject to advisory notes. No response has been received from SEPA.

It is considered that any of the issues raised above could be addressed via specific recommended conditions.

(D) CONCLUSION

In the absence of all consultee responses, the number of objections received (5 to date), a request from Hunter's Quay Community Council to have the application continued to allow a detailed response to be made and local feeling towards the scheme, it is recommended that a discretionary hearing should be held before the application is determined. A finalised report will be prepared addressing all of the issues in more detail.

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**Argyll and Bute Council
Development Services**

Local Members Councillor D Walsh
Councillor B Chennell
Councillor B Marshall

Bute & Cowal Area Committee

Committee Date 11 April 2007

22 March 2007

**PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS) (SCOTLAND) ACT 1997
Additions to list of buildings of special architectural or historic interest**

1. Introduction

Following a recent request to consider the listing of certain properties, Historic Scotland has confirmed the listing of the following buildings:

DUNOON BURGH

- | | |
|--|---------------|
| 1) Hillfoot Street, Dunoon Primary School | Category B |
| 2) Hunter's Quay, Marine Parade, Hunter's Quay Hotel | Category C(S) |
| DUNOON AND KILMUN PARISH | |
| Sandbank Parish Church | Category C(S) |

2. Recommendation

It is recommended that the listing of these properties be noted

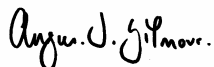
3. Implications

Policy: The additions to the statutory list accord with the policy provisions of the Argyll and Bute Structure Plan 2002, Cowal Local Plan 1993 and Argyll and Bute Modified Finalised Draft Local Plan 2006.

Financial: Dunoon Primary School is in Council ownership. The listing may make future alterations to the building more costly.

Personnel: The listing of all three properties may generate additional work for development management staff.

Equal Opportunity: None



Angus J Gilmour
Head of Planning and Building Standards

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**TOWN AND COUNTRY PLANNING
DELEGATED DECISIONS SINCE LAST COMMITTEE
BUTE AND COWAL**

Application Types:

*ADV App. for Advertisement Consent,
ART4 App. Required by ARTICLE 4 Dir,
CLAWU App. for Cert. of Law Use/Dev. (Existing),
CLWP App. for Cert. of Law Use/Dev. (Proposed),
COU App. for Change of Use Consent,
CPD Council Permitted Dev Consultation,
DET App. for Detailed Consent,
FDP Forest Design Plan Consultation,
FELLIC Felling Licence Consultation,
GDCON Government Dept. Consultation,
HAZCON App. for Hazardous Substances Consent,
HYDRO Hydro Board Consultation,
LIB Listed Building Consent,
LIBECC App. for Consent for ecclesiastical building,
MFF Marine Fish Farm Consultation,
MIN App. for Mineral Consent,
NID Not. of intent to develop app.,
NMA Not. for Non-Material Amnt,
OUT App. for Permission in Principal,
PNAGRI Prior Not. Agriculture,
PNDEM Prior Not. Demolition,
PNELEC Prior Not. Electricity,
PNFOR Prior Not. Forestry,
PNGAS Prior Not. Gas Supplier,
PREAPP Pre App. Enquiry,
REM App. of Reserved Matters,
TELNOT Telecoms Notification,
TPO Tree Preservation Order,
VARCON App. for Variation of Condition(s),
WGS Woodland Grant Scheme Consultation*

Decision Types

*PER Approved
WDN Withdrawn
NOO No Objections
AAR Application Required
CGR Certificate Granted
OBR Objections Raised
PDD Permitted Development
PRE Permission Required
NRR New App. Required*

**TOWN AND COUNTRY PLANNING
DELEGATED DECISIONS SINCE LAST COMMITTEE
BUTE AND COWAL**

App No	Applicant name, address and proposal	Valid date	Decision date	Decision
07/00284/DET	Mr David McKay 59 Mary Street Dunoon Argyll And Bute PA23 7EG Erection of side extension	09/02/2007	07/03/2007	PER
07/00209/DET	Mr And Mrs Ford 7 Ferrymans Sandbank Dunoon Argyll And Bute PA23 8RW Erection of conservatory on rear elevation	02/02/2007	07/03/2007	PER
07/00180/NMA	Precept P M Ltd Dunoon Grammar School Ardenslate Road Kirk Dunoon Argyll And Bute PA23 8LU Erection of new secondary school, amendment to permission 05/00716/DET in respect of boundary treatments to Ardenslate Road and installation of two boiler flues on east elevation.	30/01/2007	23/02/2007	PER
07/00172/NMA	O2 Airwave Ltd Land South Of Loch Melldalloch Kilfinan Argyll And Bute Installation of two 0.6 m transmission dishes and associated cabinet equipment (amendment to Planning Application 06/01961/DET)	24/01/2007	19/02/2007	WDN
07/00165/DET	Bute Motor Co. Bute Motor Co Union Street Rothesay Isle Of Bute Argyll And Bute A20 0HD Demolition and replacement of front wall of garage	25/01/2007	21/02/2007	PER
07/00161/DET	Orange (PCS) Ltd	29/01/2007	16/02/2007	PER

Land At Caol Ghleann Newton
Glendaruel
Argyll And Bute

Installation of two transmission dishes and auxiliary storage cabinet

07/00140/LIB

Argyll And Bute Council

24/01/2007

06/03/2007

PER

Pier Buildings
Dunoon Pier
Dunoon
Argyll And Bute

Replacement gutters and minor external alterations

14 March 2007

Page 2 of 6

**TOWN AND COUNTRY PLANNING
DELEGATED DECISIONS SINCE LAST COMMITTEE
BUTE AND COWAL**

App No	Applicant name, address and proposal	Valid date	Decision date	Decision
07/00125/DET	Mr And Mrs C Kelly 23 Hunter Street Kirk Argyll And Bute PA23 8DT Demolition of extension and erection of extension	19/01/2007	02/03/2007	PER
07/00124/DET	Bernadette Quinn 89 Alexandra Parade Dunoon Argyll And Bute PA23 8AH Installation of replacement windows (upper flat)	22/01/2007	16/02/2007	PER
07/00103/DET	Mrs Jane Saker Norwood Kingarth Isle Of Bute Argyll And Bute PA20 9NG Replacement first floor windows	18/01/2007	14/02/2007	PER
07/00065/DET	Miss Rodger Glencairn Baycroft Strachur Argyll And Bute PA27 8BY Erection of dormer to west elevation and extension on the north elevation	11/01/2007	16/02/2007	PER
07/00058/DET	Mr And Mrs G Atkinson La Madrugada Tighnabraich Argyll And Bute PA21 2BE Erection of detached garage	11/01/2007	21/02/2007	PER
07/00038/DET	Mr And Mrs Robertson	09/01/2007	02/03/2007	PER

60A Crichton Road
Rothesay
Isle Of Bute
Argyll And Bute
PA20 9JT

Retention of garden shed and boundary treatment.

07/00027/NMA

Mr And Mrs J Kingsley

21/12/2006

21/02/2007

PER

Raineachan
The Bay
Strachur
Cairndow
Argyll And Bute
PA27 8DE

Erection of dwellinghouse (relative to permission 05/00631/DET) revised positioning of dwelling

14 March 2007

Page 3 of 6

**TOWN AND COUNTRY PLANNING
DELEGATED DECISIONS SINCE LAST COMMITTEE
BUTE AND COWAL**

App No	Applicant name, address and proposal	Valid date	Decision date	Decision
07/00010/DET	Airwave Land 600 Metres North West Of Glenlean Glen Lean Argyll And Bute Installation of one transmission dish and equipment cabinet	19/01/2007	16/02/2007	PER
06/02687/DET	Brendan And Fiona O'Brian Fearnoch Colintraive Argyll And Bute PA22 3AH Demolition of existing porch, extension and leanto, erection of extension to north elevation and replacement porch to south elevation.	15/01/2007	21/02/2007	PER
06/02668/LIB	Mr And Mrs Melvin Flat Back Dalmeny Cottage 14A Battery Place Rothesay Isle Of Bute Argyll And Bute PA20 9DP Alterations and subdivision of dwelling into two flats	15/12/2006	16/02/2007	PER
06/02666/COU	Nicola Wilks Killail Otter Ferry Tighnabraich Argyll And Bute PA21 2DH Conversion of two single storey outbuildings to form bedroom accommodation and home studio.	14/12/2006	19/02/2007	PER
06/02663/COU	Ronald Falconer Hawkestone Lodge Ascog Isle Of Bute Argyll And Bute PA20 9EU Use of garage/store as residential accommodation	15/12/2006	16/02/2007	PER
06/02636/DET	Mr And Mrs Ian Stewart 6A Alfred Street Dunoon Argyll And Bute	12/12/2006	19/02/2007	PER

PA23 7QU

Demolition of porch and erection of side extension

06/02610/ADV

Lloyds TSB

21/12/2006

21/02/2007

PER

41 Montague Street
Rothesay
Isle Of Bute
Argyll And Bute
PA20 0BU

Erection of fascia sign and lettering on gable

14 March 2007

Page 4 of 6

**TOWN AND COUNTRY PLANNING
DELEGATED DECISIONS SINCE LAST COMMITTEE
BUTE AND COWAL**

App No	Applicant name, address and proposal	Valid date	Decision date	Decision
06/02608/DET	Mr Iain Macgregor Sunfield Strathlachlan Argyll And Bute PA27 8BU Demolition of porch, erection of utility room and conservatory	20/12/2006	16/02/2007	PER
06/02586/COU	Messrs N And R McAllister Bogany Farm Rothesay Isle Of Bute Argyll And Bute PA20 9LH Change of use of redundant barn to form a milk processing facility (retrospective).	08/12/2006	16/02/2007	PER
06/02534/COU	Mr And Mrs Melvin Flat Back Dalmeny Cottage 14A Battery Place Rothesay Isle Of Bute Argyll And Bute PA20 9DP Alterations and subdivision of dwelling into two flats	20/12/2006	16/02/2007	PER
06/02449/LIB	William Hill Organisation 2 Albert Place Rothesay Isle Of Bute Argyll And Bute PA20 9AG Internal alterations to convert amusement arcade into a licensed betting office	11/12/2006	30/01/2007	PER
06/02160/DET	Storie (Argyll) Ltd Land West Of Seaview Strachur Argyll And Bute Erection of 4 flats	27/10/2006	21/02/2007	WDN
06/02118/TPO	Gordon Brown And Gerry Duffy Kintore	06/11/2006	21/02/2007	PER

53 Wyndham Road
Innellan
Argyll And Bute
PA23 7SH

Application for consent to lop two tree(s)

06/01930/DET

Mr And Mrs J Clark

02/10/2006

21/02/2007

WDN

Choille Choil
Strachur
Argyll And Bute
PA27 8BX

Formation of vehicular access and erection of double garage with storage above.

14 March 2007

Page 5 of 6

**TOWN AND COUNTRY PLANNING
DELEGATED DECISIONS SINCE LAST COMMITTEE
BUTE AND COWAL**

App No	Applicant name, address and proposal	Valid date	Decision date	Decision
05/01742/NMA	G Hanson (Building Contractors) Ltd Land South Of 4 Bishop Terrace 6 Bishop Terrace Brae Rothesay Isle Of Bute Erection of Dwellinghouse (Amendment to Planning Permission 03/01468/DET incorporating revised access position and car parking/turning area adjacent to dwelling)	23/08/2005	01/03/2007	PER

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**BUILDING STANDARDS
DELEGATED DECISIONS SINCE LAST
COMMITTEE**

CASENO	APPLICANT NAME/PROPOSAL AND SITE ADDRESS	RECEIVED DATE	VETTED DATE	DECISION	DECISION DATE
03/00518/ERD/A	Mr Ian Campbell Plot 3 Land North Of Lag-na-craig Toward Dunoon Argyll Amendment to cover-rearrange under stair toilet and cupboard, and form a timber deck area with combined ramp access	30/01/2007	12/02/2007	16/02/2007	WARAPP
03/00624/ERD/A	Mr J S McDonald Land North Of Arleigh Cairndow Argyll PA26 8BE Amendment to Warrant, to cover septic tank soakaway provision.	01/09/2006	03/10/2006	02/03/2007	WARAPP
05/00791/ALT/A	Oliver Burns G/F West Flat 67 Castle Street Port Bannatyne Rothesay Isle Of Bute PA20 0LZ Amendment to Warrant, to brick up proposed French doorway in livingroom and reshape entrance to bedroom	20/11/2006	05/12/2006	19/02/2007	WARAPP
05/01212/CONV01	Bute Land Ltd Nether Stravannan Kingarth Rothesay Isle Of Bute PA20 9PF Alteration to existing farm buildings to form two dwellinghouses, with associated bio-disk unit	21/07/2005	25/07/2005	19/02/2007	WARAPP
06/00761/ALTER	Mr And Mrs J Davies Ormidale House Glendaruel Argyll And Bute PA22 3AF Alterations and conversion of outbuildings to form a plunge pool with associated septic tank and outfall.	30/05/2006	13/07/2006	22/02/2007	WARAPP
06/00863/ALTER	Mr And Mrs Collison 25 Broomfield Drive Dunoon Argyll And Bute PA23 7LJ Alteration to dwelling, to form bedroom and ensuite within attic	09/06/2006	17/07/2006	28/02/2007	WARAPP
06/00955/ALTER	Christian Henry Flat 1/1 67 Castle Street Port Bannatyne Isle Of Bute Argyll And Bute PA20 0LZ Alteration to flat, to relocate kitchen and extend bathroom.	05/07/2006	27/07/2006	16/02/2007	WARAPP

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WARWIT=Building Warrant Withdrawn COMF=Letter of Comfort issued COMFR=Letter of Comfort refused
EXEMPT=Exempt Building Warrant LOCWIT= Letter of Comfort withdrawn SUPERS=Superseded by new Building**

**BUILDING STANDARDS
DELEGATED DECISIONS SINCE LAST
COMMITTEE**

CASENO	APPLICANT NAME/PROPOSAL AND SITE ADDRESS	RECEIVED DATE	VETTED DATE	DECISION	DECISION
06/00957/EXTEND	Mr And Mrs R Spiers Cnoc Cottage Strathlachlan Argyll And Bute PA27 8DA Extension to existing dwelling house to form dining room, and two rooms within loft	06/07/2006	19/07/2006	05/03/2007	WARAPP
06/01193/EXTEND	Stewart McNee Ashbank Strachur Argyll And Bute PA27 8BX Extension to dwelling, to from a sun lounge and ensuite facilities	22/08/2006	07/09/2006	22/02/2007	WARAPP
06/01267/ALTER	Mr And Mrs David Harris The Coach House Ardencraig Road Rothesay Isle Of Bute Argyll And Bute PA20 9EP Alterations to dwelling to form attic conversion, providing an additional bedroom and bathroom	13/09/2006	20/09/2006	19/02/2007	WARAPP
06/01318/ALTER	Jeanetta Scott Locha Solasmhor 4 Dhailing Court Kirm Argyll And Bute PA23 8BD Alteration to dwelling, to remove a wall between two bedrooms	12/09/2006	01/11/2006	23/02/2007	WARAPP
06/01417/EXTEND	Mr And Mrs Archer Springbank Tighnabraich Argyll And Bute PA21 2EJ Extension to dwelling to form a conservatory and utility room	23/10/2006	15/11/2006	28/02/2007	WARAPP
06/01419/CONV02	Mr Ian McKay Outhouse To Rear Of 17 Craigmore Road Rothesay Isle Of Bute Argyll And Bute PA20 9LB Conversion of former stable to ancillary accommodation	23/10/2006	30/10/2006	05/03/2007	WARAPP
06/01527/EXTEND	Robert And Nancy Gear 8 Whistlefield Lodges Loch Eck Argyll And Bute PA23 8SG Extension to chalet to form a heated conservatory	14/11/2006	04/12/2006	19/02/2007	WARAPP

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**BUILDING STANDARDS
DELEGATED DECISIONS SINCE LAST
COMMITTEE**

CASENO	APPLICANT NAME/PROPOSAL AND SITE ADDRESS	RECEIVED DATE	VETTED DATE	DECISION	DECISION
06/01533/ALTER	NHS Highland Dunoon District General Hospital 360 Argyll Street Dunoon Argyll And Bute PA23 7RL Alterations to hospital to provide additional office.	17/11/2006	04/01/2007	19/02/2007	WARAPP
06/01581/CONV01	Yvonne Moffat Thistle House St Catherines Argyll And Bute PA25 8AZ Conversion of former coachhouse to dwelling	29/11/2006	05/12/2006	06/03/2007	WARAPP
06/01595/EXTEND	Mr And Mrs Pettit The Cottage Dunnstaffnage 23 Eccles Road Hunters Quay Dunoon Alterations to cottage to alter kitchen, form utility room and wc room, and an extension to form a sun lounge.	30/12/2006	22/12/2006	16/02/2007	WARAPP
07/00009/ALTER	Mr Frank Masterton Flat 1/1 5 Duncan Street Port Bannatyne Isle Of Bute Argyll And Bute PA20 0LX Alteration to first floor southmost flat to relocate kitchen and form additional bedroom .	14/12/2006	16/01/2007	22/02/2007	WARAPP
07/00014/EXTEND	Philippa Elliot Kames Hotel Shore Road Kames Argyll And Bute PA21 2AF Extension to hotel, to form unheated laundry room.	20/12/2006	19/01/2007	19/02/2007	WARAPP
07/00016/EXTEND	Mrs Pratt 3 The Meadows Toward Argyll And Bute PA23 7UP Extension to dwelling, to form a heated conservatory	21/12/2006	16/01/2007	22/02/2007	WARAPP
07/00033/ALTER	N H S Highland Dunoon And District General Hospital 360 Argyll Street Dunoon Argyll And Bute PA23 7RL Alteration to hospital, to form new dental surgery and decontamination room.	08/01/2007		19/02/2007	WARAPP

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**BUILDING STANDARDS
DELEGATED DECISIONS SINCE LAST
COMMITTEE**

CASENO	APPLICANT NAME/PROPOSAL AND SITE ADDRESS	RECEIVED DATE	VETTED DATE	DECISION	DECISION
07/00043/ALTER	Alexander Johnston Burnside Academy Road Rothesay Isle Of Bute Argyll And Bute PA20 0BG Alteration to welling to relocate kitchen, enlarge bathroom, and form french windows.	10/01/2007	17/01/2007	08/03/2007	WARAPP
07/00046/ALTER	Drimsynie Construction Ltd Lochgoilhead Stores Lochgoilhead Argyll And Bute PA24 8AQ Alterations to shop premises to sub divide into two units.	10/01/2007	22/01/2007	06/03/2007	WARAPP
07/00047/ERECTD	Mr And Mrs G Atkinson La Madrugada Tighnabraich Argyll And Bute PA21 2BE Erection of detached garage	11/01/2007	25/01/2007	05/03/2007	WARAPP
07/00048/ALTEXT	James And Margaret Malcolm The Old Manse Colintrave Argyll And Bute PA22 3AR Alterations and Extension to dwellinghouse and installation of sewage treatment unit	11/01/2007	24/01/2007	07/03/2007	WARAPP
07/00089/ALTER	Mrs Jean Orr Dungyle 35 Hunter Street Kirm Argyll And Bute PA23 8LS Alteration to dwelling, to form ensuite facilities	22/01/2007	25/01/2007	16/02/2007	WARAPP
07/00096/ALTER	Mr And Mrs McLaughlin Flat 1/2 5 Argyle Place Rothesay Isle Of Bute Argyll And Bute PA20 0AZ Internal alterations to flat, to relocate kitchen, bathroom, and form a utility room	23/01/2007	15/02/2007	06/03/2007	WARAPP
07/00143/EXTEND	Mr And Mrs Johnston 23 Lochan Avenue Dunoon Argyll And Bute PA23 8HT Erection of conservatory	02/02/2007	14/02/2007	05/03/2007	WARAPP

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**BUILDING STANDARDS
DELEGATED DECISIONS SINCE LAST
COMMITTEE**

CASENO	APPLICANT NAME/PROPOSAL AND SITE ADDRESS	RECEIVED DATE	VETTED DATE	DECISION	DECISION
07/00144/EXTEND	Ms Bos Letters Lodge South Strathlachlan Argyll And Bute PA27 8BZ Extension to dwelling to form a heated conservatory	05/02/2007	16/02/2007	28/02/2007	WARAPP
07/00163/ALTER	Mr And Mrs Capper Strathspey Shore Road Strone Argyll And Bute PA23 8TA Alteration to dwelling, to enlarge lounge, and install an unvented hot water cylinder	12/02/2007	21/02/2007	05/03/2007	WARAPP
07/00181/EXTEND	Mr And Mrs I Stewart 6A Alfred Street Dunoon Argyll And Bute PA23 7QU Extension to dwelling; to relocate kitchen, form bathroom and two bedrooms.	13/02/2007	20/02/2007	05/03/2007	WARAPP
07/00185/DISAB1	Mrs Seddow Scholars Retreat Hall Road Lochgoilhead Cairndow Argyll And Bute PA24 8AQ Alteration to dwelling, to form a wet floor shower	13/02/2007	20/02/2007	20/02/2007	WARAPP
07/00202/ALTEXT	Mr And Mrs J Fisher 24 Kilbride Avenue Dunoon Argyll And Bute PA23 7LH Alterations and extension to rear	14/02/2007	22/02/2007	07/03/2007	WARAPP

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ARGYLL AND BUTE COUNCIL
COMMUNITY REGENERATION

BUTE & COWAL
AREA COMMITTEE
April 2007

**Education and Leisure Development Grant Scheme
Applications by Voluntary Organisations for Education and Leisure Development
Grants 2007/2008.**

1. SUMMARY

1.1 This report outlines requests from voluntary organisations for funding from the Education and Leisure Development Grant scheme 07/08.

1.2 The Education Development Grant allocation for 07/08 is **£19,150**. Three applications for funding from Education Development Grants are submitted for consideration amounting to **£19,150**. If agreed by the Area Committee a **nil** balance will remain.

1.3 Members are reminded that traditionally Summer Playscheme activities have been funded from Education Development Grants and amount to approximately £1200 per year. With Committee approval, it would be in order to transfer this sum from the leisure development grants budget to cover the shortfall.

1.3 The Leisure Development Grant area allocation for 07/08 is **£17,220**. Nine applications for funding from Leisure Development Grants are submitted for consideration amounting to **£10,050**. If agreed by the Area Committee a balance of **£7,170** will remain. Should the Committee further agree the transfer of £1,200 to Education Development Grants the balance would be **£5,970**.

2. RECOMMENDATIONS

3.1 The Bute and Cowal Area Committee is asked to:

- Consider the three Education Development Grant applications being presented.
- Consider the thirteen Leisure Development Grant applications being presented.
- Agree £1,200 from Leisure Development Grants be transferred to Education Development Grants to fund Summer Playscheme activities in Bute and Cowal.

4. DETAIL

4.1 Voluntary Organisation Applications – Education Development Grants

Historically the Education Development Grant Scheme in Argyll and Bute has been utilised to encourage developments in the voluntary sector. Grants awarded to voluntary organisations have been to assist in providing services that

compliment Council strategies and policies. This has generally supported staff costs, premises, training costs, equipment and other revenue costs.

A summary of the group's application is contained within the Officer's Report attached.

	Organisation	Total Grant Requested	Officers Recommendations	Chair & Vice Chairs Recommendations
1	Bute Youth Project	£6000	£6000	
2	Dunoon and Cowal Youth Project	£12,500	£12,500	
3	Beachwatch Bute	£1,500	£650	

4.2 Voluntary Organisation Applications – Leisure Development Grants

The purpose of Leisure Development Grants is to aid events; sports and arts organisations to provide a development opportunity that will impact on and have a positive effect on community life in Argyll and Bute.

A summary of the group's application is contained within the Officer's Report attached.

	Organisation	Total Grant Requested	Officers Recommendations	Chair & Vice Chairs Recommendations
1	Bute Agricultural Society	£1,000	£1,000 Underwrite	
2	Bute Highland Dance Festival	£500	£500	
3	Bute Live	£3,000	£3,000	
4	Bute Wheelers	£400	£400	
5	Cairndow Arts Promotion	£750	£750	
6	Cowal Accordion and Keyboard Workshop	£400	£400	

7	Cowal Europe Association	£1,000	£1,000	
8	Kirn Gala	£2,000	£2,000	
9	Lochgoilhead Workshop	Fiddle	£1,500	£1,000

5. IMPLICATIONS

Policy	The recommendations within this report reflect the Council's commitment to the voluntary sector leisure development and community learning and regeneration in Argyll and Bute.
Financial	Grant awarded will be met from the relevant allocation within the Community Service's revenue budgets for Education and Leisure Development Grants in 2007/2008
Personnel	There are no implications for the Council.
Equal Opportunities	None
Legal	The Council is required to ensure that applicants comply with the requirements to Scheme 9, Part 10 of the Children's Act 1989 regarding registration and inspection of service provision. Organisations with substantial access to young people have to meet the requirements of POSCA.

Douglas Hendry
Director of Community Services
April 2007

For further information please contact Martin Turnbull, Area Community Learning and Regeneration Manager, Cowal Area Office, Edward Street, Dunoon, PA23 7PH. Tel: 01369 704669.

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ASSISTANCE TO VOLUNTARY ORGANISATIONS**ASSESSMENT FORM for Education and Leisure Development Grants****1 Details**

Name of Assessing Officer	Martin Turnbull
Have you contacted the organisation to assess this application?	Yes

Applicant:	Bute Youth Project	Scheme:	Education Development
Project Title:	Running Costs	a) Total cost of project	£42,500
		b) How much is funded from group resources?	£7,500
		c) How much is coming from other agencies	£29,000
		d) Grant requested from A & B Council?	£6,000
		Grant Recommended:	£6,000
Reason for grant	Towards running costs of youth centre and youth work activities.	Grant awarded last year (2006/07)	£6,000

2 Financial Check – Have you checked the Organisation is:

a)	Fully constituted	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
b)	Has submitted a bank statement	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
c)	Has submitted audited/signed accounts	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
d)	<u>Leisure and Education Development Grants:</u> If over £2000 has this grant been sent to finance?	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
e)	<u>Social Welfare Grants:</u> Has the grant been registered with the Lochgilphead Office.	N/A			
f)	If relevant, has the grant passed the financial check?	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
g)	Have you checked that the organisation is within 50% of the costs for Education or Leisure Development grants?	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
h)	Have you checked that the Council is meeting its obligations under Best Value in awarding this grant, for example, if the grant is awarded will the work definitely go ahead?	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>

3 General Criteria

Do you concur with the organisation in their assessment of need? Please supply a very brief summary:		
Bute Youth Project is a well established organisation that provides a valuable service to young people on the Island. The grant is needed to maintain the youth work activities offered by Bute Youth Project.		
Is the activity non-political?	Yes	<input checked="" type="checkbox"/> No <input type="checkbox"/>
Is the project consistent with Council priorities?	Yes	<input checked="" type="checkbox"/> No <input type="checkbox"/>
Does the project have open membership?	Yes	<input checked="" type="checkbox"/> No <input type="checkbox"/>
Have sponsorship agreements been checked?	Yes	<input type="checkbox"/> No <input checked="" type="checkbox"/>
How many people overall will benefit from this grant?	200+	
Is the organization well established?	Yes	<input checked="" type="checkbox"/> No <input type="checkbox"/>
Have you identified any training needs for the organisations committee or volunteers?	Yes	<input type="checkbox"/> No <input checked="" type="checkbox"/>
Does the organisation have volunteer training in place?	N/A	
Have you confidence in their ability to deliver a service?	Yes	<input checked="" type="checkbox"/> No <input type="checkbox"/>

4 Policy and Procedures

If the organisation works with a child/children under 18 or a vulnerable adult/s do they meet the following criteria?

a) Clear recruitment policies	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
b) Ongoing training and support for volunteers	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
c) A code of conduct for staff and volunteers	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
d) A Code of Good Practice	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
e) An Equal Opportunities Policy	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
f) A Policy for Managing Confidential Information	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
g) Grievance Procedure for staff and volunteers	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
h) A Disciplinary Procedure for staff and volunteers	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>

Additional Information

A major youth work service provider on Bute with over 200 young people regularly using the premises. The project works in partnership with the Community Learning and Regeneration Service and has been involved in joint work with Rothesay Academy, Social Work and the Community Regeneration Project. The project has a strong youth information focus and is the key partner in the delivery of the Young Scot project and Dialogue Youth Initiative on Bute. A successful bid to the Big Lottery Young People's Panel has provided a secure basis on which to develop the group's activities.

Specific Criteria

Bute Youth Project meets the required criteria for consideration under the Community Learning heading. They play a major role in promoting positive and educational activities for young people and have had great success in developing activities from their premises. The project works with the Council's Community Learning and Regeneration Service to develop responses to the Council's priorities for work with young people.

Signed: Martin Turnbull

Assessment Officer

Date: 11th April 2007

ASSISTANCE TO VOLUNTARY ORGANISATIONS**ASSESSMENT FORM for Education and Leisure Development Grants****1 Details**

Name of Assessing Officer	Martin Turnbull
Have you contacted the organisation to assess this application?	Yes

Applicant:	Dunoon and Cowal Youth Project	Scheme:	Education Development
Project Title:	Running Costs	a) Total cost of project	£25,722
		b) How much is funded from group resources?	£6,222
		c) How much is coming from other agencies	£7,500
		d) Grant requested from A & B Council?	£12,500
		Grant Recommended:	£12,500
Reason for grant	To provide a youth facility and a range of youth work activities.	Grant awarded last year (2006/07)	£12,500

2 Financial Check – Have you checked the Organisation is:

a)	Fully constituted	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
b)	Has submitted a bank statement	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
c)	Has submitted audited/signed accounts	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
d)	<u>Leisure and Education Development Grants:</u> If over £2000 has this grant been sent to finance?	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
e)	<u>Social Welfare Grants:</u> Has the grant been registered with the Lochgilphead Office.	N/A			
f)	If relevant, has the grant passed the financial check?	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
g)	Have you checked that the organisation is within 50% of the costs for Education or Leisure Development grants?	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
h)	Have you checked that the Council is meeting its obligations under Best Value in awarding this grant, for example, if the grant is awarded will the work definitely go ahead?	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>

3 General Criteria

Do you concur with the organisation in their assessment of need? Please supply a very brief summary:					
Dunoon and Cowal Youth Project run a dedicated youth centre which is well used and recognised as an important point of contact with young people by social work, FUSIONS, Police, health and other agencies. The grant is required to meet the annual running costs.					
Is the activity non-political?		Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
Is the project consistent with Council priorities?		Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
Does the project have open membership?		Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
Have sponsorship agreements been checked?		Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
How many people overall will benefit from this grant?		500+			
Is the organization well established?		Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
Have you identified any training needs for the organisations committee or volunteers?		Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
Does the organisation have volunteer training in place?		N/A			
Have you confidence in their ability to deliver a service?		Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>

4 **Policy and Procedures**

If the organisation works with a child/children under 18 or a vulnerable adult/s do they meet the following criteria?

a) Clear recruitment policies	Yes	X	No	<input type="checkbox"/>
b) Ongoing training and support for volunteers	Yes	X	No	<input type="checkbox"/>
c) A code of conduct for staff and volunteers	Yes	X	No	<input type="checkbox"/>
d) A Code of Good Practice	Yes	X	No	<input type="checkbox"/>
e) An Equal Opportunities Policy	Yes	X	No	<input type="checkbox"/>
f) A Policy for Managing Confidential Information	Yes	X	No	<input type="checkbox"/>
g) Grievance Procedure for staff and volunteers	Yes	X	No	<input type="checkbox"/>
h) A Disciplinary Procedure for staff and volunteers	Yes	X	No	<input type="checkbox"/>

Additional Information

A well-established and respected voluntary youth organisation that caters for a large number of young people from Dunoon and Cowal. They manage the use of Dunoon Youth Centre to provide a range of social, recreational and educational activities for young people. The project has demonstrated an ability to work with key target groups in partnership with many other youth work service providers i.e. Community Learning and Development, Fusions, Health, Social Work, and New Deal etc.

Specific Criteria

Dunoon and Cowal Youth Project meet the required criteria for consideration under the Community Learning heading. They play a significant role in tackling social inclusion issues with young people and offer a range of structured and informal educational activities. They are a major youth work service provider in Cowal and their objectives are consistent with the Council's priorities. DCYP was positively commented on during the recent HMle Inspection.

Signed: Martin Turnbull **Assessment Officer**

Date: 11th April 2007

ASSISTANCE TO VOLUNTARY ORGANISATIONS**ASSESSMENT FORM for Education and Leisure Development Grants****1 Details**

Name of Assessing Officer	Martin Turnbull
Have you contacted the organisation to assess this application?	Yes

Applicant:	Beachwatch Bute	Scheme:	Education Development
Project Title:	Running Costs	a) Total cost of project	£15,300
		b) How much is funded from group resources?	£3,000
		c) How much is coming from other agencies	£11,300
		d) Grant requested from A & B Council?	£1,500
		Grant Recommended:	£650
Reason for grant	To enable the organisation to continue its environmental activities.	Grant awarded last year (2006/07)	£1,000

2 Financial Check – Have you checked the Organisation is:

a)	Fully constituted	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
b)	Has submitted a bank statement	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
c)	Has submitted audited/signed accounts	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
d)	<u>Leisure and Education Development Grants:</u> If over £2000 has this grant been sent to finance?	N/A			
e)	<u>Social Welfare Grants:</u> Has the grant been registered with the Lochgilphead Office.	N/A			
f)	If relevant, has the grant passed the financial check?	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
g)	Have you checked that the organisation is within 50% of the costs for Education or Leisure Development grants?	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
h)	Have you checked that the Council is meeting its obligations under Best Value in awarding this grant, for example, if the grant is awarded will the work definitely go ahead?	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>

3 General Criteria

Do you concur with the organisation in their assessment of need? Please supply a very brief summary:		
Beachwatch Bute is a voluntary organisation that is run on a tight budget. The grant is needed to allow them to continue with some of their activities and particularly their education awareness programme.		
Is the activity non-political?	Yes	<input checked="" type="checkbox"/> No <input type="checkbox"/>
Is the project consistent with Council priorities?	Yes	<input checked="" type="checkbox"/> No <input type="checkbox"/>
Does the project have open membership?	Yes	<input checked="" type="checkbox"/> No <input type="checkbox"/>
Have sponsorship agreements been checked?	Yes	<input type="checkbox"/> No <input checked="" type="checkbox"/>
How many people overall will benefit from this grant?	All residents and visitors to Bute.	
Is the organization well established?	Yes	<input checked="" type="checkbox"/> No <input type="checkbox"/>
Have you identified any training needs for the organisations committee or volunteers?	Yes	<input type="checkbox"/> No <input checked="" type="checkbox"/>
Does the organisation have volunteer training in place?	Yes	<input checked="" type="checkbox"/> No <input type="checkbox"/>
Have you confidence in their ability to deliver a service?	Yes	<input checked="" type="checkbox"/> No <input type="checkbox"/>

ASSISTANCE TO VOLUNTARY ORGANISATIONS
ASSESSMENT FORM for Education and Leisure Development Grants

1 Details

Name of Assessing Officer	Martin Turnbull
Have you contacted the organisation to assess this application?	Yes

Applicant:	Bute Agricultural Society	Scheme:	Leisure Development
Project Title:	Bute Agricultural Society Annual Show	a) Total cost of project	£11,665
		b) How much is funded from group resources?	£10,665
		c) How much is coming from other agencies	Nil
		d) Grant requested from A & B Council?	£1,000
		Grant Recommended:	£1,000 - <u>Underwrite</u>
Reason for grant	As a contribution towards the running costs of the annual Agricultural show.	Grant awarded last year (2006/07)	£1,000

2 Financial Check – Have you checked the Organisation is:

a)	Fully constituted	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
b)	Has submitted a bank statement	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
c)	Has submitted audited/signed accounts	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
d)	<u>Leisure and Education Development Grants:</u> If over £2000 has this grant been sent to finance?	N/A	
e)	<u>Social Welfare Grants:</u> Has the grant been registered with the Lochgilphead Office.	N/A	
f)	If relevant, has the grant passed the financial check?	N/A	
g)	Have you checked that the organisation is within 50% of the costs for Education or Leisure Development grants?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
h)	Have you checked that the Council is meeting its obligations under Best Value in awarding this grant, for example, if the grant is awarded will the work definitely go ahead?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

3 General Criteria

Do you concur with the organisation in their assessment of need? Please supply a very brief summary:			
The Bute Agricultural Society enjoyed a successful 200 th Anniversary and has a healthy balance in the bank however the annual agricultural show is not a profit making activity and is heavily dependant on good weather. Bad weather and damage to the field could result in this balance being wiped out hence the recommendation for an underwrite.			
Is the activity non-political?		Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Is the project consistent with Council priorities?		Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Does the project have open membership?		Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Have sponsorship agreements been checked?		Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
How many people overall will benefit from this grant?		2000+	
Is the organization well established?		Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Have you identified any training needs for the organisations committee or volunteers?		Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Does the organisation have volunteer training in place?		Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Have you confidence in their ability to deliver a service?		Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

ASSISTANCE TO VOLUNTARY ORGANISATIONS
ASSESSMENT FORM for Education and Leisure Development Grants

1 Details

Name of Assessing Officer	Martin Turnbull
Have you contacted the organisation to assess this application?	Yes

Applicant:	Bute Highland Dance Festival Group	Scheme:	Leisure Development
Project Title:	Bute Highland Dance Festival	a) Total cost of project	£2,600
		b) How much is funded from group resources?	£2,100
		c) How much is coming from other agencies	Nil
		d) Grant requested from A & B Council?	£500
		Grant Recommended:	£500
Reason for grant	Funding to assist with the running costs of the annual festival.	Grant awarded last year (2006/07)	£500

2 Financial Check – Have you checked the Organisation is:

a)	Fully constituted	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
b)	Has submitted a bank statement	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
c)	Has submitted audited/signed accounts	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
d)	Leisure and Education Development Grants: If over £2000 has this grant been sent to finance?	N/A			
e)	Social Welfare Grants: Has the grant been registered with the Lochgilphead Office.	N/A			
f)	If relevant, has the grant passed the financial check?	N/A			
g)	Have you checked that the organisation is within 50% of the costs for Education or Leisure Development grants?	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
h)	Have you checked that the Council is meeting its obligations under Best Value in awarding this grant, for example, if the grant is awarded will the work definitely go ahead?	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>

3 General Criteria

Do you concur with the organisation in their assessment of need? Please supply a very brief summary:					
The grant is needed to expand the number of competitors participating in the dancing, piping and drumming competitions. This will increase the audience and profile of the event.					
Is the activity non-political?		Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
Is the project consistent with Council priorities?		Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
Does the project have open membership?		Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
Have sponsorship agreements been checked?		N/A			
How many people overall will benefit from this grant?		400+			
Is the organization well established?		Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
Have you identified any training needs for the organisations committee or volunteers?		Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
Does the organisation have volunteer training in place?		N/A			
Have you confidence in their ability to deliver a service?		Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>

ASSISTANCE TO VOLUNTARY ORGANISATIONS**ASSESSMENT FORM for Education and Leisure Development Grants****1 Details**

Name of Assessing Officer	Martin Turnbull
Have you contacted the organisation to assess this application?	Yes

Applicant:	ButeLive	Scheme:	Leisure Development
Project Title:	ButeLive	a) Total cost of project	£12,120
		b) How much is funded from group resources?	£8,120
		c) How much is coming from other agencies	£1,000
		d) Grant requested from A & B Council?	£3,000
		Grant Recommended:	£3,000
Reason for grant	To provide a live music and arts festival on Bute.	Grant awarded last year (2006/07)	£3,000

2 Financial Check – Have you checked the Organisation is:

a)	Fully constituted	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
b)	Has submitted a bank statement	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
c)	Has submitted audited/signed accounts	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
d)	<u>Leisure and Education Development Grants:</u> If over £2000 has this grant been sent to finance?	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
e)	<u>Social Welfare Grants:</u> Has the grant been registered with the Lochgilphead Office.	N/A			
f)	If relevant, has the grant passed the financial check?	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
g)	Have you checked that the organisation is within 50% of the costs for Education or Leisure Development grants?	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
h)	Have you checked that the Council is meeting its obligations under Best Value in awarding this grant, for example, if the grant is awarded will the work definitely go ahead?	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>

3 General Criteria

Do you concur with the organisation in their assessment of need? Please supply a very brief summary:					
Although the festival is growing and numbers attending are increasing the Leisure Development Grant is required to balance the books.					
Is the activity non-political?		Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
Is the project consistent with Council priorities?		Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
Does the project have open membership?		Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
Have sponsorship agreements been checked?		Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
How many people overall will benefit from this grant?		3,500			
Is the organization well established?		Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
Have you identified any training needs for the organisations committee or volunteers?		Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
Does the organisation have volunteer training in place?		Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
Have you confidence in their ability to deliver a service?		Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>

4 Policy and Procedures

If the organisation works with a child/children under 18 or a vulnerable adult/s do they meet the following criteria? – N/A

a) Clear recruitment policies	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
b) Ongoing training and support for volunteers	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
c) A code of conduct for staff and volunteers	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
d) A Code of Good Practice	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
e) An Equal Opportunities Policy	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
f) A Policy for Managing Confidential Information	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
g) Grievance Procedure for staff and volunteers	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
h) A Disciplinary Procedure for staff and volunteers	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

Additional Information

ButeLive is a major arts and music festival that attracts a number of high profile acts to perform on Bute. Since it began in 2001 it has steadily increased the number of people attending performances and continues to focus a significant amount of radio and press coverage on Bute. There is a good balance of community events/involvement and well known artists.

Specific Criteria

ButeLive meets the criteria for funding for events festivals by increasing the opportunities for local people to access high quality arts and music events, increasing tourist numbers and enhancing existing arts provision and activity.

Signed: Martin Turnbull Assessment Officer

Date: 11th April 2007

ASSISTANCE TO VOLUNTARY ORGANISATIONS
ASSESSMENT FORM for Education and Leisure Development Grants

1 Details

Name of Assessing Officer	Martin Turnbull
Have you contacted the organisation to assess this application?	Yes

Applicant:	Bute Wheelers	Scheme:	Leisure Development
Project Title:	Bute Cycling Events	a) Total cost of project	£830
		b) How much is funded from group resources?	£430
		c) How much is coming from other agencies	Nil
		d) Grant requested from A & B Council?	£400
		Grant Recommended:	£400
Reason for grant	To organise and run cycling events on Bute including an Annual Triathlon, Biathlon and a festival of cycling.	Grant awarded last year (2006/07)	£475

2 Financial Check – Have you checked the Organisation is:

a)	Fully constituted	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
b)	Has submitted a bank statement	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
c)	Has submitted audited/signed accounts	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
d)	Leisure and Education Development Grants: If over £2000 has this grant been sent to finance?	N/A	
e)	Social Welfare Grants: Has the grant been registered with the Lochgilphead Office.	N/A	
f)	If relevant, has the grant passed the financial check?	N/A	
g)	Have you checked that the organisation is within 50% of the costs for Education or Leisure Development grants?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
h)	Have you checked that the Council is meeting its obligations under Best Value in awarding this grant, for example, if the grant is awarded will the work definitely go ahead?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

3 General Criteria

Do you concur with the organisation in their assessment of need? Please supply a very brief summary:			
The Bute Wheelers have organised cycling events which attract over 100 participants plus family and friends. They received national publicity for Bute and encouraged a number of local people to become more active and participate.			
Is the activity non-political?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	
Is the project consistent with Council priorities?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	
Does the project have open membership?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	
Have sponsorship agreements been checked?	N/A		
How many people overall will benefit from this grant?	500+		
Is the organization well established?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	
Have you identified any training needs for the organisations committee or volunteers?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	
Does the organisation have volunteer training in place?	N/A		
Have you confidence in their ability to deliver a service?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	

ASSISTANCE TO VOLUNTARY ORGANISATIONS
ASSESSMENT FORM for Education and Leisure Development Grants

1 Details

Name of Assessing Officer	Martin Turnbull
Have you contacted the organisation to assess this application?	Yes

Applicant:	Cairndow Arts Promotion	Scheme:	Leisure Development
Project Title:	Arts and cultural events programme.	a) Total cost of project	£12,480
		b) How much is funded from group resources?	£2450
		c) How much is coming from other agencies	£9,280
		d) Grant requested from A & B Council?	£750
		Grant Recommended:	£750
Reason for grant	As a contribution towards the cost of delivering the programme.	Grant awarded last year (2006/07)	£500

2 Financial Check – Have you checked the Organisation is:

a)	Fully constituted	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
b)	Has submitted a bank statement	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
c)	Has submitted audited/signed accounts	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
d)	Leisure and Education Development Grants: If over £2000 has this grant been sent to finance?	N/A			
e)	Social Welfare Grants: Has the grant been registered with the Lochgilphead Office.	N/A			
f)	If relevant, has the grant passed the financial check?	N/A			
g)	Have you checked that the organisation is within 50% of the costs for Education or Leisure Development grants?	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
h)	Have you checked that the Council is meeting its obligations under Best Value in awarding this grant, for example, if the grant is awarded will the work definitely go ahead?	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>

3 General Criteria

Do you concur with the organisation in their assessment of need? Please supply a very brief summary:					
Cairndow Arts Promotion has accessed a range of funders to provide schools and community based arts activities in Cairndow and the neighbouring villages of Lochgoilhead and Strachur. Leisure Development grant funding will ensure that the already impressive programme of events continues to develop.					
Is the activity non-political?		Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
Is the project consistent with Council priorities?		Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
Does the project have open membership?		Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
Have sponsorship agreements been checked?		N/A			
How many people overall will benefit from this grant?		500+			
Is the organization well established?		Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
Have you identified any training needs for the organisations committee or volunteers?		Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
Does the organisation have volunteer training in place?		N/A			
Have you confidence in their ability to deliver a service?		Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>

4 Policy and Procedures

If the organisation works with a child/children under 18 or a vulnerable adult/s do they meet the following criteria?

a) Clear recruitment policies	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
b) Ongoing training and support for volunteers	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
c) A code of conduct for staff and volunteers	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
d) A Code of Good Practice	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
e) An Equal Opportunities Policy	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
f) A Policy for Managing Confidential Information	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
g) Grievance Procedure for staff and volunteers	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
h) A Disciplinary Procedure for staff and volunteers	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>

Additional Information

Cairndow Arts Promotion was formed in 2000 and is a voluntary organisation that organises and promotes local community arts events.

They have successfully organised an extensive programme of arts events ranging from practical arts and crafts sessions through to high quality performances and theatre performances.

Specific Criteria

Events planned for 2007 will encourage personal, social and community development through a varied programme covering a number of different art forms including drama, music, craft workshops and children's events. They are a good example of a community development approach to meeting a rural need which enhances the quality of life for local residents

Signed: Martin Turnbull Assessment Officer

Date: 11th April 2006

ASSISTANCE TO VOLUNTARY ORGANISATIONS
ASSESSMENT FORM for Education and Leisure Development Grants

1 Details

Name of Assessing Officer	Martin Turnbull
Have you contacted the organisation to assess this application?	Yes

Applicant:	Cowal Accordion and Keyboard Workshop	Scheme:	Leisure Development
Project Title:	Tutors Costs	a) Total cost of project	£2,800
		b) How much is funded from group resources?	£2,075
		c) How much is coming from other agencies	£325
		d) Grant requested from A & B Council?	£400
		Grant Recommended:	£400
Reason for grant	To fund the cost of employing accordion and keyboard tutors	Grant awarded last year (2006/07)	£500

2 Financial Check – Have you checked the Organisation is:

a)	Fully constituted	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
b)	Has submitted a bank statement	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
c)	Has submitted audited/signed accounts	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
d)	Leisure and Education Development Grants: If over £2000 has this grant been sent to finance?	N/A	
e)	Social Welfare Grants: Has the grant been registered with the Lochgilphead Office.	N/A	
f)	If relevant, has the grant passed the financial check?	N/A	
g)	Have you checked that the organisation is within 50% of the costs for Education or Leisure Development grants?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
h)	Have you checked that the Council is meeting its obligations under Best Value in awarding this grant, for example, if the grant is awarded will the work definitely go ahead?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

3 General Criteria

Do you concur with the organisation in their assessment of need? Please supply a very brief summary: The group have reviewed their fees structure and increased their fundraising and reduced their funding request accordingly.			
Is the activity non-political?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	
Is the project consistent with Council priorities?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	
Does the project have open membership?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	
Have sponsorship agreements been checked?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	
How many people overall will benefit from this grant?	30		
Is the organization well established?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	
Have you identified any training needs for the organisations committee or volunteers?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	
Does the organisation have volunteer training in place?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	
Have you confidence in their ability to deliver a service?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	

ASSISTANCE TO VOLUNTARY ORGANISATIONS**ASSESSMENT FORM for Education and Leisure Development Grants****1 Details**

Name of Assessing Officer	Martin Turnbull
Have you contacted the organisation to assess this application?	Yes

Applicant:	Cowal Europe Association	Scheme:	Leisure Development
Project Title:	Cultural visit to	a) Total cost of project	£15,810
		b) How much is funded from group resources?	£14,310
		c) How much is coming from other agencies	Nil
		d) Grant requested from A & B Council?	£1,000
		Grant Recommended:	£1,000
Reason for grant	Financial contribution towards the costs involved in participating in cultural and sporting events in Finland	Grant awarded last year (2006/07)	£1,000

2 Financial Check – Have you checked the Organisation is:

a)	Fully constituted	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
b)	Has submitted a bank statement	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
c)	Has submitted audited/signed accounts	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
d)	Leisure and Education Development Grants: If over £2000 has this grant been sent to finance?	N/A	
e)	Social Welfare Grants: Has the grant been registered with the Lochgilphead Office.	N/A	
f)	If relevant, has the grant passed the financial check?	N/A	
g)	Have you checked that the organisation is within 50% of the costs for Education or Leisure Development grants?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
h)	Have you checked that the Council is meeting its obligations under Best Value in awarding this grant, for example, if the grant is awarded will the work definitely go ahead?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

3 General Criteria

Do you concur with the organisation in their assessment of need? Please supply a very brief summary:			
The grant is needed to contribute towards the considerable costs of participation in cultural activities abroad.			
Is the activity non-political?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	
Is the project consistent with Council priorities?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	
Does the project have open membership?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	
Have sponsorship agreements been checked?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	
How many people overall will benefit from this grant?	40 +		
Is the organization well established?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	
Have you identified any training needs for the organisations committee or volunteers?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	
Does the organisation have volunteer training in place?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	
Have you confidence in their ability to deliver a service?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	

4 Policy and Procedures

If the organisation works with a child/children under 18 or a vulnerable adult/s do they meet the following criteria?

a) Clear recruitment policies	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
b) Ongoing training and support for volunteers	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
c) A code of conduct for staff and volunteers	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
d) A Code of Good Practice	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
e) An Equal Opportunities Policy	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
f) A Policy for Managing Confidential Information	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
g) Grievance Procedure for staff and volunteers	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
h) A Disciplinary Procedure for staff and volunteers	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>

Additional Information

In their efforts to promote Argyll and Bute and Scottish culture abroad - Cowal Europe transport brochures, publicity materials, musical instruments and equipment at considerable expense to the organisation members. They also provide outfits, uniforms and sporting equipment for participants. The grant would be used to transport brochures etc for the business stand, musical instruments, costumes and associated travel costs.

Specific Criteria

The projects proposed by Cowal Europe will involve cultural and sporting performances to audiences from across Europe. They will also promote local products and encourage tourism thus encouraging indigenous business.

Signed: Martin Turnbull Assessment Officer

Date: 11th April 2007

ASSISTANCE TO VOLUNTARY ORGANISATIONS
ASSESSMENT FORM for Education and Leisure Development Grants

1 Details

Name of Assessing Officer	Martin Turnbull
Have you contacted the organisation to assess this application?	Yes

Applicant:	Kirn Gala Committee	Scheme:	Leisure Development
Project Title:	Kirn Gala	a) Total cost of project	£4,220
		b) How much is funded from group resources?	£2,220
		c) How much is coming from other agencies	Nil
		d) Grant requested from A & B Council?	£2,000
		Grant Recommended:	£2,000
Reason for grant	To organise and run the annual Kirn Gala.	Grant awarded last year (2006/07)	£2,000

2 Financial Check – Have you checked the Organisation is:

a)	Fully constituted	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
b)	Has submitted a bank statement	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
c)	Has submitted audited/signed accounts	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
d)	<u>Leisure and Education Development Grants:</u> If over £2000 has this grant been sent to finance?	N/A	
e)	<u>Social Welfare Grants:</u> Has the grant been registered with the Lochgilphead Office.	N/A	
f)	If relevant, has the grant passed the financial check?	N/A	
g)	Have you checked that the organisation is within 50% of the costs for Education or Leisure Development grants?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
h)	Have you checked that the Council is meeting its obligations under Best Value in awarding this grant, for example, if the grant is awarded will the work definitely go ahead?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

3 General Criteria

Do you concur with the organisation in their assessment of need? Please supply a very brief summary:			
Kirn Gala is now firmly established as a successful community based event benefiting the village of Kirn, Dunoon and the many visitors that attend. Funding from Leisure Development Grants is necessary to ensure the event is financially viable.			
Is the activity non-political?		Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Is the project consistent with Council priorities?		Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Does the project have open membership?		Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Have sponsorship agreements been checked?		N/A	
How many people overall will benefit from this grant?		3000+	
Is the organization well established?		Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Have you identified any training needs for the organisations committee or volunteers?		Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Does the organisation have volunteer training in place?		Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Have you confidence in their ability to deliver a service?		Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

4 Policy and Procedures

If the organisation works with a child/children under 18 or a vulnerable adult/s do they meet the following criteria? – N/A

a) Clear recruitment policies	Yes	<input type="checkbox"/>	No	X
b) Ongoing training and support for volunteers	Yes	<input type="checkbox"/>	No	X
c) A code of conduct for staff and volunteers	Yes	<input type="checkbox"/>	No	X
d) A Code of Good Practice	Yes	<input type="checkbox"/>	No	X
e) An Equal Opportunities Policy	Yes	<input type="checkbox"/>	No	X
f) A Policy for Managing Confidential Information	Yes	<input type="checkbox"/>	No	X
g) Grievance Procedure for staff and volunteers	Yes	<input type="checkbox"/>	No	X
h) A Disciplinary Procedure for staff and volunteers	Yes	<input type="checkbox"/>	No	X

Additional Information

Kirn Gala has become an important event in the build up to the Cowal Highland Gathering. It is now well established and attracts upwards of 3000 spectators. The gala committee is well motivated and keen to continue the development of this community event. As well as promoting the village of Kirn the gala also provides a vehicle for much needed fundraising by a number of local voluntary organisations. The event consists of a range of stalls, attractions and performances.

Specific Criteria

Kirn Gala has a positive impact on the local and wider community by raising the profile of Kirn and contributing to its development. It also encourages community development through the involvement of voluntary organisations and the opportunity to fundraise.

Signed: Martin Turnbull

Assessment Officer

Date: 11th April 2007

ASSISTANCE TO VOLUNTARY ORGANISATIONS**ASSESSMENT FORM for Education and Leisure Development Grants****1 Details**

Name of Assessing Officer	Martin Turnbull
Have you contacted the organisation to assess this application?	Yes

Applicant:	Lochgoilhead Fiddle Workshop	Scheme:	Leisure Development
Project Title:	Running Costs	a) Total cost of project	£41,640
		b) How much is funded from group resources?	£24,140
		c) How much is coming from other agencies	£16,000
		d) Grant requested from A & B Council?	£1,500
		Grant Recommended:	£1,000
Reason for grant	To provide a programme of concerts and tuition.	Grant awarded last year (2006/07)	£1,000

2 Financial Check – Have you checked the Organisation is:

a)	Fully constituted	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
b)	Has submitted a bank statement	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
c)	Has submitted audited/signed accounts	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
d)	<u>Leisure and Education Development Grants:</u> If over £2000 has this grant been sent to finance?	N/A			
e)	<u>Social Welfare Grants:</u> Has the grant been registered with the Lochgilphead Office.	N/A			
f)	If relevant, has the grant passed the financial check?	N/A			
g)	Have you checked that the organisation is within 50% of the costs for Education or Leisure Development grants?	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
h)	Have you checked that the Council is meeting its obligations under Best Value in awarding this grant, for example, if the grant is awarded will the work definitely go ahead?	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>

3 General Criteria

Do you concur with the organisation in their assessment of need? Please supply a very brief summary:					
The organisation does provide a high quality programme of concerts and tuition in a rural area where opportunities are limited.					
Is the activity non-political?		Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
Is the project consistent with Council priorities?		Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
Does the project have open membership?		Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
Have sponsorship agreements been checked?		Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
How many people overall will benefit from this grant?		500+			
Is the organization well established?		Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
Have you identified any training needs for the organisations committee or volunteers?		Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
Does the organisation have volunteer training in place?		N/A			
Have you confidence in their ability to deliver a service?		Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>

4 Policy and Procedures

If the organisation works with a child/children under 18 or a vulnerable adult/s do they meet the following criteria? – N/A

a) Clear recruitment policies	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
b) Ongoing training and support for volunteers	Yes <input checked="" type="checkbox"/>	No <input checked="" type="checkbox"/>
c) A code of conduct for staff and volunteers	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
d) A Code of Good Practice	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
e) An Equal Opportunities Policy	Yes <input checked="" type="checkbox"/>	No <input checked="" type="checkbox"/>
f) A Policy for Managing Confidential Information	Yes <input checked="" type="checkbox"/>	No <input checked="" type="checkbox"/>
g) Grievance Procedure for staff and volunteers	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
h) A Disciplinary Procedure for staff and volunteers	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

Additional Information

The Lochgoilhead Fiddle Workshop has organised an ambitious programme of events for the coming year. They are well run financially, fundraising and attracting income from a number of sources to support their activities. This year they are planning to run six concerts, four special workshops and a series of adult music workshops.

Specific Criteria

This application meets the required criteria by demonstrating a high level of creativity in promoting the performing arts in a rurally isolated community.

Signed: Martin Turnbull Assessment Officer

Date: 11th April 2007

ARGYLL & BUTE COUNCIL
**BUTE AND COWAL AREA
COMMITTEE**
OPERATIONAL SERVICES
11th April 2007

BUTE AND COWAL 2007-08 ROAD PROGRAMMES

1. SUMMARY

This report advises Members of proposals for resurfacing schemes under the Capital Works Programme and surface dressing schemes under the Revenue Works Programme

2. RECOMMENDATION

Members are asked to note the proposals

3. BACKGROUND

- 3.1 The Council's Capital works programme details the roads reconstruction at £1.735m. The amount translates into the allocation for Bute and Cowal at 21% being £508,600. The 21% allocation is derived from factors involving road length, population, GAE and now also road condition as surveyed under the National Road Condition Survey, done for the Council by WDM Ltd.
- 3.2 The proposals for the works programme are developed from our inspections of the road network and the reported assessment of road condition and residual life. Our initial assessment of works required this year amounted to £551,246
- 3.3 The works also include surface dressing operations funded mainly by the Revenue Works Programme. The surface dressing comprises various types of treatment each costing different rates per square metre.
- 3.4 Details of the proposals have previously been circulated to Members and are listed in Appendix A for the resurfacing programme and Appendix B for the surface dressing programme. At the time of writing the scheme for the B836 reconstruction is still to be finalised in the bid for external funding. Should this change, Members approval will be sought for alternative location(s).

4. IMPLICATIONS

Policy	–	None
Financial	–	None
Personnel	–	None.
Equal Opportunities	–	None.
Legal	–	None

5. BACKGROUND PAPERS

Appendix A
Bute & Cowal Area Roads Resurfacing Programme 2007-08

Appendix B
Bute & Cowal Area Surface Dressing Programme 2007-08

For further information, please contact Alan Lothian
Area Roads and Amenity Services Manager
Tel 01369 708600

APPENDIX A**BUTE & COWAL CAPITAL WORKS PROGRAMME 2007-2008: RESURFACING**

Ward	Route No	Location	Estimated Cost	2007/8	2008/9
Cowal					
See SD programme	Various	Surface Dressing Bute & Cowal		£60,000	
Cowal	A885	Sandbank Primary- North	£193,662		£193,662
	A815	Wellington Street	£12,911	£12,911	
Dunoon	UC8	Bencorrum Brae - Ardenslate Road	£55,650	£65,182	
Cowal	A815	Cothouse Bridge to Farm entrance	£68,000	£68,000	
Cowal	B836	Contribution to Improvement Scheme	£75,000	£75,000	Dependant on STTS bid
Cowal		St Catherine's Thistle House	£44,000	£44,000	
			<u>£449,223</u>	<u>£325,093</u>	<u>£193,662</u>
Bute					
	UC04	Ardmory Road Turning Area	Postponed		Land required 2008/9 ?
	UC28	Eastlands Road	£17,435	£17,435	
	UC04	Straad	£49,475		£49,475
	UC05	Drumachloy	£17,502	£17,502	
	UC10	Ardmaleish Road	£13,291		£13,291
	UC48	McNabs Brae	£4,321	£4,321	
			<u>£102,023</u>	<u>£39,258</u>	<u>£62,766</u>
Total for Bute & Cowal 2007-08 = £364,350					

APPENDIX B

BUTE & COWAL REVENUE WORKS PROGRAMME 2007-2008: SURFACE DRESSING				
Ward	Route No	Location	Area (sqm)	Estimated cost
Cowal				
Dunoon	A815	Innellan Shore Road Cluniter south	4,900	
Cowal	B839	Lochgoilhead Hells Glen Various	6,000	
	A815	Strachur Filling Station - Sawmill – Garrell	7,200	
	A815	Kilroys Corner	3,000	
	A815	Cambusdhu	1,950	
	A880	A815 Jct to Kilmun Church	9,000	
	A880	Strone House to Blairmore Pier	4,400	
	U15	Glen Massan Rd - Golden Gates to Stonefield	10,400	
	B836	Glen Lean Farm - West	9,000	
	C8, UC16	Fir Brae & Lazaretto Ferry Road	5,000	
	A886	South of Jct B866 North to top of Hill	11,590	
	A886	Summit - 06S/D	7,400	
	A886	B836 Junction - Ardachuple	7,110	
		Total Area / cost	86,950	£239,080
Bute				
	A844	Stuck Farm - 06S/D Ardmaliesh	5,500	
	A844	06S/D Ardmaleish - Boat Yard Road	2,750	
	B881	Rothesay Primary School - Lochend Farm	4,785	
	A844	Beaver Lodge - Kingarth Hotel	8,250	
	A844	Mount Stuart Visitor Centre - White Lodge	5,500	
		Total Area / Cost	26,785	£91,873
Total for Bute & Cowal			113,730	£330,953

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