

**MINUTES of MEETING of PLANNING, PROTECTIVE SERVICES AND LICENSING COMMITTEE**  
**held in the NORTH CONNELL VILLAGE HALL, NORTH CONNELL**  
**on THURSDAY, 30 JUNE 2011**

**Present:** Councillor Daniel Kelly (Chair)

Councillor Mary-Jean Devon	Councillor Neil Mackay
Councillor Bruce Marshall	Councillor Roderick McCuish
Councillor Alister MacAlister	Councillor Al Reay

**Attending:** Charles Reppke, Head of Governance and Law  
Calum McLaughlin, Applicant  
Frank Beaton and Richard Ailing, Agents for the Applicant  
Stephen Fair, Area Team Leader, Planning  
Walter Wyllie, Planning Officer  
John Heron, Planning & Development, Roads & Amenity Services  
Norman Asher, Ardchattan Community Councillor  
Allan Macaskill, Objector  
Mrs J Small, Objector  
Ms C MacLenan, Objector  
Mrs C Cotton, Objector  
Mrs S Miller, Objector  
Mr A Crabb, Objector  
Mr T Jones, Objector  
Mrs E Henderson, Objector  
Councillor D Macdonald, Objector  
Councillor E Robertson, Objector

**1. APOLOGIES FOR ABSENCE**

Apologies for absence were intimated from Councillors Gordon Chalmers, Rory Colville, Robin Currie, Vivien Dance, David Kinniburgh, Donald MacMillan, Alex McNaughton and James McQueen.

**2. DECLARATIONS OF INTEREST**

None declared.

**3. ARGYLL PROPERTIES LTD: ERECTION OF A FLATTED DEVELOPMENT (5 FLATS): LAND EAST OF HAWTHORN EDGE, NORTH CONNELL, OBAN (REF: 10/02097/PP)**

The Chair welcomed everyone to the meeting and introductions were made.

Mr Charles Reppke, Head of Governance and Law outlined the hearing procedure and invited anyone who wished to speak at the meeting to identify themselves and once that process had been completed the Chair invited the Planning Department to set out their recommendations.

## **PLANNING AUTHORITY**

Mr Stephen Fair presented the case on behalf of the Head of Planning and Regulatory Services. He advised that the planning application was for the erection of a 1¾ storey flatted development plus 2 storey wings with 5 flats in total on land situated east of Hawthorn Edge, North Connel, Oban and that the Committee had agreed to hold this hearing due to the number of representations received and confirmed that 31 letters/emails had been received from 26 individual objectors and that these included representations from the Community Council and 2 Councillors. He advised of the concerns raised by the objectors which were detailed in his report. He confirmed that the site had been viewed by Members and he highlighted various aspects of the proposed development on a number of site and location plans. In Policy terms he advised that the vast majority of the proposed development was within the settlement area of the local Development Plan and pointed out on the site plan the areas where the site encroached on the 'Countryside Around Settlement' area of the local Development Plan. He advised that the encroachment to the east included an existing access so did not consider it a loss to meaningful countryside. He advised that it was considered that the proposal could be accepted as a justified 'minor departure' to the provisions of the approved Development Plan in this regard. He stated that in his opinion there were no other material considerations, including the views expressed by third parties, which would warrant the refusal of planning permission. He referred to objectors' concerns about overdevelopment and confirmed that he had undertaken a comparative study of the proposed development against adjacent neighbouring properties. He confirmed that the development site measured approximately 2054 square metres with the actual ground floor area of the proposed flatted development measuring approximately 309 square metres which meant the proposal only occupied 15% of the application site. Referring to Appendix A: Sustainable Siting and Design Principles, Design of New Housing in Settlements, Open Space/Density which states "all development.....should only occupy a maximum of 33% of their site..." he concluded that the proposal did not constitute overdevelopment of the application site. He advised that in respect of the adjacent neighbouring properties the Hawthorn Edge site measured approximately 1225 square metres with the actual ground floor measuring 150 square metres which equated to 12% of the plot area ratio. He stated that the Tiroran site measured 1626 square metres with the actual ground floor measuring 160 square metres which was 10% of the plot area ratio and that the Taliskar site measured 1468 square metres with the actual ground floor measuring 210 square metres which was 14% of the plot area ratio. He was therefore of the opinion that it accorded with the settlement pattern. He indicated that the ridge height would be 1 metre higher than Hawthorn Edge but the proposed building was 12 metres from Hawthorn Edge so the difference would be barely perceptible. It compared well to immediately adjacent housing and the care home and flatted developments within the near vicinity. He confirmed that other than the Community Council there had been no other statutory consultee objections and therefore he recommended approval of the Planning Application as a justified 'minor departure' from Policy subject to the conditions contained in the report.

## **APPLICANT**

Mr Frank Beaton spoke on behalf of the Applicant and reinforced the point that

the vast majority of the site lay within the 'Settlement Zone'. He advised that the proposed building demonstrated scale and mass appropriate to the surrounding built environment and that the proposal was wholly consistent with Planning Policies and the Argyll and Bute Design Guide and he asked the Committee to grant the application.

## **STATUTORY CONSULTTEES**

Mr John Heron, on behalf of the Roads Authority, advised that he did not wish to speak at this time but would respond to any questions that arose later in the process.

Mr Norman Asher, on behalf Ardochattan Community Council, advised that the development was large within the plot of land and that the 3 surrounding houses were single dwellings and that this was for 5 dwellings. He felt the proposal was not suitable for this location.

## **OBJECTORS**

Mr Allan Macaskill spoke on behalf of a number of objectors and stated that the application had been recommended for approval as a minor departure from the Argyll and Bute Local Plan 2009 and therefore the proposal was not consistent with the Development Plan because part of the development extended into the 'Countryside Around Settlement' control zone. He stated that the development was out of keeping with the location and that a block of 5 flats beside 3 single dwellings houses adjacent to 'Countryside Around Settlement' did not fit any good design guide and that the side elevation of Hawthorn Edge to the flats was only 12 metres away. He referred to a letter by Dr John Raven of Historic Scotland dated 2 February 2011 to Mrs Henderson which stated "I would agree that the proposed development is significantly larger than the existing neighbouring properties". He advised that part of the site was within the 'Settlement Zone' for North Connel and that an application for a single dwelling house contained wholly within that designated area would fit better into the landscape of that location rather than a large intrusive block of 5 flats. He quoted the Argyll and Bute Local Plan Written Statement adopted in August 2009 which stated "to encourage development of a scale, form, design and location appropriate to the character of the landscape and settlements of Argyll and Bute" and that it also stated that new development must be compatible with and consolidate the existing settlement. He advised that the Planner's report referred to flats and a retirement home to the West and he stated that those buildings were over 250 metres from the site and in a completely different setting. He also referred to the number of objections received against the application including one from Ardochattan Community Council and highlighted the main issues of concern. He advised that the residents along the C25 Bonawe public road have for a long time been concerned about the amount of vehicular traffic using this road which was single track in places. He advised that the proposed development of 5 flats would significantly increase vehicular movements. He referred to the Section 75 originally requested by the Roads Authority which had subsequently been removed. He advised that the Committee could refuse this application as it was contrary to the Argyll and Bute Local Plan 2009. He stated that the development was significantly larger than the existing neighbouring properties and was therefore out of keeping with the surrounding area encompassing the 3 single dwelling houses. He stated that a

block of 5 flats and a car park for 10 vehicles constituted overdevelopment of the site which was located within the 'Settlement Zone' and urged the Committee to refuse the application.

Mrs J Small advised that she had no objection to a single house and claimed that 50% of the proposed development was in 'Countryside Around Settlement' and refuted that this was a minor departure. She stated that the overshadowing of Hawthorn Edge was appalling and not in keeping with the rural environment. She did not consider North Connel to be a village but rather a settlement of random houses. She raised concerns about existing traffic on the Bonawe Road and that this development would lead to an increase in traffic. She stated that they did not need more flats or accommodation for holiday lets which did not contribute to the community. She stated that this was simply a money making proposal for the developer and landowner and was not a minor departure but in fact a significant departure.

Ms C MacLenan stated that with schools closing and a lack of children in the area we should be providing affordable homes for families. She queried who this development was for as it certainly was not for families.

Mrs C Cotton agreed with the concerns of the other objectors and that the development would be a monstrosity to look at. She queried if this application was approved what else would happen, would it end up like Ganavan?

Mrs S Miller stated that the amount of traffic would increase and that there were no pavements until Ossians. She advised that dog walkers, children, tourists and old people all walked along this road which was unlit and advised that people using the bus were dropped off at the Connel bridge and walked along this route to the Swedish Houses. She confirmed that she had no objection to a single dwelling house and that the extra traffic was her main objection.

Mr A Crabb advised that he was also speaking on behalf of a neighbour and that the development would impact on her wellbeing and quality of life. He referred to the word 'appropriate' and stated that this proposal was not appropriate to the objectors. He referred to the words 'small scale' and stated that this development would not be small scale and that it would be the biggest single building in North Connel. He also referred to the words 'rounding off' and with the aid of a visual prop stated that the development would not be 'rounding off'. He asked who would benefit from this as it would not be the community.

Mr T Jones referred to the capacity of the sewage system and that 2 years ago Scottish Water had advised that there was no capacity to support new developments and that houses subsequently built had to install their own cesspits. He asked why the opinion of Scottish Water had changed and that this development did not require a cesspit.

Mrs E Henderson advised that she was speaking on behalf of a number of people who were unable to attend the Hearing today due to work commitments. She referred to various numbers and statistics within the Planner's report and referred to the proposed development being a 1¾ storey building. She advised that 1¾ suggests less than 2 but in fact this proposed development would be higher than her 2 storey house. She stated that her garage would fit into the footprint of this development 3 times. She referred to the development being

15% of the plot ratio and asked what had happened to the original site detailed in the 2009 Development Plan. She advised that this site was almost twice the size of the original site and that the proposed development was more than 15% of the original site. She referred to the Planner's report stating that there were already flats in North Connel and the Planner's using them as a precedent for allowing this development. She stated that most people did not consider these other flats to be appropriate and that 2 wrongs did not make a right. She stated that there was no relationship visually with the proposed flats and the existing flats. She advised that she had no objection to 1 house for 1 family. She stated that the proposed development was out of character with the surrounding area and constituted overdevelopment. She stated that this development belonged in an urban context not a rural context. She stated that this was not a minor departure from the local Development Plan but a major departure and would dominate this part of Bonawe Road.

Councillor D Macdonald raised concerns about the compatibility of the proposed development with adjacent properties. He stated that it was out of keeping and not in scale of original development and that the footprint was more than 3 times that of Hawthorn Edge.

Councillor E Robertson referred to her letter of objection in which she stated that this was overdevelopment of a small site, would have an adverse impact and was out of character. She also had concerns about the car park, noise and light pollution and overshadowing and queried the size of the gap between the proposed development and Hawthorn Edge. She advised that she would have had no objection if the development had been in keeping with the size of the original plan.

## **QUESTIONS**

Councillor McCuish asked Mr Heron to advise on why he had dropped the request that the application be subject to a Section 75 Agreement.

Mr Heron advised that when viewing sites he does not have access to surveying equipment and if he has any doubts asks for a Section 75 Agreement. He advised that following his request for a Section 75 Agreement the applicant was able to provide evidence that 42 metre visibility splays were achievable following an extensive survey which they had arranged to be carried out and that he was happy with what was proposed and that was why he no longer required the application to be the subject of a Section 75 agreement.

Councillor Mackay referred to the number of representations received regarding traffic and asked Mr Heron for clarification on why he thought the visibility sightlines were adequate in relation to speed limits.

Mr Heron advised that sightlines were set at 90 metres for a 30 mph zone by National Government in the 1950s and given that there have been improvements to stopping distances for newer vehicles a decision was taken to reduce these sightlines to 42 metres for a 30 mph zone. He advised that he investigated the possibility of introducing a 20 mph zone but that this was not possible as there was no street lighting and he did not think that the local community would be happy if street lighting was introduced along this road. He also explained why traffic calming measures would not be appropriate either in view of the lorries

that had to use the road to and from Bonawe Quarry.

Councillor Mackay asked Mr Fair to clarify what constituted a minor departure and why this proposed development was not a major departure from the local Development Plan.

Mr Fair explained that to be a major departure the proposal would need to have been completely at odds with the Local Plan. He stated that the majority of the proposal was within the 'Settlement Zone' within the local Development Plan. He advised that North Connel was classed as a small town/village in the Local Plan and that a medium scale development would be between 6 and 30 units and a small scale development was up to 5 residences and therefore this proposal was classed as a small scale development. He referred to the encroachment of the site into 'Countryside Around Settlement' and highlighted this on the location plan. He suggested that the site on the original plan had been drawn based on a fence line which was no longer there rather than the natural site boundary in line with neighbouring sites and that this may have been a mapping error. He advised that as the encroachment only involved one car parking space and small corner of the building then this was a minor departure.

Councillor Mackay then asked Mr Fair to explain the difference between a rural and urban setting.

Mr Fair advised that the definition of rural and urban was open to debate but for the purposes of the Local Plan North Connel was classed as urban in a surrounding rural area. He referred to the footprints of the development compared to adjacent properties and advised that the proposed development was only marginally bigger. He stated that the proposed development was 1 metre higher than Hawthorn Edge and that properties to the west were higher. He also advised that the distance between the proposed development and Hawthorn Edge was 12 metres.

Councillor Marshall asked the Applicant if he anticipated the flats being used as 2<sup>nd</sup> or holiday homes.

Mr Beaton, on behalf of the Applicant, advised that he hoped they would be sold locally but could not determine who would buy them.

Councillor Reay asked Mr Fair about the site extending to the 'Countryside Around Settlement'.

Mr Fair explained that the original site went up to a fence line rather than continuing to the fence line of other properties.

Councillor Reay asked objectors to clarify if they would object to affordable housing and they responded by saying that families wanted affordable family homes with gardens not affordable flats.

Councillor Reay asked Mr Macaskill to clarify whether or not he would object to street lighting to enhance safety and Mr Macaskill advised that he would have no objection.

Councillor Devon asked Mr Fair to clarify whether or not the site could have

accommodated 4 houses rather than the flats.

Mr Fair advised that the nature of the site was for a single building.

Councillor Devon asked if objectors would have been happy with 4 large properties.

The objectors said they did not think the site could accommodate that.

Councillor Devon asked Mr Heron if he classed the Bonawe Road as a busy road.

Mr Heron advised that he did not consider the road to be busy even although there was the quarry at one end of this road.

Councillor McCuish asked if objectors would have been happy with one big house.

Mr Macaskill confirmed that he would have been happy with a single dwelling house but would object to a single dwelling the same size as the flats.

Councillor McCuish asked Mr Fair if he thought the proposal was in keeping with the surrounding area.

Mr Fair advised that based on a range of factors he had taken account of what could go there. He referred to the objectors raising issues about more traffic and more noise however, it would still be a residential development and the number of units would contribute to the local market. The flats were not classed as affordable but they would be 2 bedroomed flats which would appeal to couples and families.

Councillor Mackay asked if the proposed development had altered in anyway from the pre application stage.

Mr Fair advised that there was one small change involving the windows on the west elevation of the property and that they were now going to be fitted with obscured glazing to protect the privacy of the neighbour.

Councillor Mackay referred to Policy LP ENV 19 which dealt with overdevelopment and overshadowing and asked why the proposal did not breach this Policy.

Mr Fair advised that this proposed development was not classed as overdevelopment for 2 reasons, firstly the area plot ratio was 15% which was less than the maximum recommended of 33% and that the site contained sufficient private open space which was in excess of 500 square metres and that a minimum requirement was 100 square metres. In respect of overshadowing he referred to the guidelines and methods for assessing natural light and that when measuring a line at an angle of 45 degrees from the ground level of the nearside wall of Hawthorn Edge, no part of the proposed development encroached on the line which proved that the proposed development would not cause an unacceptable overshadowing impact on Hawthorn Edge.

Councillor Mackay also referred to Scottish Water's statement that in some circumstances it may be necessary for the developer to fund works on existing infrastructure to enable their development to connect. He asked what would happen if the developer was required to fund works in respect of water pressure and he had already sold the properties.

Mr Fair advised that the application would require Scottish Water consent to connect to the sewage system and if Scottish Water required money to fund works to the infrastructure they would require this money up front from the developer.

Councillor Reay asked Mr Fair if any history of problems with water pressure had been taken into account.

Mr Fair advised that he was not aware of any problems and that Scottish Water had not objected to the proposal. He thought that the objectors were more concerned about connecting to the sewage works and that he could not answer for Scottish Water.

Councillor Reay asked Mr Fair if he thought a project of this size would have an impact on water and Mr Fair replied no.

## **SUMMING UP**

### **Planning Authority**

Mr Fair advised that the majority of the proposed development was within the 'Settlement Zone' of the local Development Plan and for the reasons given in the report he recommended approval of the planning application as a minor departure subject to conditions and reasons detailed in the report.

### **Applicant**

Mr Beaton advised that they had met with Planning before lodging the application and that they had not varied their application from then and felt that the proposal was appropriate, was not overdevelopment and was generally within the 'Settlement Zone'.

### **Statutory Consultees**

Mr Heron advised that he had nothing further to add.

Mr Asher stated that he was confused about the size of the ground and the fact that a Section 75 Agreement was no longer required.

### **Objectors**

Mr Macaskill referred to the streetscene map and concluded that you could not fit 4 separate dwellings on to this site. He referred to part of the development being outwith the 'Settlement Zone' and whether it was a mistake or not the Local Plan did not extend to the whole of the site so therefore the proposed development was not consistent with the Local Plan and it did not matter whether it was a minor or major departure. He advised that it states within the Planner's report



that there was no statutory pre application consultation. He advised that previously a resident had contacted the Planning Department about submitting a planning application for a site which would have also encroached on the 'Countryside Around Settlement' zone and they had been told that because of this it would certainly be refused. This was also surrounded by a natural woodland boundary and hoped that consistency would be applied. He stated that the development was significantly larger than the existing neighbouring properties and was therefore out of keeping with the surrounding area encompassing the 3 single dwelling houses. He stated that a block of 5 flats and a car park for 10 vehicles constituted overdevelopment of the site which was located within the 'Settlement Zone' and urged the Committee to refuse the application.

Mrs Small referred to Mr Heron's comment about the road not being busy. She stated that lorry drivers were better drivers than the car drivers and that cars speed and that the road was very busy at different times of the day. She said she was surprised that North Connel was classed as a small town/village and referred to a plot of land next to Tiroran that had never been built on. She stated that a single dwelling house would not need parking for 10 cars and asked would a single dwelling have been allowed to encroach on the 'Countryside Around Settlement'. She thought not. She advised that there were 7 windows on the east side of Hawthorn Edge and that they would be in shade for much of the day. She advised that the proposal was ill considered and overdevelopment of a beautiful part of Argyll.

Ms MacLenan referred to there being no pavements on a dangerous and busy road.

Mrs Cotton asked had no one heard of bungalows.

Mrs Miller advised that she had nothing further to add.

Mr Crabb stated that the proposal was not small scale and was not rounding off.

Mr Jones reemphasised the need for a pavement once the new old folks home was reopened as there was no suitable track for wheelchairs.

Mrs Henderson also referred to overdevelopment and rounding off and referred to overshadowing at different times of the year. She demonstrated this with pictures of her garden in the summer and the winter and stated that in Scotland in the winter the sun was low in the sky causing greater overshadowing. She also advised that the side of her house which would be affected by the overshadowing was the side of the house where her family spent the majority of their time. A property of less height and length would have much less of an impact.

Councillor Macdonald referred to the built environment.

Councillor Robertson referred to the privacy of the owner of Hawthorn Edge, overshadowing and light.

The Chair asked all parties whether they had received a fair hearing and this was confirmed.

## **DEBATE**

Councillor Devon appreciated comments from the objectors and the justifications made by the Planning Department. She advised that she agreed with the recommendation of the Planners and that there was no overdevelopment and that the proposed development was in keeping with the environment.

Councillor McCuish sympathised with the objectors and stated that the basic question was whether the proposal would unacceptably affect the amenity and existing use of land and buildings which ought to be protected in the public interest, not whether owners or occupiers of neighbouring or other existing properties would experience financial or other loss from a particular development. Some 20 Policies had been applied and this gave him comfort to agree with the recommendation.

Councillor Reay sympathised with the objectors. He recognised that the development encroached on the 'Countryside Around Settlement' zone but believed this was an anomaly. He said there were no objections to building on the site it was just the size. He was happy that the Roads Authority had made the correct decision to match to 30 mph and it was subject to opinion if a minor infringement to the Local Plan. He had sympathy for other properties and couldn't see any reason other than personal. He wished that the development could have included affordable housing but agreed with the recommendation made by the Planners.

Councillor MacAlister agreed with the Planner's recommendation to approve as a minor departure and that the proposal ticked all the right boxes.

Councillor Marshall took the view that a lot was made of the minor departure and the anomaly. He considered the development to be inappropriate in size and type for the area and did not support the recommendation to grant the application.

Councillor Mackay stated that the development has brought to light a major problem in the North Connel area as to whether or not the Bonawe Road was busy. He considered that improvements to pedestrian access along the road needed to be made. He understood the minor departure and that there was an anomaly and was concerned that it was there. If this was a reason to refuse he was not sure how much weight could be placed on the very minor departure. He advised he was concerned about the size of the development but if refused it would be appealed and he did not think he could move an amendment so would support the application.

Councillor Marshall advised that he would have been supportive of a house on the site but not flats.

Councillor Kelly advised that in his opinion the discussion had looked at the relevant considerations and moved to approve the planning application subject to conditions and reasons as recommended by the Planning Department.

## **Decision**

It was unanimously agreed that planning permission be granted as a justified 'minor departure' as set out in the report 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 dated 13<sup>th</sup> December 2010 and the approved drawing reference numbers:

- Plan 1 of 3 (1068 L (--)) 01 Rev B) (Location Plan at a scale of 1:1250, Site Plan at a scale of 1:500 and Proposed Streetscape at a scale of 1:100)
- Plan 2 of 3 (1068 L (--)) 03) (Location Plan at a scale of 1:500 demonstrating the proposed foul drainage and water supply arrangements and Site Plan at a scale of 1:500 demonstrating the development control boundaries within the Argyll and Bute Development Plan 2009)
- Plan 3 of 3 (1068 L (--)) 03 Rev B) (Proposed Elevations, Ground and First Floor Plans and Roof Plan at a scale of 1:100)

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

3. No development shall commence or is hereby authorised until the private vehicular access has been completed in strict accordance with the Area Roads Authority Drawing No. (SD 08/006a) including clear visibility splays measuring 42 metres in each direction formed from a point 2.4 metres back from the edge of the metalled portion of the C25 Bonawe public road. These visibility splays thereafter shall be maintained clear of all obstructions measuring over 1.05 metres in height. No walls, fences, hedges or other obstructions will be placed within 2m of the channel line of the C25 Bonawe public road.

*Reason: In the interests of road safety and to ensure the proposed development is served by a safe means of vehicular access and to accord with Policy 'LP TRAN 4' of the Argyll and Bute Local Plan 2009.*

4. No development shall take place within the site until the developer has secured the implementation of a programme of archaeological works in accordance with a written scheme of investigation which has been submitted by the applicant, agreed in writing by the West of Scotland Archaeology Service and approved in writing by the Planning Authority. Thereafter, the developer shall ensure that the programme of archaeological works is fully implemented and that all recording and recovery of archaeological resources within the site is undertaken to the

satisfaction of the Planning Authority in agreement with the West of Scotland Archaeology Service.

*Reason: To enable the opportunity to identify and examine any items of archaeological interest which may be found on this site and to allow any action required for the protection, preservation or recording of such remains to occur.*

5. No development shall take place within the site until full details of the proposed means of surface water drainage have been submitted to and have been approved in writing by the Planning Authority. Such details shall include a drainage layout plan which shall include any mitigation measures required to address surface water run-off from the development site. The development thereafter shall be completed in strict accordance with this plan prior to the initial occupation of any of the flats hereby approved.

*Reason: To ensure that surface water arising from the development is adequately managed.*

6. No development shall take place within the site until details in relation to the mechanism for maintaining or improving public access along the existing track situated to the east of the application site which links to an existing woodland path have been submitted to and agreed in writing by the Council's Outdoor Access Team and approved in writing by the Planning Authority. Such mechanisms as are agreed shall be fully implemented both during construction and during the subsequent occupation of the development.

*Reason: In the interest of public access and to accord with Policy 'STRAT SI 1' of the Argyll and Bute Structure Plan 2002 and Policies 'LP ENV 1' and 'LP TRAN 1' of the Argyll and Bute Local Plan 2009.*

7. No development shall take place within the site until the finishing colour for the timber doors and windows has been submitted to and approved in writing by the Planning Authority. The development shall be completed and maintained in strict accordance with such details as are approved.

*Reason: In the interest of visual amenity and to accord with Policies 'LP ENV 1' and 'LP ENV 19' of the Argyll and Bute Local Plan 2009.*

8. No development shall take place within the site until full details of the proposed means of ongoing maintenance of all communal land within the site has been submitted to and approved in writing by the Planning Authority. The development shall thereafter be maintained in strict accordance with such details as are approved.

*Reason: To ensure that communal grounds surrounding the flats are regularly and adequately cared for in the interests of maintaining the high quality visual amenity of the surrounding area.*

9. The opaque glazed windows which feature on the ground and first floors upon the western elevation of the flatted development to which this

permission relates, shall remain in perpetuity.

*Reason: To ensure that no overlooking or privacy issues are caused with the existing dwellinghouse at Hawthorn Edge.*

(Reference: Report by Head of Planning and Regulatory Services dated 31 May 2011, submitted)