

**MINUTES of MEETING of PLANNING, PROTECTIVE SERVICES AND LICENSING COMMITTEE
held in the COUNCIL CHAMBER, KILMORY, LOCHGILPHEAD
on WEDNESDAY, 19 JANUARY 2011**

Present: Councillor Daniel Kelly (Chair)

Councillor Rory Colville	Councillor Alister MacAlister
Councillor Robin Currie	Councillor Neil Mackay (from item 4 onwards)
Councillor Vivien Dance	Councillor Donald MacMillan
Councillor Mary-Jean Devon (from item 4 onwards)	Councillor Roderick McCuish
Councillor David Kinniburgh	Councillor Alex McNaughton
Councillor Bruce Marshall	Councillor Al Reay

Attending: Charles Reppke, Head of Governance and Law
Angus Gilmour, Head of Planning and Regulatory Services
Richard Kerr, Principal Planning Officer
Sheila MacFadyen, Senior Solicitor

Apologies: Councillor James McQueen

1. DECLARATIONS OF INTEREST

Councillor MacAlister declared a financial interest in relation to item 3 (**Civic Government (Scotland) Act 1982: Taxi Fare Scale Review**) of these Minutes on the basis that he is the holder of a taxi car licence. He left the room during discussion of the item and accordingly took no part in the decision making.

2. MINUTES

- (a) The Minutes of the Planning, Protective Services and Licensing Committee held on 14 December 2010 were approved as a correct record.
- (b) The Minutes of the Planning, Protective Services and Licensing Committee held on 15 December 2010 (9.45am) were approved as a correct record.
- (c) The Minutes of the Planning, Protective Services and Licensing Committee held on 15 December 2010 (10.15am) were approved as a correct record.
- (d) The Minutes of the Planning, Protective Services and Licensing Committee held on 15 December 2010 (10.45am) were approved as a correct record.

Councillor MacAlister, having previously declared an interest in the following item of business, left the meeting at this point.

3. CIVIC GOVERNMENT (SCOTLAND) ACT 1982: TAXI FARE SCALE REVIEW

The Committee, at their meeting in January 2010, had agreed to retain taxi fares

at the existing level and given the indication that they would review this in January 2011.

A report was before them which in which they were invited to consider the representations received in response to the consultation regarding review of fares and to decide on what course of action to take.

Decision

Agreed:-

1. to increase the fare structure as follows:-

Tariff 1 - £2.70

Tariff 2 - £3.20

Tariff 3 - £3.70

2. that the charges in respect of soiling, waiting and telephone bookings remain as £100 (maximum), 30p per minute and 30p respectively;

3. that there be no change to the yardage distances which are currently based on an initial charge per 860yds and a subsequent charge of 20p for each additional 200 yds;

4. that the new charges be advertised by the Head of Governance and Law and come into force 21 February 2011; and

5. that a further review of the fare structure should be undertaken in 12 months time rather than the normal period of 18 months.

(Ref: Report by Head of Governance and Law dated 16 December 2010, submitted)

Councillor MacAlister re-joined the meeting at this point.

4. MR D CLARK: FORMATION OF VEHICULAR ACCESS AND ERECTION OF GATES (RETROSPECTIVE): ARDOCH COACH HOUSE, ARDOCH (REF: 09/00574/DET)

The Principal Planning Officer spoke to the application advising that this was for the retrospective formation of vehicular access to a classified road and for erection of gates. He advised that his recommendation was for refusal and outlined the basis of this which related principally to road safety grounds, having established from the Roads Engineer that the visibility splays were significantly below that required. He also referred to a late representation made by Cardross Community Council who were firmly opposed to the development. He advised that there were also concerns about the integrity of the listed nature of the wall and concluded that the application contravened Policies LP TRAN 4, STRAT DC9, LP ENV13a and LP ENV13b.

Decision

Agreed to refuse the application on the basis that:-

1. The access is located within a 60MPH section of the A814 Dumbarton – Helensburgh road where the Council’s Roads Engineers have assessed the 85% speed to be 50MPH in circumstances where Council standards would require visibility splays of 4.5m by 120.0m to be available in both directions. On site assessment indicates that visibility splays of only 2.4m x 30.0m are available, which is well below the standard required given traffic speeds at this location. The improvements required to meet the necessary visibility requirements would involve land outwith the applicant’s control and would also involve further undesirable alterations to the detriment of the continuity and historic integrity of the listed boundary wall. The access is therefore detrimental to the interests of road safety and is contrary to the provisions of Policy LP TRAN 4 of the ‘Argyll and Bute Local Plan’, as a satisfactory means of vehicular access cannot be achieved at this point without third party land and without substantial alteration to the boundary wall to afford the required visibility
2. The introduction of an opening within this listed boundary wall and the installation of gates disrupts its flow which has a traditional style. This is visually discordant and has an adverse impact on the character and appearance of the wall. The development has resulted in the loss of historic fabric, has degraded the integrity of the wall and has introduced a feature which fails to respect the traditional architectural and historic character of the area. As such it is contrary to Policy STRAT DC9 of the approved ‘Argyll and Bute Structure Plan’, Policy LP ENV13a and LP ENV13b of the ‘Argyll and Bute Local Plan’ and advice given in ‘Scottish Historic Environment Policy’ (Historic Scotland 2009).

(Ref: Report by Head of Planning and Regulatory Services dated 22 December 2010, submitted)

5. MR D CLARK: FORMATION OF VEHICULAR ACCESS AND ERECTION OF GATES (RETROSPECTIVE): ARDOCH COACH HOUSE, ARDOCH (REF: 09/00575/LIB)

The Principal Planning Officer advised that the application was linked to the previous application for the retrospective formation of vehicular access to a classified road and for erection of gates. He referred to the consultation response by Historic Scotland which required that consideration be given to the cumulative effect of opening in the wall in relation to both this and the neighbouring property, Ardoch. As with the previous application, his recommendation was for refusal

Decision

Agreed to refuse the application on the basis that:-

The introduction of an opening within this listed boundary wall and the installation of gates disrupts its flow which has a traditional style. This is visually discordant and has an adverse impact on the character and appearance of the wall. The development has resulted in the loss of historic fabric, has degraded the integrity of the wall and has introduced a feature which fails to respect the

traditional architectural and historic character of the area. As such it is contrary to Policy STRAT DC9 of the approved 'Argyll and Bute Structure Plan', Policy LP ENV13a and LP ENV13b of the 'Argyll and Bute Local Plan' and advice given in 'Scottish Historic Environment Policy' (Historic Scotland 2009).

(Ref: Report by Head of Planning and Regulatory Services dated 24 September 2009, submitted)

**6. MR JONATHON HOOPER: SITE FOR ERECTION OF A DWELLINGHOUSE:
LOW UGADALE COTTAGE, PENINVER, CAMPBELTOWN (REF:
10/01169/PPP)**

The Principal Planning Officer advised that the application was recommended for approval as a minor departure to policies STRAT DC 4, LP HOU 1, P/DCZ 4 and the 'North and South Kintyre Landscape Capacity Study'. This was on the basis that the application site shared identical landscape characteristics and was located sufficiently close to an 'area with potential for development' for an degree of flexibility to be exercised . He explained the application was also consistent with the other requirements for new development in the locality and the proposed dwelling would not result in a significant alteration or adverse impact upon landscape character.

He then advised that the application had not received any objections from statutory consultees and that there had been 91 letters of support lodged, which was a material consideration in assessing the application.

Decision

Agreed to approve the application subject to the following conditions and reasons:-

1. That the permission is granted in terms of Section 59 of the undernoted Act and Regulation 10 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2008 on the basis of an application (or applications) for planning permission in principle that further approval of Argyll and Bute Council or of Scottish Minister on appeal shall be required, such application must be made before whichever is the later of the following:-
 - a) the expiration of a period of 3 years from the date of this permission.
 - b) the expiration of a period of 6 months from the date on which an earlier application for the requisite approval was refused.
 - c) the expiration of a period of 6 months from the date on which an appeal against such refusal is dismissed.

And in the case of b and c above only one such application can be made after the expiration of the period of 3 years from the original planning permission in principle.

Reason: In accordance with Section 59 (1) of the Town and Country

Planning (Scotland) Act 1997

2. The development shall be implemented in accordance with the details specified on the application form dated 21st May 2010 and the approved drawing reference numbers 1/3 to 3/3.

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

3. No development shall commence until details of the siting, design and finishes of the dwellinghouse hereby approved have been submitted to and approved by the Planning Authority. Thereafter the development shall be implemented in accordance with the duly approved details. Such details shall show a dwellinghouse which incorporates the following elements:
 - i) The dwelling shall be single storey in height;
 - ii) The dwelling shall be sited within the south western corner of the application site and shall have a maximum external footprint of 120sqm;
 - iii) The window openings shall have a strong vertical emphasis.
 - iv) The walls shall be finished in a recessive wet dash render / smooth coursed cement render / natural stone / timber cladding.
 - v) The roof shall be symmetrically pitched to at least 37 degrees and be finished in natural slate or a good quality substitute slate.
 - vi) The building shall be of a general rectangular shape and gable ended;
 - vii) Any porches (which are encouraged in the design) shall have traditional "peaked" roofs.
 - viii) Details of the proposed finished floor level of the dwelling relative to an identifiable fixed datum located outwith the application site.

Reason: In the interest of visual amenity, in order to integrate the proposed dwellinghouse with its surrounds and, no such details having been submitted.

4. No development shall commence until details of the proposed boundary treatment, including details of location, height and materials of any walls/fences/gates, have been submitted to and approved by the Planning Authority. Thereafter the development shall be implemented in accordance with the duly approved details prior to the first occupation of the dwellinghouse hereby approved in principle.

Reason: In the interest of visual amenity, in order to integrate the proposed dwellinghouse with its surrounds and, no such details having been submitted.

5. No development shall commence until details of the proposed access arrangements from the public highway and onsite parking turning provision have been submitted to and approved by the Planning Authority. Such details shall show:

- i) Connection to the public road as per drawing SD 08/004 Rev. A, access width to be a minimum of 5.5m;
- ii) Visibility splays of 53.0m x 2.4m in both directions from the centreline of the proposed access within which there will be no obstruction of 1.05m in height above the level of the adjoining carriageway;
- iii) Details showing the means of permanently closing the existing access to Ugadale Cottage, this should include for the soiling and seeding of the first 5.0m from the edge of the public highway;
- iv) Provision of onsite parking and turning to comply with the requirements of LP TRAN 6 and Appendix C of the Argyll and Bute Local Plan 2009;
- v) Provision of a refuse collection point adjacent to the public highway.

The duly approved details in respect of i) and ii) above shall be implemented prior to any work commencing on site; the provisions of iii), iv) and v) shall be fully implemented prior to the first occupation of the dwellinghouse hereby approved in principle.

Reason: In the interest of road safety and, no such details having been submitted.

6. No development shall commence until details of the proposed foul drainage arrangements to serve the development have been submitted to and approved by the Planning Authority. Thereafter the duly approved details shall be implemented prior to the first occupation of the dwellinghouse hereby approved in principle.

Reason: In the interest of public health, to ensure that the development is served by an appropriate means of foul drainage commensurate to the scale of the development and, no such details having been submitted.

7. Prior to the development commencing a full appraisal to demonstrate the wholesomeness and sufficiency of the private water supply to serve the development shall be submitted to and approved in writing by the Planning Authority. This assessment shall be carried out by a qualified and competent person(s). Such appraisal shall include a risk assessment having regard to the requirements of Schedule 4 of the Private Water Supplies (Scotland) Regulations 2006 and shall on the basis of such risk assessment specify the means by which a wholesome and sufficient water supply shall be provided and thereafter maintained to the development. Such appraisal shall also demonstrate that the wholesomeness and sufficiency of any other supply in the vicinity of the development, or any other person utilising the same source or supply, shall not be compromised by the proposed development. Furthermore, the development itself shall not be brought into use or occupied until the required supply has been installed in accordance with the agreed specification.

Reason: In the interests of public health and in order to ensure that an adequate private water supply in terms of both wholesomeness and sufficiency can be provided to meet the requirements of the proposed development and without compromising the interests of other users of the same or nearby private water supplies.

8. No development shall commence until details of new planting proposals have been submitted to and approved by the Planning Authority. Such details shall show a planting scheme of native tree/shrub species designed to integrate and sympathetically extend adjacent existing woodland associated with Ugadale Cottage (to the north of the application site) so as to provide an appropriate landscape screen and backdrop to the development and access road hereby approved in principle. The details of the planting proposals shall be shown on a plan at a scale of 1:500 or greater and will include:
- i) Definition of the extent of the planting scheme and private curtilage for the dwellinghouse;
 - ii) Details of existing site contours at intervals of 0.5m;
 - iii) Details of ground preparation;
 - iv) Species of each tree/shrub;
 - v) Nursery stock size in terms of British Standards;
 - vi) Density of planting;
 - vii) Programme for completion and subsequent on-going maintenance/management.

All planting, seeding or turfing as may be comprised in the approved details shall be carried out in the first planting and seeding seasons following the commencement of works unless an alternative phasing plan for such provision is agreed with the Planning Authority.

Any trees or plants which within a period of ten years from the completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species, unless the Planning Authority gives written consent to any variation.

Reason: To ensure the implementation of a satisfactory scheme of tree/shrub planting which are required to satisfactorily integrate the proposals with the surrounding landscape setting and, no such details having been submitted for approval.

(Ref: Report by Head of Planning and Regulatory Services dated 24 December 2010, submitted)

7. MR AND MRS P CAIRNS: ERECTION OF DWELLINGHOUSES AND ASSOCIATED WORKS: GROUND TO THE NORTH OF DEAN HOUSE, EAST ABERCROMBY STREET, HELENSBURGH (REF: 10/01302/PP)

The Principal Planning Officer advised that a supplementary report had been tabled at the meeting due to concerns raised by the Council's Conservation

Officer. He also referred to an e-mail circulated to Members from the applicant's daughter. He explained that the original recommendation was for approval subject to a discretionary hearing taking place given the large numbers of representation received. He requested that the Committee continue the matter to allow dialogue between the Conservation Officer and the applicant's agent, who it was noted was on leave until early February 2011.

Decision

1. Agreed to continue the application to allow discussions to take place between the Council's Conservation Officer and the applicant's agent.
2. Agreed that in the event a hearing is necessary (i.e. if there is no material change following these discussions which would result in a fresh application being required) the Committee would hold this in Helensburgh on a date and time yet to be arranged.
3. Agreed that the Committee would undertake an unaccompanied site visit prior to the hearing taking place.

(Ref: Report by Head of Planning and Regulatory Services dated 30 December 2010, submitted and Report by Head of Planning and Regulatory Services dated 18 January 2011, tabled)

8. SCOTTISH WATER: APPLICATION FOR FORMATION OF LAYBY: ARDBEG ROAD, ARDBEG, BUTE (REF: 10/01777/PP)

The Head of Planning and Regulatory Services advised that this application required to be considered by the Committee on the basis that the Council were the owners of the site for which permission was being sought. He referred the Committee to a supplementary report which had been tabled as a result of a late response from the Roads Authority which was suggesting that the application be deferred. He advised there were no objections from statutory consultees or other representations and that the proposals were consistent with the Development Plan. He therefore recommended that, despite the recommendation from Roads for deferral, the application be approved as there were no sound planning reasons to refuse the application and that other issues raised by Roads could be covered by the conditions recommended within his supplementary report.

Decision

Agreed to grant Planning Permission subject to the following conditions and reasons:-

1. That the development to which this permission relates must be begun within three years from the date of this permission.

Reason: In accordance with Section 58 of the Town and Country Planning (Scotland) Act 1997.

2. The development shall be implemented in accordance with the details specified on the application form and the approved drawing reference numbers: Drawing No. 400114-0000-20-DRG-9940; Drawing No. 400114-0000-20-DRG-9941; and Drawing No. 400114-0000-20-DRG-9942 unless the prior written approval of the planning authority is obtained for other materials/finishes/for an amendment to the approved details under Section 64 of the Town and Country Planning (Scotland) Act 1997.

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

3. Notwithstanding the provisions of Article 3 and Class 43A of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992, no works shall be carried out within the development site in respect of the erection of the control kiosk until its details have been submitted to and approved in writing by the Planning Authority. Such details shall show the erection of a kiosk that shall be clad in stone and be no higher than 2.0 metres above the level of the carriageway as it adjoins the frontage of the site. The kiosk shall be erected in accordance with such details as may be approved, unless the prior written consent of the Planning Authority is obtained for variation.

Reason: In order to safeguard the visual amenity of the Rothesay Conservation Area from the unsympathetic siting and design of sewerage infrastructure normally carried out without Planning Permission under Article 3 of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992.

4. The lay-by shall be formed with visibility splays of 42 metres in both directions measured from a distance of 2.4 metres back from the edge of the carriageway at the centre point of the access. Thereafter, no obstructions to visibility above a height of 1 metre from the level of the carriageway shall be permitted within the requisite splays unless the prior written consent of the Planning Authority is obtained for variation.

Reason: In the interests of road safety.

5. Prior to the first use of the lay-by hereby approved, it shall have a 10 mm upstand at the existing channel and 100 mm kerb face at the rear of the bay.

Reason: In the interests of road safety.

(Ref: Report by Head of Planning and Regulatory Services dated 30 December 2010, submitted and Report by Head of Planning and Regulatory Services dated 18 January 2011, tabled)

9. SCOTTISH WATER: RE-PROFILING OF GROUND AND RE-ALIGNMENT OF HANDRAIL TO ACCOMMODATE BURIED PUMPING STATION CHAMBERS, FORMATION OF LAY-BY AND INSTALLATION OF ROCK ARMOURING AND RETAINING WALL: LAND OPPOSITE 8 MARINE PLACE, ARDBEG, ROTHESAY, ISLE OF BUTE (REF: 10/01977/PP)

The Head of Planning and Regulatory Services advised that this application required to be considered by the Committee on the basis that the Council were the owners of the site for which permission was being sought. As with the previous application there was a supplementary report tabled which detailed a late response by the Roads Authority who sought deferral of the application. He advised there were no objections from statutory consultees and only one letter of representation received from a neighbouring property, the terms of which were highlighted within section (f) of the submitted report. The representations received were insufficient to alter his recommendation for approval and he therefore requested the Committee to approve the application subject to the conditions contained within his supplementary report.

Decision

Agreed to grant Planning Permission subject to the following conditions and reasons:-

1. That the development to which this permission relates must be begun within three years from the date of this permission.

Reason: In accordance with Section 58 of the Town and Country Planning (Scotland) Act 1997

2. The development shall be implemented in accordance with the details specified on the approved drawings numbers: Drawing No. 400114-0000-20-DRG-9920; Drawing No. 400114-0000-20-DRG-9921; Drawing No. 400114-0000-20-DRG-9922; and Drawing No. 400114-0000-20-DRG-9923 unless the prior written approval of the planning authority is obtained for other materials/finishes/for an amendment to the approved details under Section 64 of the Town and Country Planning (Scotland) Act 1997.

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

3. Notwithstanding the provisions of Article 3 and Class 43A of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992, no works shall be carried out within the development site in respect of the erection of the control kiosk until its details have been submitted to and approved in writing by the Planning Authority. Such details shall show the erection of a kiosk that shall be clad in stone and be no higher than 2.0 metres above the level of the carriageway as it adjoins the frontage of the site. The kiosk shall be erected in accordance with such details as may be approved, unless the prior written consent of the Planning Authority is obtained for variation.

Reason: In order to safeguard the visual amenity of the Rothesay Conservation Area from the unsympathetic siting and design of sewerage infrastructure normally carried out without Planning Permission under Article

*3 of the Town and Country Planning (General Permitted Development)
(Scotland) Order 1992.*

4. Prior to the commencement of any development, details shall be submitted of the composition of rock armour including, source and size of material. Such material, as may be approved in consultation with SEPA, shall be used in the approved development.

Reason: In order to integrate the development along the shore and in the interests of health and amenity to ensure that there is no potential for flooding either within or outwith the site.

5. No lighting units shall be installed unless the prior written consent of the Planning Authority is obtained in consultation with the Public Protection Service. Any lighting units that are approved shall be operated, positioned and angled to prevent any glare or light spillage outwith the boundary of the site, having regard to the Institute of Lighting Engineers Guidance.

Reason: In order to avoid the potential of light pollution.

6. The calculated noise levels, arising from the operation of the pumping station, shall not increase pre-determined ambient background noise levels (LA90), as agreed with the Planning Authority, by more than 3dBA at the nearest noise sensitive property. All measurements shall be taken in accordance with BS 4142:1997.

Reason: In the interests of public health and amenity and in accordance with Policy LP BAD 1 of the Argyll and Local Plan 2009.

7. No part of the development shall take place until a detailed scheme of odour control measures for the works has been submitted to, and approved in writing by the Planning Authority. Details shall include the design of plant, operational procedures and maintenance arrangements with particular reference to odour control. The scheme shall include details of the best practicable means of odour suppression and procedures to be followed in the event of an emergency.

Reason: In the interests of public health and amenity and in accordance with Policy LP BAD 1 of the Argyll and Bute Local Plan 2009.

8. The pumping station and all associated plant shall be maintained in accordance with the manufacturer's recommendations and a system for keeping records of maintenance and monitoring of plant performance, including response to complaints, shall be submitted to and approved in writing by the Planning Authority prior to the commencement of the development.

Reason: In the interests of public health and amenity and in accordance with Policy LP BAD 1 of the Argyll and Bute Local Plan 2009.

9. Prior to the erection of any new handrails within the development site, details of their appearance and height shall be submitted to and approved in writing by the Planning Authority. The submitted details shall show the erection of handrails that reflect the appearance and height of the existing handrails in the vicinity of the site. The handrails shall be erected in accordance with the approved details prior to the first operation of the facility unless the prior written consent of the Planning Authority is obtained for variation.

Reason: In the interests of visual amenity having regard to the location of the site within the Rothesay Conservation Area and for the avoidance of doubt.

10. Prior to the first use of the lay-by hereby approved, it shall have a 10 mm upstand at the existing channel and 100 mm kerb face at the rear of the bay.

Reason: In the interests of road safety.

11. The lay-by shall be formed with visibility splays of 42 metres in both directions measured from a distance of 2.4 metres back from the edge of the carriageway at the centre point of the access. Thereafter, no obstructions to visibility above a height of 1 metre from the level of the carriageway shall be permitted within the requisite splays unless the prior written consent of the Planning Authority is obtained for variation.

Reason: In the interests of road safety.

(Ref: Report by Head of Planning and Regulatory Services dated 30 December 2010, submitted)

10. SCOTTISH WATER: ERECTION OF ACCESS GATES, WIDENING OF EXISTING ACCESS, FORMATION OF ACCESS TRACK AND HARDSTANDING AREA: LAND WEST OF PUBLIC CONVENIENCE, MARINE ROAD, PORT BANNATYNE, ISLE OF BUTE (REF: 10/01806/PP)

The Head of Planning and Regulatory Services advised that this application required to be considered by the Committee on the basis that the Council were the owners of the site for which permission was being sought. He referred the Committee to a supplementary report which had been tabled and which set out comments and a request from the Roads Authority to defer consideration. He advised that the proposals were consistent with the Development Plan and that there was no justification on planning grounds to refuse the application. He therefore recommended that the application be approved.

Decision

Agreed to grant Planning Permission subject to the following conditions and reasons:-

1. That the development to which this permission relates must be begun within three years from the date of this permission.

Reason: In accordance with Section 58 of the Town and Country Planning (Scotland) Act 1997.

2. The development shall be implemented in accordance with the details specified on the application form and the approved drawing reference numbers: Drawing No. 400114-0000-20-DRG-9900; Drawing No. 400114-0000-20-DRG-9901; Drawing No. 400114-0000-20-DRG-9902; Drawing No. 400114-0000-20-DRG-9903; and Drawing No. 400114-0000-20-DRG-9904 unless the prior written approval of the planning authority is obtained for other materials/finishes/for an amendment to the approved details

under Section 64 of the Town and Country Planning (Scotland) Act 1997.

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

3. The access shall be formed with visibility splays of 42 metres in both directions measured from a distance of 2.4 metres back from the edge of the carriageway at the centre point of the access. Thereafter, no obstructions to visibility above a height of 1 metre from the level of the carriageway shall be permitted within the requisite splays unless the prior written consent of the Planning Authority is obtained for variation.

Reason: In the interests of road safety.

4. Unless otherwise agreed in writing with the Planning Authority, the access shall be constructed in accordance with Figure 10.16 of Argyll and Bute Council's Design Guidelines.

Reason: In the interests of road safety.

5. Prior to the commencement of works on surfacing within the site, details of the use of 'grasscrete' or similar material shall be submitted to and approved in writing by the Planning Authority. The surfacing shall be undertaken in accordance with the approved details prior to the first operation of the facility unless otherwise agreed in writing with the Planning Authority.

Reason: In the interests of visual amenity having regard to the location of the site within an Open Space Protection Area and the provisions of Policy LP REC 2 of the Argyll and Bute Local Plan 2009.

(Ref: Report by Head of Planning and Regulatory Services dated 30 December 2010, submitted)

11. MACAULAY CAMANACHD ASSOCIATION: TEMPORARY SITING OF PORTACABIN AND STORAGE UNIT FOR 3 YEARS: MOSSFIELD PARK, GLENCRUITTEN, OBAN (REF: 10/01969/PP)

The Principal Planning Officer advised that this application required to be considered by the Committee on the basis that the Council were the owners of the site for which permission was being sought. He advised there were no objections from statutory consultees or other representations and that the proposals were consistent with the Development Plan. He recommended that the application be approved.

Decision

Agreed to grant temporary Planning Permission, for a 3 year period, subject to the following conditions and reasons:-

1. The use of land as a temporary site for a portacabin and storage unit shall cease on 31 January 2014 and the portacabin and storage unit shall be completely removed from the land on or

before that date. Thereafter, the land shall be reinstated to a grassed surface within the first seeding season following the date of the removal.

Reason: *Planning permission would not normally be granted for a development of this nature on a permanent basis, as temporary structures with limited life expectancy deteriorate over time with adverse consequences in terms of impact upon the amenity of the local area.*

2. The height of the proposed portacabin and storage unit shall not exceed 3 metres in height above existing ground level unless otherwise first agreed in writing by the Planning Authority.

Reason: *In the interests of visual amenity to ensure the proposed development integrates into its surroundings.*

3. The portacabin and storage unit shall be finished externally in colours which shall be agreed in writing by the Planning Authority in advance of installation on the site.

Reason: *In the interests of visual amenity to ensure the proposed development integrates into its surroundings.*

4. The development shall be implemented in accordance with the details specified on the application form dated 12/11/10 and the approved drawing reference numbers:

Plan 1 of 2 (Location Plan at scale of 1:2500)
Plan 2 of 2 (Site Plan at scale of 1:1500)

unless the prior written approval of the planning authority is obtained for other materials/finishes/for an amendment to the approved details under Section 64 of the Town and Country Planning (Scotland) Act 1997 (as amended).

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

(Ref: Report by Head of Planning and Regulatory Services dated 22 December 2010, submitted)

- 12. MULL AND IONA COMMUNITY TRUST: ADDITIONAL PLANT ROOM, AMENDING SITING, AMENDED FENESTRATION ON THE SOUTH EAST AND SOUTH WEST ELEVATIONS, UPGRADING OF ROOF COVERING TO NATURAL SLATE, ADDITION OF 7 SUNPIPES, DELETION OF SOLAR PANELS AND INSTALLATION OF A WASTE WATER DISCHARGE PIPE (RETROSPECTIVE) - RELATIVE TO PLANNING APPLICATION REF: 07/02265/DET - ERECTION OF COMMUNITY BUSINESS RESOURCE CENTRE: LAND NORTH WEST OF DALRIADA, CRAIGNURE, ISLE OF MULL (REF: 10/01767/PP)**

The Principal Planning Officer advised that the application had been required to

address alterations in footprint, floor level, fenestration, drainage arrangements and other minor details to the previously approved consent 07/02265/DET. There had been 14 representations received, the responses to which were located within section (f) of his report. The proposal was consistent with the Development Plan and gave rise to no adverse privacy or amenity issues that could not be controlled by conditions and therefore he recommended that the application be approved.

Decision

Agreed to continue this application to the next meeting of the Committee for further information.

(Ref: Report by Head of Planning and Regulatory Services dated 22 December 2010, submitted)

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

13. ENFORCEMENT REPORT - 09/00102/ENFLB

The Committee were invited to consider a report regarding proposed Enforcement Action in respect of case number 09/00102/ENFLB.

Decision

Agreed the course of action as outlined within the submitted report.

(Ref: Report by Head of Planning and Regulatory Services dated 20 December 2010, submitted)