

**MINUTES of MEETING of PLANNING, PROTECTIVE SERVICES AND LICENSING COMMITTEE
held in the COUNCIL CHAMBER, KILMORY, LOCHGILPHEAD
on WEDNESDAY, 19 SEPTEMBER 2012**

Present: Councillor Sandy Taylor (Chair)

Councillor Gordon Blair	Councillor Alistair MacDougall
Councillor Robin Currie	Councillor Robert G MacIntyre
Councillor Mary-Jean Devon	Councillor Donald MacMillan
Councillor George Freeman	Councillor Alex McNaughton
Councillor Fred Hall	Councillor James McQueen
Councillor David Kinniburgh	Councillor Richard Trail

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

An apology for absence was received from Councillor Rory Colville.

2. DECLARATIONS OF INTEREST

None declared.

3. MINUTES

- (a) The Minutes of the Planning, Protective Services and Licensing Committee of 15 August 2012 were approved as a correct record.
- (b) The Minutes of the Planning, Protective Services and Licensing Committee at 16 August 2012 (10.00 am) were approved as a correct record.
- (c) The Minutes of the Planning, Protective Services and Licensing Committee of 16 August 2012 (10.20 am) were approved as a correct record.
- (d) The Minutes of the Planning, Protective Services and Licensing Committee of 16 August 2012 (10.40 am) were approved as a correct record.
- (e) The Minutes of the Planning, Protective Services and Licensing Committee of 16 August 2012 (11.00 am) were approved as a correct record.
- (f) The Minutes of the Planning, Protective Services and Licensing Committee of 16 August 2012 (11.20 am) were approved as a correct record.
- (g) The Minutes of the Planning, Protective Services and Licensing Committee of 16 August 2012 (11.40 am) were approved as a correct record.
- (h) The Minutes of the Planning, Protective Services and Licensing Committee

of 16 August 2012 (12.00 noon) were approved as a correct record.

- (i) The Minutes of the Planning, Protective Services and Licensing Committee of 16 August 2012 (12.20 pm) were approved as a correct record.
- (j) The Minutes of the Planning, Protective Services and Licensing Committee of 27 August 2012 were approved as a correct record subject to the following change:-

The last word in the sentence before the section headed up "Motion" should be "successful" not "unsuccessful".

4. PROTECTION OF CHILDREN AT WORK - EMPLOYMENT OF CHILDREN BYELAWS

A report recommending a review of the existing byelaws in relation to the employment of Children at Work which had come into place on 29 August 2003 was considered.

Decision

The Committee agreed:-

1. That a review of the existing byelaws be progressed by initially consulting with Strathclyde Police and the Procurator Fiscal; and
2. That a further report be brought forward advising on what actions could or should be taken in relation to the review of the byelaws.

(Reference: Report by Head of Governance and Law dated February 2012, submitted)

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

In terms of the Civic Government (Scotland) Act 1982, Section 17, the Council is required to fix maximum fares and other charges in connection with the hire of taxis operating in the Argyll and Bute area and to review the scales for taxi fares and other charges on a regular basis. The Committee, on 21 March 2012, agreed that there would be no fare increase and that a review would take place in 18 months time. An appeal was made to the Scottish Traffic Commissioner regarding the decision, a hearing took place on 13 June 2012 and the Commissioners' decision was that the taxi scales were confirmed as set by the Committee the suggestion was made that the Council review the fares sooner than the suggested 18 months time. A report setting out recommendations in regard to the review of taxi fare scales was considered taking into account the recommendations by the Scottish Traffic Commissioner.

Decision

The Committee agreed:-

1. To proceed in accordance with the Scottish Traffic Commissioners recommendation and commence a review of the fares;

2. That as a first step informal meetings take place with the representatives of the taxi trade in order to discuss the position; and
3. That thereafter letters be issued to all taxi operators asking for representations from all organisations and individuals and that a report be brought back to the Committee.

(Reference: Report by Head of Governance and Law dated August 2012, submitted)

6. MR RORY YOUNG: WINDFARM COMPRISING 9 WIND TURBINES (77 METRES TO BLADE TIP), CONSTRUCTION COMPOUND, SUBSTATION, FORMATION OF ACCESS TRACKS AND ANCILLARY WORKS: CLACHAN SEIL, ARGYLL (REF: 11/02447/PP)

The Principal Planning Officer spoke to the terms of the report advising that the application before the Committee is for a wind farm comprising 9 turbines, 77 metres high blade to tip, crane hard standings, access tracks onto site and between turbines, temporary construction compound and laydown area, borrow pits (required to be the subject of a separate planning application), an electricity substation and a site office at Clachan Seil. He also referred to a supplementary planning report which advised on a further representation received from the Applicant's Agent, a further Consultee response from Historic Scotland and further letters of representation received following completion of the original report. He advised that the proposal was recommended for refusal subject to a discretionary hearing being held in view of the number of representations that had been received.

Decision

Agreed that a Discretionary Hearing be held at a date and time to be determined.

(Reference: Report by Head of Planning and Regulatory Services dated 6 September 2012, submitted)

Councillor Fred Hall advised that he was declaring a non financial interest in the following Application as a representation on this proposal had been made to him. He left the room and took no part in the discussion of this item.

7. 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 Committee at their meeting on 15 August 2012 had agreed to continue consideration of this item to this meeting to allow for sufficient opportunity for management, maintenance and reinstatement considerations to be addressed by the Applicant. The Head of Planning and Regulatory Services spoke to the terms of the original report advising that this Application before the Committee is for the use of land as community allotments including the formation of an access and car park, provision of passing places, on site access, erection of storage

building, polytunnels and ancillary structures at land north east of Castle Croft, Tobermory, Isle of Mull. He referred to supplementary planning report 2 which contained details of a late representation and addressed the issues raised at the last meeting. He referred to the number of representations received and advised that none of the issues raised could be substantiated and were not supported by Statutory Consultees. No objections were received from the Roads Engineer, SNH, SEPA or the Biodiversity Officer. The proposal 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 on the site. The proposal accords with Policy STRAT DC 2 of the adopted Argyll and Bute Structure Plan 2002, Policies LP ENV 1, ENV 19, ENV 2, BAD 1, COM1, TRAN 4, TRAN 6 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 conditions and reasons:

1. The development shall be implemented in accordance with the details specified on the application form dated 15th March 2012 and the approved drawing reference numbers:

- Plan 1 of 9 (Site location plan, drawing no 333-10)
- Plan 2 of 9 (Site plan, drawing no 333-11rA)
- Plan 3 of 9 (Planting details, drawing no 333-16)
- Plan 4 of 9 (Existing site, drawing no 333-01)
- Plan 5 of 9 (Typical layby details, drawing no 333-19)
- Plan 6 of 9 (Cross section, drawing no 333-17)
- Plan 7 of 9 (Polytunnel details, drawing no 333-14)
- Plan 8 of 9 (Shed and glasshouse detail, drawing no 333-12)
- Plan 9 of 9 (Communal building details, drawing no 333-18)

unless the prior written approval of the Local 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. No development shall commence on site or is hereby authorised until the vehicular access at the junction of the public road and the allotment site has been formed in accordance with the Council's Road Engineers Drawing Number SD 08/004a with visibility splays of 42.0m x 2.4m 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 above the level of the adjoining carriageway and thereafter maintained to the satisfaction of the Planning Authority.

Reason: In the interests of road safety to ensure the proposed

development is served by a safe means of vehicular access and in accordance with LP TRAN 4 of The Argyll and Bute Local Plan 2009.

3. No development shall commence on site or is hereby authorised until passing place(s) have been completed in accordance with Roads Services drawing SD 08/003a at locations which shall first be agreed on site by the Planning Authority in conjunction with the Council's Area Roads Engineer.

Reason: In the interests of road safety and in accordance with LP TRAN 4 of The Argyll and Bute Local Plan 2009.

4. No development shall commence on site or is hereby authorised until details of the proposed colour finishes to the approved communal shed walls are submitted for the written approval of the Planning Authority. The development shall thereafter be completed and maintained in strict accordance with such details as are approved.

Reason: In the interests of visual amenity.

5. No development shall commence on site or is hereby authorised until full details of the method of protection for all trees to be retained are submitted to and approved in writing by the Planning Authority. All protection measures that are approved shall be fully deployed during all construction phases to the satisfaction of the Planning Authority.

Reason: In the interests of nature conservation and to maintain the established setting of the site.

6. From the date of this planning permission, no trees within the site, other than those identified in the approved plans for felling, shall be lopped, topped, felled or otherwise damaged without the prior written consent of the Planning Authority.

Reason: In the interests of nature conservation and to maintain the established setting of the site.

7. The parking and turning area shall be laid out and surfaced in accordance with the details shown on the approved plans prior to the development first being occupied and shall thereafter be maintained clear of obstruction for the parking and manoeuvring of vehicles.

Reason: In the interest of road safety.

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

- i) Existing and proposed ground levels in relation to an identified fixed datum;
- ii) Existing landscaping features and vegetation to be retained;
- iii) Location design and materials of proposed walls, fences and gates;
- iv) Proposed soft and hard landscaping works including the location,

- species and size of every tree/shrub to be planted;
- v) A programme for the timing, method of implementation, completion and subsequent on-going maintenance.

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

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

9. No development shall commence on site until a detailed management and maintenance method statement has been submitted for the written approval of the Planning Authority. This plan shall include, but is not limited to, the following:

- i) Tenancy arrangements;
- ii) Maintenance obligations and consenting procedures for alterations to, replacement of or additional site structures;
- iii) Procedure in the event of vacancies, abandonments and dereliction;
- iv) Reinstatement procedures in the event of venture failure;
- v) Complaints handling and reporting procedure.

This plan shall also include full details of the routine operations necessary to maintain the site. Maintenance tasks shall be listed and the persons responsible for the carrying out the maintenance task shall be identified. Details of the frequency of each maintenance task should also be included. Thereafter the agreed management and maintenance statement shall be implemented for the duration of the life of the allotments, including any post-occupation reinstatement period.

Reason: In the interests of amenity.

(Reference: Report by Head of Planning and Regulatory Services dated 26 July 2012, submitted; Supplementary Report 1 by Head of Planning and Regulatory Services dated 13 August 2012, submitted; and Supplementary Report 2 by Head of Planning and Regulatory Services dated 12 September 2012, submitted)

Councillor Hall returned to the meeting.

The Chair ruled, and the Committee agreed, to vary the order of business and consider Planning Application Ref: 12/00970/PP – Installation of 10 Solar Roof Panels (Retrospective) just before the Enforcement report Ref: 12/00081/ENFHS.

8. THE SCOTTISH SALMON COMPANY: FORMATION OF 14 CAGE FISH FARM AND INSTALLATION OF FEED BARGE: DUN BHUIRG, LOCH SCRIDAIN, ISLE OF MULL (REF: 12/00904/MFF)

The Principal Planning Officer spoke to the terms of the report advising that this is the first of two Applications by the Scottish Salmon Company for marine salmon farms. This proposal is for the installation of a marine finfish development of 14, 32m diameter cages and a feed/service barge to be utilised for the production of farmed salmon. The Application site is located off the south coast of the Ardmeanach peninsula on the north coast of Loch Scridain. In the context of the Local Plan the site lies off land designated as 'sensitive countryside' although there are areas of higher ground lying within 'very sensitive countryside' which overlook the site. Loch Scridain falls within an 'Area of Panoramic Quality' which accords it regional status founded upon the scenic qualities of the coastal landscape and the associated views toward off shore islands. The Application was the subject of wide consultation. 54 representations of objection were received from third parties as well as objections from Mull Community Council, Iona Community Council and a number of Fishing Associations. There were 9 representations of support from third parties. The application is recommended for refusal for the reasons detailed in the report of handling.

Following a number of questions raised by Members, Councillor Fred Hall indicated his support for this Application.

The Chair ruled, and the Committee agreed, to adjourn the meeting at 12.15 pm as Members had to attend a pre arranged training session. It was noted that this adjournment would also give Councillor Hall the opportunity of seeking advice on preparing a competent Motion once the Committee reconvened.

The Committee reconvened at 2.10 pm.

Motion

This Application should go to a full Hearing. There have been numerous objections to the Application on the grounds of planning policy considerations. In respect of marine and nature conservation interests. In respect of fishing interests. In relation to landscape, visual and amenity considerations. In relation to tourism interests. However, the Applicants have pointed out that the size of the farm reflects current industry practice and is similar to other sites operated by the Applicants. That SEPA accepted the modelling demonstrates that a farm of this size can be operated without unacceptable nutrient enrichment or benthic deposition. That the impact in relation to landscape and visual issues will be negated by the use of low profile equipment and recessive colours and the siting of the farm parallel to the shore will limit visual impact from the road to Iona. That lighting will be restricted. That whilst the site of the farm will be visible from the Burg footpath the proposed fish farm has been designed to ensure it will not dominate the experience of the footpath. The substantial measures taken on board to limit the impact on the environment by the Applicant, the Scottish Salmon Company should be given the opportunity to make their case in support of the proposed fish farm at a public hearing. That the objectors be given the opportunity to make their own points in a hearing.

I thereby move that this Application be considered at a public Hearing.

Moved by Councillor Fred Hall, seconded by Councillor David Kinniburgh.

Amendment

That planning permission be refused for the reasons detailed in the report of handling.

Moved by Councillor Sandy Taylor, seconded by Councillor Mary-Jean Devon

The Amendment was carried by 8 votes to 5 and the Committee resolved accordingly.

Decision

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

1. The proposal involves the installation of a series of large scale fish cages and an associated service/feed barge in a location close inshore to the southern coast of the Ardmearach peninsula, the basalt landscape of which forms an imposing and dramatic backdrop to Loch Scridain as viewed from the waters of the loch and from the important route via the Ross of Mull to the nationally important tourist destination of Iona. It also stands below and would be experienced from successive points, and at relatively close quarters from, the important coastal footpath from Tioran via the National Trust land at Burg to the 'Fossil Tree' at the head of the peninsula, on the route of which it is also overlooked from, and impinges inappropriately upon, the setting of the scheduled monument Dun Bhurg. The footpath from Tioran to Burg is a proposed core path which has received no objections through the core path planning process and represents an important coastal route on Mull. This part of Ardmearach is largely undeveloped and is only accessible on foot, where it is visited specifically by persons wishing to experience its scenic qualities and its natural and historic environment attributes along with the associated drama of this exceptional stretch of coastline. It is included within an 'Area of Panoramic Quality', a landscape designation of regional importance, having regard to both the views which are available across and along the length of the loch and to the islands offshore, which represent important assets to the tourism economy of Mull. The introduction of marine development on the scale proposed would, by virtue of its physical presence in the landscape and lighting and activity associated with its operation, impinge upon the very characteristics of the receiving environment which give rise to its special qualities, which are derived from a combination of its landscape character, its resident wildlife and its historic associations. Such uncharacteristic and inappropriately situated development would therefore fail to safeguard the natural environment and the important role which this plays in the tourism economy of the island, and would not represent a sustainable form of development. The proposal would also contribute to the extent of aquaculture within the loch (currently three shellfish farms plus a shore base) and would give rise to additional cumulative impact with those developments when viewed from the Ardmearach coastal footpath, and from those locations on the Ross of Mull

where the site could be seen in combination with existing mussel lines, which would contribute to the impression of aquaculture being a significant characteristic of Loch Scridain. The foregoing shortcomings would conflict with Structure Plan policy STRAT SI 1 and STRAT DC 8 and Local Plan Policies LP ENV 10 and LP AQUA 1 which seek to secure sustainable forms of development which safeguard designated landscape assets of regional importance from uncharacteristic and inappropriate forms of development.

2. Scottish Planning Policy confirms that potential conflict with other marine users is a legitimate material consideration in the assessment of aquaculture applications. The development is proposed to occupy around 40 hectares along the coastal shelf of Loch Scridain which forms part of the traditional fishing ground currently worked by a number of local commercial inshore fishing boats. Fishing organisations and boat owners consider that exclusion from this area by virtue of the presence of fish farming equipment and associated boat activity would, cumulatively in combination with existing shellfish operations elsewhere within the loch, prejudice the ongoing viability of inshore fishing in Loch Scridain, in circumstances where small vessels would not lend themselves to working alternative more distant fishing grounds. This would be to the detriment of established resource based employment in Loch Scridain and would be contrary to Local Plan Policy LP AQUA 1 which requires that consideration being given to navigational interests in the assessment of aquaculture developments in order to avoid unnecessary conflicts to the detriment of those interests.

(Reference: Report by Head of Planning and Regulatory Services dated 24 August 2012, submitted)

9. THE SCOTTISH SALMON COMPANY: FORMATION OF 16 CAGE FISH FARM AND INSTALLATION OF FEED BARGE: NORTH GOMETRA, LOCH TUATH, ISLE OF MULL (REF: 12/01176/MFF)

The Principal Planning Officer spoke to the terms of the report advising that this is the second of two Applications for a large scale salmon farm. This proposal is for the installation of a marine finfish development of 16, 32m diameter cages and a feed/service barge to be utilised for the production of farmed salmon. The site is located off the north coast of the island of Gometra on the south coast of Loch Tuath which is located within the wider Loch Na Keal National Scenic Area. There has been 25 objections to the proposal and 42 expressions of support as well as an online petition with over 1,000 signatures from around the world. Reference was made to the issues raised by third parties and also to a late representation received from Mr Eckstein who neither objects or supports the proposal. An objection has been submitted by Iona Community Council and, Mull Community Council, who originally objected have now indicated their support. He advised that the Application is recommended for approval subject to conditions and reasons and subject to holding a discretionary hearing due to the number of representations that have been received and the complex and varied nature of the material considerations which were taken into account.

Decision

Agreed to hold a Discretionary Hearing at a date and time to be determined.

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

10. MR MICHAEL FORSTER: ERECTION OF DWELLINGHOUSE: LAND NORTH OF ARDCHIAVAIG HOUSE, UISKEN, BUNESSAN, ISLE OF MULL (REF: 12/01249/PP)

The Principal Planning Officer spoke to the terms of the report advising that this proposal is for the erection of a dwellinghouse at land north of Archiavaig House, Uisken, Isle of Mull. Planning permission ref 10/00361/PP for the erection of a dwellinghouse has been granted on the immediately adjacent site to the south east and ground works have been undertaken at this adjacent site. The site lies within land which has been designated as settlement by the Argyll and Bute Local Plan 2009. No objections have been received from Statutory Consultees other than Mull Community Council. 23 representations have been lodged against the proposal covering a wide range of issues, none of which would warrant the holding of a Discretionary Hearing. The siting and design of the building are appropriate and the proposal accords with Policy STRAT DC 1 and STRAT DC 8 of the adopted Argyll and Bute Structure Plan 2002, Policies LP ENV 1, ENV 2, ENV 6, ENV 10, ENV 19, HOU 1, SERV 1, TRAN 4, TRAN 6 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 that planning permission be granted subject to the following conditions and reasons:

1. No development shall commence on site until the vehicular access at the junction of the public road has been formed in accordance with the Council's Road Engineers Drawing Number SD 08/004a with visibility splays of 53.0m x 2.4m in each direction formed from the centre line of the proposed access. The existing roadside drainage shall be culverted under the new access using a twin wall pipe the diameter of which is to be approved in advance of installation by the Planning Authority in consultation with the Roads Engineer. Prior to work starting on site these visibility splays shall be cleared of all obstructions above the level of the adjoining carriageway and thereafter maintained to the satisfaction of the Planning Authority. The vehicular access shall be constructed to at least base course level prior to any work starting on the erection of the dwellinghouse and the bellmouth shall be hard surfaced prior to the first occupation of the dwellinghouse.

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

2. The roof of the dwellinghouse hereby permitted shall be finished in natural slate or good quality slate substitute. A sample and/or full details of any slate substitute proposed for use shall be submitted for the further written approval of the Council as Planning Authority prior to the development being

commenced. Development shall not commence until such written approval has been given and the dwelling shall be completed using the duly approved material.

Reason: In the interest of visual amenity and in order to integrate the proposed dwellinghouse with its surroundings.

3. The development shall be implemented in accordance with the details specified on the application form dated 6th of June 2012 and the approved drawing reference numbers:

Plan 1 of 4 (Location Plan)
Plan 2 of 4 (Floor Plan, Sections and Elevations)
Plan 3 of 4 (Amended Site Plan)
Plan 5 of 5 (Cross Sections)

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 31 August 2012, submitted)

11. UPDATE ON RECENT SCOTTISH GOVERNMENT PLANNING DECISIONS

A report advising of a recent appeal decision by the Scottish Government Directorate for Planning and Environmental Appeals in respect of planning application reference number 11/01586/PP was considered.

Decision

Noted the contents of the report.

(Reference: Report by Head of Planning and Regulatory Services dated 23 August 2012, submitted)

12. STRATEGY FOR RURAL SIGNAGE, SIGNAGE IN TOWNS AND OBSTRUCTIONS ON FOOTWAYS

A report proposing a new strategy for dealing with rural signage, signage in towns and obstructions on footpaths was considered. The strategy would be produced in response to concerns raised by Members over a number of unauthorised signs along road corridors, on pavements and attached to street furniture in both towns and rural areas.

Decision

1. Noted the contents of the report;

2. Endorsed that a partnership be set up to include the Planning Department, Roads Department, Transport Scotland, Economic Development, Visit Scotland, Local Chambers of Commerce, RNIB and the Loch Lomond and the Trossachs National Park to develop a new strategy and guidance note for dealing with rural signs, signage in towns and footpath instructions;
3. Noted that Councillors Fred Hall, Gordon Blair, Alex McNaughton and George Freeman have expressed an interest in being part of the stakeholder group detailed at 2 above; and
4. Agreed to dovetail the production of the new strategy with the emerging local development plan for future adoption as Supplementary Guidance.

(Reference: Report by Head of Planning and Regulatory Services dated 6 September 2012, submitted)

13. PLANNING AND REGULATORY SERVICES CUSTOMER SERVICE CHARTER

A report advising Members of the production of a Customer Service Charter leaflet for Planning and Regulatory Services was considered.

Decision

1. Noted and approved the contents of the Customer Service Charter leaflet; and
2. Approved the distribution of the Customer Service Charter leaflet.

(Reference: Report by Head of Planning and Regulatory Services dated 14 August 2012, submitted)

14. MRS KATHARINE RONA DYKES MACKENZIE: INSTALLATION OF 10 SOLAR ROOF PANELS (RETROSPECTIVE): 1 MAIN STREET, PORT CHARLOTTE, ISLAY, PA48 7TX (REF: 12/00970/PP)

The Principal Planning Officer spoke to the terms of the report advising that this proposal seeks retrospective planning permission for the unauthorised installation of ten photovoltaic panels on the rear facing roof of an unlisted property within the Port Charlotte Conservation Area. The property has in the past been the subject of extensive, unsympathetic alterations. The installed PV panels are readily visible from a limited number of public locations within and around the Port Charlotte Conservation Area and despite its already diminished historic architectural value, the subject property in combination with adjoining listed buildings remains significant in terms of its streetscape contribution to the character and appearance of the Conservation Area and is therefore recommended for refusal as it is considered contrary to the provisions of STRAT DC 9 of the Argyll and Bute Structure Plan 2002 and LP ENV 14 of the Argyll and Bute Local Plan 2009.

Decision

That planning permission be granted as a personal consent and that a Section

75 Agreement be concluded to require the removal of the panels when the house is no longer in the beneficial ownership of the Applicant for the following reason:-

Given the fact that the current building has lost its character by reason of previous alterations and given that it is not listed. The impact of the PV panels will have a neutral impact on the Conservation Area given that the building is of low architectural merit compared with the other properties nearby and because the roof material is not of a traditional finish the introduction of the panels for a time limited period will for that reason have a neutral impact.

(Reference: Report by Head of Planning and Regulatory Services dated 4 September 2012, submitted)

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

15. ENFORCEMENT REPORT: 12/00081/ENFHSH

A report recommending enforcement action in relation to case no 12/00081/ENFHSH was considered.

Decision

Agreed to continue consideration of this report.

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