

**MINUTES of MEETING of PLANNING, PROTECTIVE SERVICES AND LICENSING COMMITTEE
held in the COUNCIL CHAMBER, KILMORY, LOCHGILPHEAD
on WEDNESDAY, 15 AUGUST 2012**

Present: Councillor Sandy Taylor (Chair)

Councillor Gordon Blair	Councillor Robert G MacIntyre
Councillor Rory Colville	Councillor Donald MacMillan
Councillor Robin Currie	Councillor Alex McNaughton
Councillor George Freeman	Councillor James McQueen
Councillor David Kinniburgh	Councillor Richard Trail
Councillor Alistair MacDougall	

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

1. APOLOGIES FOR ABSENCE

Apologies for absence were intimated from Councillors Mary-Jean Devon and Fred Hall.

2. DECLARATIONS OF INTEREST

Councillor James McQueen declared a non financial interest in planning application ref: 12/01248/PP which is dealt with at item 14 of this Minute as he is the applicant. He left the room and took no part in the discussion of this item.

Councillor Kinniburgh advised members that he had previously declared an interest in an application which had a limited connection with item 6 of this Minute and exercised his belief that he had no interest nor had he made any comment on that application to be considered today.

3. MINUTES

- (a) The Minutes of the Planning, Protective Services and Licensing Committee of 18 June 2012 were approved as a correct record.
- (b) The Minutes of the Planning, Protective Services and Licensing Committee at 27 June 2012 (9.30 am) were approved as a correct record.
- (c) The Minutes of the Planning, Protective Services and Licensing Committee of 27 June 2012 (10.00 am) were approved as a correct record.

4. CIVIC GOVERNMENT (SCOTLAND) ACT 1982: LATE HOURS CATERING LICENCES

Members were advised on 15 December 2010 that the Criminal Justice and Licensing (Scotland) Act 2010 amended the provisions of the Civic Government

(Scotland) Act 1982 in relation to late hours catering licences. A report updating Members of the position in relation to the changes to Late Hours Catering licensing which will come into force on 1 October 2012 was considered.

Decision

Noted the contents of the report.

(Reference: Report by Head of Governance and Law, submitted)

5. GALLANACH GREEN GENERATION LTD: CONSTRUCTION OF 1 X 750KW WIND TURBINE (77M TO BLADE TIP), CRANE HARDSTANDING, CONTROL BUILDING, TEMPORARY CONSTRUCTION COMPOUND AND FORMATION OF VEHICULAR ACCESS: GALLANACH, ISLE OF COLL (REF: 11/01915/PP)

The Principal Planning Officer spoke to the terms of the report advising that this proposal was for the erection of 1 x 77m (to tip) wind turbine with an output generating capacity of 750kw located on land at Gallanach Farm, Isle of Coll. It is recommended that due to the significant number of representations received and complex issues raised in relation to this application a discretionary hearing be held in advance of determining the application.

Decision

Agreed to hold a discretionary planning hearing on the Island of Coll.

(Reference: Report by Head of Planning and Regulatory Services dated 1 August 2012, submitted)

6. OSBORNE INTERIORS: REFURBISHMENT OF EXISTING BANDSTAND: KIDSTON PARK, RHU ROAD LOWER, HELENSBURGH (REF: 12/00094/PP)

At the PPSL Committee meeting on 27 June 2012 Members agreed to continue consideration of this application in order to obtain clarity on maintenance of the bandstand and to receive further advice on the sustainability of the building materials and sustainability of the site. The Principal Planning Officer spoke to the terms of the report and to Supplementary Planning Report number 1 which provided information on the long term maintenance arrangements for the bandstand and the materials that will be used to erect the bandstand. It is recommended that the application be approved subject to conditions 1 to 3 detailed in the original report and subject to the conclusion of a Section 75 legal agreement to provide that the Applicants are responsible for the maintenance of the bandstand for an initial period of ten years and the Council would be responsible for the on-going maintenance of the bandstand beyond year ten. In the event that this application is granted the strategic management and resource allocation (post year ten) shall need to be considered by the Area Committee and Council before Council commitment is given to the project as a landowner.

Decision

Agreed to grant planning permission subject to the conclusion of a Section 75 legal agreement to provide that the applicants are responsible for the maintenance of the bandstand for an initial period of ten years and subject to the

Agreement of the Council as landowner to accept this obligation that the Council would be responsible for the on-going maintenance of the bandstand beyond year ten and subject to the following conditions and reasons:-

1. The development shall be implemented in accordance with the details specified on the application form dated 10/01/12 and the approved drawing reference 2139..104, 2139..101, 2139..102 and 2139..103 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.

2. Details of the type and colour of the proposed materials to be used on the development hereby granted consent shall be submitted to and approved in writing by the Planning Authority prior to any work starting on site.

Reason: In the interests of visual amenity and in order to integrate the proposal with its surroundings.

3. Notwithstanding the details on the docquetted plans and Condition 2 above, the cupola of the refurbished bandstand hereby approved will be finished in zinc.

Reason: In the interests of visual amenity and in order to integrate the proposal with its surroundings.

(Reference: Report by Head of Planning and Regulatory Services dated 12 June 2012, submitted and Supplementary Planning Report No 1 dated 7 August 2012, submitted)

7. RSM TENON: DISCHARGE OF A SECTION 50 AGREEMENT RELATIVE TO PLANNING APPLICATION REFERENCE 91/00418/DET: GLENORCHY LODGE, DALMALLY (REF: 12/00201/PP)

The Principal Planning Officer spoke to the terms of the report advising that this application seeks planning permission to discharge an existing Section 50 Legal Agreement relative to planning permission 91/00418/DET001 which prevents the separate sale of the existing dwellinghouse from Glenorchy Lodge, requiring that they are retained in the same ownership in all time coming. The applicant wishes to remove the restriction because the occupancy restriction is no longer required. Given that current policy allocates the site as suitable for general market housing, and because the house is not physically dependant on the Lodge or inter-connected with it to such a degree as to be indivisible from it, the proposal for an unrestricted house is acceptable.

Decision

Agreed that planning permission be granted and the Section 50 Agreement (now termed a Section 75 Agreement) be discharged.

(Reference: Report by Head of Planning and Regulatory Services dated 7

August 2012, submitted)

8. MR AND MRS JOHNSTON: FORMATION OF TIMBER HAULAGE CONTRACTOR'S YARD TO INCLUDE ERECTION OF MAINTENANCE BAY/OFFICE BUILDING, WASH BAY, INSTALLATION OF SEPTIC TANK AND 42000 LITRE BUNDED OIL TANK: SITE 1 (COILLE HAULAGE), LAND AT TOMDOW HALF A KM EAST OF BALLIEBEG, CASTLETON (REF: 12/00319/PP)

The Head of Planning and Regulatory Services spoke to the terms of the report advising, firstly, of 2 errors within the report. He confirmed that the spelling of the site name should be "Coille Haulage" and not "Collie Haulage" and that the dimensions of the proposed building are 22 x 19 metres and not 57 x 50 metres as detailed in the report. This proposal seeks consent to erect a building within the site at an intended 446 sq. metres contained within a 'Rural Opportunity Area' where policy STRAT DC 4 applies along with policy LP BUS 2 in respect of commercial buildings which normally restrict development proposals to 'small scale' which is specified within the Local Plan as a building up to 200 sq. metres. However, both policies allow for larger buildings where the applicant can demonstrate a clear locational need for the specific location and that the development proposed can integrate sympathetically with the landscape following an ACE (Landscape Capacity Evaluation) having been carried out; economic justification also being a potential criteria. Prior to assessing this application Members were asked to consider the separate ACE evaluation for Tomdow, near Balliebeg/Castleton. Having due regard to the siting, size, form and design of the building and the other operational features of this development, linked to the locational justification for it and an assessment of the carrying capacity of the landscape through an ACE evaluation, the proposal is recommended for approval subject to conditions 1, 2, 4, 5 and 6 detailed in the report and an amendment to condition 3.

Decision

Agreed that the Area Capacity Evaluation (ACE) appended to the report be adopted as a material consideration in the determination of this application and any future application within the defined area of common landscape character and to grant planning permission subject to the following conditions and reasons:-

1. The proposed development shall be carried out in accordance with the details specified in the application form dated 18.02.2012 and the approved drawings numbered 1 to 9 to 9 of 9 inclusive 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: In order to ensure that the proposed development is carried out in accordance with the details submitted and the approved drawings.

2. Development shall not be commenced until the junction with the A83 (T) has been improved to the satisfaction of the Trunk Roads Authority in accordance with the requirements of conditions 2 and 3 of planning permission 11/00991/PP (refer to the advice note below) and the two lorry

lay-by passing places on the access road have been completed in accordance with the requirements of condition 4 of that consent.

Reason: In the interest of highway safety.

3. Within 3 months of this consent full details of the proposed boundary fence / gates shall be submitted for the prior written approval of the Planning Authority. Upon approval of the boundary fence / gate details the approved scheme shall be implemented to the satisfaction of the Planning Authority prior to the building hereby approved becoming operational.

Reason: In the interests of the amenity of the area.

4. Within the first planting season following the commencement of the development, the landscaping proposals specified in respect of the south-western corner of the site as shown on the approved plans shall be implemented to the satisfaction of the Planning Authority.

Any trees or plants which within a period of ten years from the completion of the development die, for whatever reason or are removed or damaged shall be replaced in the next planting season with others of the same size and species, unless otherwise agreed in writing with the Planning Authority.

Reason: To ensure the implementation of a satisfactory scheme of landscaping and treatment to help assimilate the building into its landscape setting.

5. The building shall be completed in accordance with the materials specified in the application details, unless any variation thereof is agreed in writing in advance with the planning Authority. .

Reason: In the interest of the amenity of the area.

6. Notwithstanding the provisions of Classes 5 and 6 of the Town and Country Planning (Use Classes) (Scotland) Order 1997 (or any equivalent provisions following the revocation and re-enactment thereof, with or without modifications) the building shall be occupied solely as a civil engineering / haulage contractor's workshop, provided that the primary business of the occupier is associated with forestry operations and/or timber haulage.

Reason: To safeguard the site for its intended purpose as accepted in connection with the granting of planning permissions 10/00915/PP and 11/00991/PP and in recognition of the locational need underpinning this consent.

(Reference: Report by Head of Planning and Regulatory Services dated 20 July 2012, submitted)

9. TOBERMORY ENDEAVOUR: USE OF LAND AS COMMUNITY ALLOTMENTS INCLUDING FORMATION OF ACCESS, CAR PARK, PROVISION OF PASSING PLACES, ON SITE ACCESS, ERECTION OF STORAGE BUILDING, POLYTUNNELS AND ANCILLARY STRUCTURES: LAND NORTH EAST OF CASTLE CROFT, TOBERMORY, ISLE OF MULL (REF: 12/00599/PP)

The Head of Planning and Regulatory Services spoke to the terms of the report advising that this proposal was for the use of land as community allotments including the formation of access, car park provision of passing places on site access, erection of a communal shed, poly tunnels and potting sheds and glasshouses at land north east of Castle Croft, Tobermory, Isle of Mull. He also referred to supplementary planning report number 1 advising that following further consideration as to the merits of this application, the matter of on-going management and maintenance of the site, and restoration in the event that the venture proves not to be successful and the use becomes abandoned, have been raised with the Applicants. It is recommended therefore that the application be continued to the September meeting of the Committee to provide sufficient opportunity for management, maintenance and reinstatement considerations to be addressed by the Applicant.

Decision

Agreed to continue consideration of this application to the September PPSL Committee meeting.

(Reference: Report by Head of Planning and Regulatory Services dated 26 July 2012 and Supplementary Planning Report No 1 dated 13 August 2012, submitted)

10. DUNBRITTON HOUSING ASSOCIATION: ERECTION OF RESIDENTIAL DEVELOPMENT COMPRISING OF 49 UNITS FOR AFFORDABLE HOUSING (2 THREE STOREY FLATS - BLOCKS INCORPORATING 36 UNITS AND 12 TWO STOREY SEMI-DETACHED HOUSES AND ONE BUNGALOW): FORMER HERMITAGE ACADEMY, CAMPBELL DRIVE, HELENSBURGH (REF: 12/00833/PP)

The Principal Planning Officer spoke to the terms of the report advising that this application is for the erection of a residential development comprising 36 flatted units within 2 no. 3 storey blocks and 13 no houses located in the south east part of the former Hermitage Academy site. The application site forms part of a Housing Allocation (H-AL 3/1) identified within the adopted Local Plan for 160 units, including a minimum of 25% affordability. The site also forms part of an area covered by an approved Masterplan covering the whole of the former Hermitage site. Given the substantial number of objections received in connection with this application it is recommended that a discretionary hearing be conducted prior to the determination of the planning application.

Decision

Agreed to hold a discretionary hearing in Helensburgh at the earliest opportunity.

(Reference: Report by Head of Planning and Regulatory Services dated 20 July 2012, submitted)

11. MISS KYLE MORRIS: CHANGE OF USE AND ALTERATIONS FROM PUBLIC CONVENIENCE TO CLASS 1 SHOP: PUBLIC TOILETS, MAIN STREET, TOBERMORY, ISLE OF MULL (REF: 12/01112/PP)

The Head of Planning and Regulatory Services spoke to the terms of the report advising that this application was before the Committee as the Council were owners of the building. This proposal is for a change of use and alterations from public convenience to Class 1 shop at the former public toilet building, Main Street, Tobermory, Isle of Mull. The building lies within the main settlement of Tobermory and within a designated Conservation Area. The proposed development is considered acceptable at this location without causing any unacceptable impact on the wider area and there are no infrastructural constraints which would preclude the proposed development at the site. The proposal accords within Policy STRAT DC 1 of the adopted Argyll and Bute Structure Plan 2002, Policies LP ENV 1, ENV 14, ENV 19, TRAN 4, TRAN 6, RET 1 and Appendix 1 of the adopted Argyll and Bute Local Plan 2009. There are no other material considerations, including issues raised by third parties, which are considered to have decisive weight that would warrant anything other than the application being determined positively in accordance with the provisions of the development plan.

Decision

Agreed to grant planning permission subject to the following condition and reason:-

The development shall be implemented in accordance with the details specified on the application form dated 20th of April 2012 and the approved drawing reference numbers:

- Plan 1 of 10 (Cover Sheet)
- Plan 2 of 10 (Site Proposed)
- Plan 3 of 10 (Existing)
- Plan 4 of 10 (Elevations as proposed)
- Plan 5 of 10 (Elevations as proposed)
- Plan 6 of 10 (Floor plan as proposed)
- Plan 7 of 10 (Cross sections as proposed)
- Plan 8 of 10 (Long sections as proposed)
- Plan 9 of 10 (Signage details as proposed)
- Plan 10 of 10 (3D images as proposed)

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.

(Reference: Report by Head of Planning and Regulatory Services dated 25 July 2012, submitted)

12. ARGYLL AND BUTE COUNCIL: CHANGE OF USE AND ALTERATIONS FROM RESTAURANT/BAR TO MULTI-FUNCTION AREA INCLUDING USE FOR LICENSED FUNCTIONS, FITNESS SUITE, OFFICES AND MEETING ROOM (RETROSPECTIVE): THE VIEW, QUEEN'S HALL, ARGYLL STREET, DUNOON (REF: 12/01113/PP)

The Principal Planning Officer spoke to the terms of the report advising that this planning application by Argyll and Bute Council is for the conversion of a restaurant/bar to a multi function area as part of the Queen's Hall complex located in the main town settlement of Dunoon within the Main Town Centre. The restaurant/bar was previously separated from the Queen's Hall around 1991 but has been vacant recently and now to be used for a number of functions within Queen's Hall. The proposal involves only minor internal alterations in respect of creating a locked door link from the first floor of the main building. The bar and backroom area will remain as existing. The proposal is now retrospective as part of the former restaurant area is now being used for leisure purposes and the new door has been formed. The proposal to reunite this part of the building with the main Queen's Hall building is considered acceptable and consistent with policies LP ENV 19, LP REC 1 and LP TRAN 6 of the Argyll and Bute Local Plan and is recommended for approval subject to conditions and reasons.

Decision

Agreed to grant planning permission subject to the following condition and reason:-

The development shall be implemented in accordance with the details specified on the application form dated 16 May 2012 and the approved drawing reference numbers: Location Plan and Site Plan AL (00)001 and AL (00)001 Proposed Plan Accompanying Licence Application, unless the prior written approval of the planning authority is obtained for an amendment to the approved details under Section 64 of the Town and Country Planning (Scotland) Act 1997.

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

(Reference: Report by Head of Planning and Regulatory Services dated 9 July 2012, submitted)

13. MR PETER HARDY: RENEWAL OF PLANNING PERMISSION 06/01710/DET - ERECTION OF 8 FLATS AND 2 DETACHED DWELLINGS; FORMATION OF VEHICULAR ACCESS AND PARKING; INSTALLATION OF PRIVATE FOUL DRAINAGE SYSTEM: LAND SOUTH OF SOUTHPARK, ASCOG, ISLE OF BUTE (REF: 12/01189/PP)

The Principal Planning Officer spoke to the terms of the report advising that this was an application for the renewal of planning permission ref 06/1710/DET granted on 26 June 2007. Since the previous permission was granted the Argyll and Bute Local Plan 2009 has been adopted. Whilst this has not significantly changed the policy context for this site, Policy LP HOU 2 was introduced by the plan and which provides for a 25% affordability obligation upon developments of 8 units or more. Reference was also made to other factors that should be taken

into account in this case. The proposal accords with policy STRAT DC 1 and STRAT DC 9 of the Argyll and Bute Structure Plan 2002, and policies LP ENV 10, LP ENV 14, LP ENV 19, LP HOU 1 and LP TRAN 4 of the Argyll and Bute Local Plan 2009. It can be justified as a 'minor departure' from the affordability obligations stemming from LP HOU 2 of the adopted local plan given the over provision of low cost accommodation on the Isle of Bute and the consequent lack of demand for additional affordable accommodation within the market area associated with the site. Notwithstanding the views expressed by third parties, the proposal raises no other new material considerations beyond those considered at the time of the previous granting of planning permission and there is no justifiable reason for withholding a renewal of that consent. Although a significant number of persons have made representations, this application is for renewal of a previous consent granted by Members of Bute and Cowal Area Committee following a PAN 41 hearing. Reference was made to representations tabled at the meeting from Councillor Robert E Macintyre and Councillor Isobel Strong and also to late representations received from the owners of Southpark and Hawkstone Lodge, neighbouring properties to the proposed development. As the vast majority of the same issues apply now and in the absence of any significant change in circumstances since the granting of the original permission, there would be no added value in convening a further hearing in this case.

Decision

Agreed to grant planning permission as a 'minor departure' to the provisions of the Development Plan, subject to the following conditions and reasons:-

1. The development shall be implemented in accordance with the approved drawings: Drawing Number 0553/P1; Drawing Number 0553/P2A; Drawing Number 0553/P3A; Drawing Number 0553/P4; and Drawing Number 10976/SK2 unless the prior written approval of the Planning Authority is obtained for an amendment to the approved details under Section 64 of the Town and Country Planning (Scotland) Act 1997.

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

2. The development hereby permitted shall not commence until final details of foul and surface water drainage systems, including the position of the final outfall, and a scheme for the maintenance in perpetuity of the approved systems have been completed and approved in writing by the Planning Authority.

Reason: To ensure that adequate and timeous drainage arrangements are made and to ensure the on-going maintenance of the method of sewage treatment in the interests of the residential amenity and public health of existing and future occupiers in the area.

3. None of the dwellings hereby approved shall be occupied until the sewage disposal/drainage works have been completed in accordance with the approved plans.

Reason: In the interests of public health and in order to ensure that adequate and timeous drainage arrangements are made.

4. The proposed access shall be formed in accordance with fig 10.16 of the Council's Development Guidelines and shall have visibility splays of 215.0m x 2.5m 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.

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, and shall be constructed in consultation with the Council's Roads and Amenity Services Department, including provision of a 2m service strip and a street name plate.

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. Prior to work starting on site full details of the proposed external render shall be submitted to and approved in writing by the Planning Authority. The development shall be implemented in accordance with the duly approved details

Reason: In order to protect the character and appearance of the locality.

7. Development shall not begin until details of a scheme of hard and soft landscaping works has been submitted to and approved in writing by the Planning Authority. Details of the scheme shall include:

- i) existing and finished ground levels in relation to an identified fixed datum
- ii) existing landscaping features and vegetation to be retained
- iii) location and design, including materials, of walls, fences and gates
- iv) soft and hard landscaping works, including the location, type and size of each individual tree and/or shrub
- v) programme for completion and subsequent on-going maintenance.

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

Any trees or plants which within a period of ten years from the completion of the development die, for whatever reason are removed or damaged shall be replaced in the next planting season with others of the same size and species, unless otherwise agreed in writing with the Planning Authority.

Reason: To ensure the implementation of a satisfactory scheme of landscaping.

8. Notwithstanding the provisions of the Town and Country Planning (General

Permitted Development) (Scotland) Order 1992 (as amended), (or any Order revoking and re-enacting that Order(s) with or without modifications), nothing in Article 2(4) of or the Schedule to that Order, shall operate so as to permit the erection of any buildings, walls, fences or other structures within the land to the west of the land shaded blue on approved drawing number 0553/P2A, without the prior consent of the Planning Authority.

Reason: In order to confine any ancillary structures associated with the development hereby permitted to the confines of the 'settlement' boundary delineated by the 'Argyll & Bute Local Plan' 2012.

(Reference: Report by Head of Planning and Regulatory Services dated 18 July 2012, submitted)

14. MR JAMES CHISHOLM: DISCHARGE OF PLANNING OBLIGATION IN RELATION TO PLANNING PERMISSION 01/94/1089: DUNAMUCK FARM, BY LOCHGILPHEAD (REF: 12/01248/PP)

The Principal Planning Officer spoke to the terms of the report advising that this application seeks planning permission to discharge an existing Section 50 Legal Agreement (now Section 75) relative to planning permission 01/94/1089 which tied the ownership of the permitted dwellinghouse to the farm and all of its land holding in order to comply with the provisions of the Council's development plan Settlement Strategy which was applicable at that time. In view of the revised policy provisions of the Argyll and Bute Local Plan 2009 a request has been submitted by the owners of Dunamuck Farm to have the Section 50 amended, in order to remove the tie between the ownership of the dwelling and the farm. It is now considered that the Section 50 Agreement in relation to this dwelling is no longer required in light of both the reduced labour requirements of the holding and the change to Development Plan policy which would now support development of the site in questions without any operational justification. In the event that the agreement is removed the applicant should be made aware that the decision to do so would be a material consideration in the event of any future case being advanced for a further dwelling on the basis of agricultural need.

Agreed

1. Agreed that planning permission be granted and the Section 50 Agreement (now termed a Section 75 Agreement) be discharged; and
2. Noted that the Applicant is aware of the need to apply to seek to vary the conditions attached to the planning permission for the house to remove the occupancy restriction.

(Reference: Report by Head of Planning and Regulatory Services, submitted)

Having previously declared an interest in the following item Councillor James McQueen left the room and took no part in the discussion of this item.

15. MR JAMES MCQUEEN: ERECTION OF BOXING CLUB SPORTS BUILDING (CLASS 11):DUNOON STADIUM, ARGYLL STREET, DUNOON (REF: 12/01306/PP)

The Principal Planning Officer spoke to the terms of the report advising that this was a Council Interest application as it has been submitted on behalf of Dunoon Boxing Club by Councillor James McQueen. The proposal is for the erection of a single storey building to provide a new facility for Dunoon Amateur Boxing Club. In terms of the Argyll and Bute Local Plan the application site is located in the main town settlement of Dunoon at Dunoon Stadium. The proposal to provide a dedicated boxing club is considered acceptable and consistent with policies LP ENV 19, LP REC 1 and LP TRAN 6 of the Argyll and Bute Local Plan and there are no grounds which would warrant the withholding of consent.

Decision

Agreed to grant planning permission subject to the following condition and reason:-

The development shall be implemented in accordance with the details specified on the application form dated 8 June 2010 and the approved drawing reference numbers:

- 1:1250 Location Plan
- 1:500 Site Plan
- 1:50 Layout as Proposed
- 1:100 Elevations and Section

dated June 2012, unless the prior written approval of the planning authority is obtained for an amendment to the approved details under Section 64 of the Town and Country Planning (Scotland) Act 1997.

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

(Reference: Report by Head of Planning and Regulatory Services dated 9 July 2012, submitted)

Councillor James McQueen returned to the meeting.

16. DEVELOPMENT MANAGEMENT ENFORCEMENT AND MONITORING CHARTER

Consideration was given to a new Monitoring and Enforcement Charter giving information on the procedures and powers available to the Council to ensure the planning laws are upheld and the standards of service our customers can expect from the Development Management service. The purpose of the Charter is to increase the public's awareness of planning enforcement, explain what enforcement means, advise what the Council can do and explain how the Council carried out the enforcement service. It also explains how the public have an important role as part of the planning enforcement process and how the Council often relies on the public to draw its attention to breaches of planning control.

Decision

1. Noted the contents of the report;

2. Endorsed the Charter as technical guidance for Officers to follow;
3. Supported the content of the Monitoring and Enforcement Charter; and
4. Agreed that a copy of the Charter be submitted to the Scottish Government for their information and that the Charter be reviewed in 2 years time.

(Reference: Report by Head of Planning and Regulatory Services dated 10 August 2012, submitted)

17. UPDATE ON RECENT SCOTTISH GOVERNMENT PLANNING DECISIONS

Consideration was given to a report advising of recent appeal decisions by the Scottish Government Directorate in relative to the erection of dwellinghouse and detached garage and formation of new vehicular access at 7 Laggary Park, Rhu and to the erection of a class 1 retail store and associated development at land at the site of the former gas works, Argyll Street/Hamilton Street, Dunoon.

Decision

Noted the contents of the report.

(Reference: Report by Head of Planning and Regulatory Services dated 1 August 2012, 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.

Councillor Donald MacMillan left the meeting at 12.40 pm.

18. PROPOSED WOODLAND TREE PRESERVATION ORDER

A report recommending confirmation, with modifications, of a Tree Preservation Order (TPO) on an area of woodland south of Argyll Road, Kilcreggan, Helensburgh was considered.

Decision

Agreed that the TPO should be confirmed as a modified Order, excluding the entirety of the garden ground in the ownership of the Objector.

(Reference: Report by Head of Planning and Regulatory Services, submitted)