

MINUTES of MEETING of PLANNING, PROTECTIVE SERVICES AND LICENSING COMMITTEE
held in the MAIN HALL, CORRAN HALLS, THE ESPLANADE, OBAN
on TUESDAY, 16 APRIL 2013

Present: Councillor Sandy Taylor (Chair)

Councillor Gordon Blair	Councillor Iain MacDonald
Councillor Rory Colville	Councillor Donald MacMillan
Councillor Mary-Jean Devon	Councillor Alex McNaughton
Councillor George Freeman	Councillor James McQueen
Councillor Fred Hall	Councillor Richard Trail
Councillor David Kinniburgh	

Attending: Charles Reppke, Head of Governance and Law
Stephen Fair, Area Team Leader – Oban, Lorn and the Isles
Lesley Cuthbertson, Planning Officer – Oban, Lorn and the Isles
Gregor Cameron, Applicant – West Highland Housing Association
Alex Dobbie, Applicant's Representative – Arcade Building Services Limited
Malcolm Forsyth, Transport Scotland
Derek Garside, Objector
Dugald Munro, Objector

1. APOLOGIES FOR ABSENCE

Apologies for absence were intimated from Councillors Robin Currie, Alistair MacDougall and Robert G MacIntyre.

2. DECLARATIONS OF INTEREST

There were no declarations of interest.

3. WEST HIGHLAND HOUSING ASSOCIATION AND ARCADE BUILDING SERVICES LTD: FORMATION OF ROUNDABOUT TO SERVE FUTURE DEVELOPMENT LAND NORTH AND SOUTH OF THE A85, DUNBEG, OBAN: LAND SOUTH WEST OF PENNYFUIR COTTAGE, DUNBEG (REF: 12/01520/PP)

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

Charles Reppke, Head of Governance and Law, outlined the hearing procedure that would be followed and invited anyone who wished to speak at the meeting to identify themselves. Once that process had been completed the Chair invited the Planning Officer to set out his recommendations.

PLANNING

Stephen Fair presented the case on behalf of the Head of Planning and Regulatory Services. He advised that this application had been submitted jointly by West Highland Housing Association and Arcade Building Services Limited and that the proposal was for a roundabout on the A85 south of Dunbeg and

associated alterations to the existing footpaths and provision of a footpath/cycle path on the former carriageway. He advised that the proposal comprises a four arm roundabout located south of Dunbeg and close to the halfway filling station and Pennyfuir Cottage. He referred to several photographs showing the viewpoints of the existing A85 at that location. He also referred to plans giving an overview of the development proposal showing the four arm roundabout, Pennyfuir Cottage and the existing A85. He advised that in terms of planning policy the roundabout was a key piece of infrastructure to enable access to future developments designated in the Local Plan Development Road Action 5/1. He advised that the adjacent land included a business allocation, several housing allocations and a leisure allocation. He highlighted on presentation slides the existing junction at Kirk Road leading down to Dunbeg and the SAMS complex and advised that consent had been granted for 50 housing units in this area. He also highlighted the second means of access into Dunbeg shown in the Local Plan. In terms of the Local Plan, he advised that the site was partially within the 'Countryside Around Settlement' zone which was highlighted in yellow on an extract from the Local Plan. He also pointed out the Potential Development Area (PDA) Allocation at Tom Liath and a lower lying PDA alongside the allocation for recreational uses. He referred to Section C of the report of handling which detailed the planning history of the site. He advised that there was nothing in terms of the existing site but there were some developments nearby which were detailed in the report including approval for an additional house within the grounds of Pennyfuir Cottage. He referred to the forthcoming Local Development Plan currently out for consultation until 29 April 2013 which maintained and slightly adapted a number of the Allocations. He advised that the proposed new Development Plan was not a material consideration at this time and was simply for Members to note. Mr Fair went on to refer to a number of further photographs showing views of the site from the existing cycle path; views of the bend itself on the A85; views of Pennyfuir Cottage further round the bend; and views beyond the bend looking south. He referred to Section D of the report which highlighted responses received from Statutory Consultees and advised that no objections were received from Scottish Water, the Council's Transport Planner and the Council's Area Roads Engineer and that no objections subject to conditions were received from Environmental Health and Transport Scotland. He advised that an objection had been raised by Dunbeg Community Council on the basis of road safety, lack of pre application consultation, alleged differences from Local Plan position, future potential movement of the roundabout position and traffic management at Kirk Road. He advised that 63 individual objections had been received and 1 letter of representation. He advised that in addition to those listed in the report of handling one additional objection had been received from Fiona McCormack which raised the same issues as other objectors. He also advised of a letter of representation received from Donald McNeill requesting that the roundabout ensure ease of passage for cyclists. He referred to and listed the issues raised by objectors which were summarised at section F of the report of handling. He advised that in terms of the Policy position this was a significant development for Dunbeg including the Development Road and the requirement for a second access into Dunbeg which was critical to facilitate development allocations on either side of the trunk road. He advised that the proposal has been thoroughly scrutinised and accords with the existing Development Plan and is supported by Statutory Consultees. He advised that the objections received from 63 members of the public and Dunbeg Community Council were appraised and that some of these were shared by Planning but were deemed appropriately covered by

conditions. In summary, he advised that the proposal was a key piece of infrastructure to unlock existing land allocations to develop housing needs, business sites and leisure facilities. He recommended that planning permission be granted subject to the conditions detailed in the report of handling.

APPLICANT

Gregor Cameron advised that he was representing West Highland Housing Association and was accompanied by Alex Dobbie who was representing Arcade Building Services Limited. He advised that the application was submitted jointly by both organisations due to either ownership or control of land by each party. He advised that a number of discussions and meetings had taken place relative to the land north and south of the site to which the roundabout will serve. He advised that the current Local Plan highlighted development through the Dunbeg corridor and south and that the Tom Liath roundabout would enable allocations to be fully developed. He advised that without this roundabout these allocations would not be able to be developed. He advised that the location and design of the proposed roundabout was selected through discussions with the Council, Transport Scotland and through the Local Plan process. He referred to a Stage 1 Safety Audit which had been carried out. He advised that prior to the application being lodged both applicants had visited the owners of the neighbouring cottage and had also notified the owner of the filling station. He advised that once the application was submitted the Housing Association had met with Dunbeg Community Council. He confirmed that the location of the roundabout was as detailed in the planning application. He advised that prior to construction a method statement would be drafted and issued to statutory consultees. He referred to concerns raised about the removal of rock and confirmed that this will be fully appraised by specialist contractors.

Alex Dobbie advised that he was the consultant Architect for Arcade Building Services Limited who had an interest in the future developments at Tom Liath which were included in a Masterplan and would be the subject of future applications.

STATUTORY CONSULTTEES

Malcolm Forsyth from Transport Scotland advised that they had been approached by Argyll and Bute Council regarding Local Plan aspirations for development at Dunbeg and that they had assessed the many documents placed before them. He advised that Transport Scotland had come to the view in terms of future development for the Council that the allocation of a second access at this site would secure future development at Dunbeg. He advised that the existing access would not allow for future development and that in terms of emergency access there was a need for two access routes into Dunbeg. He advised that Transport Scotland had no objection to this proposal subject to two conditions which related to design aspects of the roundabout. He advised that Transport Scotland approved the principle of having a roundabout but that there would be a need for their further consideration of the detailed design of the roundabout in the future if planning permission was given to ensure it conformed to all current design standards. He referred to the Stage 1 Safety Audit which indicated no problems in terms of safety issues at the roundabout and near to the roundabout. He advised that Safety Audits will continue throughout the process with a Stage 2 Safety Audit accompanying the detailed design of the

roundabout for submission to Transport Scotland and a Stage 3 Safety Audit would be undertaken when the roundabout was constructed.

OBJECTORS

Derek Garside advised that he lived at Pennyfuir Cottage and thanked the Committee for bringing this application to a hearing. He referred to a lack of communication with Transport Scotland whom he believed would be making the final decision. He advised that he had phoned Transport Scotland on 4 separate occasions, 3 calls to Glasgow and 1 call to Oban, requesting a visit to the Cottage to discuss a number of issues and that each request had been rejected with no reason given. He referred to reasons for refusal having to be based on material considerations and advised that he would like to highlight 8 issues which he believed were material. The first one was relative to surroundings and he advised that the roundabout would be too close to Pennyfuir Cottage as it would only be 100 yards from the Cottage. He referred to an original plan which showed the roundabout further away from the Cottage and that he had no objection to this plan. Secondly, he advised that he believed the value of day to day life at the Cottage would be changed as they would be surrounded by roads on 3 sides of the Cottage. He advised that there would be road movements constantly day and night and there would be danger to pedestrians crossing the road. Thirdly, he advised there would be visual intrusion as the plan does not allow 125 yards for line of sight for pedestrians crossing the road from the property access. Fourthly, he referred to means of access and advised that entry to and exit from the premises would be dangerous due to the speed of traffic. He also referred to lighting and signage at the roundabout. Fifthly, he referred to noise, advising that this will be increased due to an additional 1500 vehicles at this intersection. Sixthly, he referred to potential health concerns due to the increase in vehicles and the fumes coming from the exhausts of slowing and accelerating traffic. The seventh issue he raised was the significant body of objection with 63 objections received from Dunbeg and the surrounding area and an objection from Dunbeg Community Council in respect of this application and advised that no one who attended the Community Council meeting was in favour of this roundabout. He advised that the safest place for the roundabout would be at the existing Dunbeg road end. The eighth issue he raised was in regard to stability of the site. He advised that the site was unsuitable as it would not be straight on the road as it would create a dog leg. He advised that this would create a safety issue for pedestrians crossing the road due to the concentration of traffic. He advised that there would also be a safety issue for cyclists joining the flow of traffic and for vehicles turning into the cottage. He advised that he believed the roundabout would create an accident black spot. He referred to the potential for two families homes at the cottage site and that there could be children at the cottage. He advised that he had no objection to the roundabout on the original plan but objected to the current proposed siting. He advised that if the roundabout was placed at Pennyfuir Cottage lives could be lost but if the roundabout was placed at the Dunbeg road end lives could be saved.

Dugald Munro advised that he was from the Halfway Filling Station and that he supported the comments made by Mr Garside. He referred to congestion of traffic created by roundabouts. He advised that similar to Mr Garside he did not object to a roundabout just the proximity of it to the filling station and the cottage which he believed would create congestion and asked if a compromise could be sought in terms of road safety. He advised that he accepted that statutory

bodies had not raised any objections. He also advised of his concerns regarding the method that would be used for the removal of rock and sought assurance that wet stop measurements would be utilised. He also advised that the Applicants should be made fully liable in the event of any damage to the filling station as a result of any blasting of rock to ensure that the filling station was fully operational again. He advised this would mean a requirement to repair damage and meet current standards which have advanced since the fuel tanks were initially installed.

MEMBERS' QUESTIONS

Councillor Devon advised she had concerns regarding the removal of rock and that there was not enough information contained within the report regarding the removal of rock and that the condition regarding the requirement for a construction method statement was quite vague. She asked whether a survey could be carried out before construction and if a monitoring system could be installed during construction.

Mr Fair advised that the issue regarding the method of rock removal was the subject of communications with Planning Officers and the Applicants. He advised that the Applicants have stated that specialist contractors will be used to assess whether blasting or pecking was required for the removal of rock. He advised that the construction method statement will be the subject of consultation with Environmental Health and Transport Scotland.

Councillor Devon asked the Applicant if he would agree to a baseline survey being carried out prior to construction and the installation of a monitoring system until completion of work.

Mr Cameron advised that the method used for rock removal will be assessed in detail and that the Applicants will ensure necessary surveys will be carried out and that plans will be put in place for measurements to be taken to safeguard neighbouring properties and the Applicants themselves. He advised that full consultation will be undertaken with the neighbouring properties during and before the process and that the Applicants wished no harm to neighbours and businesses.

Councillor Hall sought clarification on the problem of roundabouts on trunk roads.

Mr Forsyth advised that there was a general presumption against new accesses onto trunk roads and that there was a need to weigh up the balance of need for any new access on to a trunk road. He advised that Transport Scotland had no problem with roundabouts as long as they were properly designed and constructed to meet current standards.

Councillor Hall referred to the filling station being more than just a filling station and sought assurance that this essential business would be able to continue to operate for the people of Dunbeg and those travelling back into Oban.

Mr Fair advised that in terms of assessing an application consideration must be given to the presence of existing businesses.

Mr Cameron advised that the Applicants were well aware of the importance of the filling station as a community business and shop and they would do everything they could not to interfere with the operation of this. He advised that operators on site will probably utilise the services of the shop during construction and would expect that business will continue during the construction process.

Councillor Trail referred to street lighting and lighting at the roundabout and the concerns that have been raised about the effect this would have on the cottage and asked how this would compare to street lights spilling onto properties in the main town of Oban.

Mr Fair advised that Environmental Health were invited to the Hearing but noted that they were not in attendance. He advised that there will be a requirement for lighting as part of the design of the roundabout and that following assessment by Environmental Health Officers they had raised no objections to the Application including the potential impact of light pollution. He advised that there was a degree of separation of 100 yards between the roundabout and the cottage.

Councillor Blair asked if the Council had a strategy in place for light pollution.

Mr Fair advised that he was not aware of a strategy in place for light pollution.

Councillor Blair asked if Transport Scotland were happy with the consultation process with the Council.

Mr Forsyth advised that he was surprised by the comments regarding Transport Scotland's lack of consultation with the public as at the end of the day Transport Scotland were a consultee to Argyll and Bute Council. He advised that if the Council had come back to Transport Scotland requesting a meeting they would have done so as they have done today by attending this Hearing. If a request had been made to attend a public meeting this would have been taken on board. He advised that he had received many letters of objection to this proposal direct from the public and that he had gone back to the objectors to make sure they had forwarded these objections to the Council and that he had also passed these onto the Council.

Councillor Blair asked if a roundabout was the only option for access onto the trunk road or if any other means of access were considered.

Mr Forsyth advised that when looking at options for new accesses onto trunk roads priority T junctions were usually the preferred option. If they were not possible roundabouts are then looked at followed by traffic signals. He advised that Transport Scotland ruled out the possibility of a priority T junction at this location as it would have been difficult to engineer as it would have resulted in even more rock excavation. He advised that a roundabout at this location was the best option in terms of engineering requirements.

Councillor Blair asked about the cost of the road.

Mr Forsyth advised that he did not have this information.

Councillor McNaughton advised that he had concerns regarding safety at Pennyfuir Cottage. He advised that there was going to be a backup of traffic at

the roundabout which would impinge on access to the cottage and the filling station. He asked if the roundabout could not be moved further down the road.

Mr Forsyth advised that in terms of the Council's Local Plan this was the location for a new access into Dunbeg.

Councillor McNaughton advised that he still had concerns regarding access into the cottage and asked if this site had been properly assessed.

Mr Forsyth advised that he had looked at the accident statistics over the last 5 years and that there had been a cluster of accidents at that location. He advised that a properly constructed roundabout will slow traffic down and could be a satisfactory solution to that bend in the road.

Councillor Taylor asked if the Stage 1 Safety Audit had fully embraced the road safety issue.

Mr Forsyth advised yes and that this was the main requirement of the Road Safety Audit to highlight if there were any show stoppers. He confirmed that the Stage 1 Road Safety Audit had highlighted no issues. He advised that the Road Safety Auditors would have been aware of the concerns of the public when doing their audit. He advised that the Road Safety Auditors were a separate entity employed to carry out the Audit by the Applicants but having no interest in the Applicant companies.

Councillor MacDonald advised that the perceived lack of consultation was a disappointment and that this was something that may need to be looked at in the future.

Mr Fair advised that pre application consultation was only necessary for major applications and that this Application did not meet that threshold. In terms of local applications it was a matter of choice for the applicants when to engage with the public.

Councillor MacDonald advised that he thought it should be best practice to carry out pre application consultation.

Mr Fair advised that pre application discussions at the outset and discussions with neighbours was usually more beneficial than not.

Councillor MacDonald referred to the detail of the roundabout still having to be purified and asked if there was still flexibility in the location of the roundabout.

Mr Fair advised that the position of the roundabout accorded with the allocation in the Local Plan which remained the primary consideration. He advised that the second means of access into Dunbeg has already been through the consultation process through the Local Plan. He advised that the Stage 1 Safety Audit had been independently prepared and then scrutinised by Transport Scotland. He advised that the layout submitted was detailed enough for assessment of the Application. If the Application was granted today there would be the ability to make minor variations thereafter as long as they did not affect third parties. If there were any variations requested that would affect third parties or move the development then a fresh application would be required to be submitted.

Councillor Kinniburgh sought clarity on why the roundabout site was chosen as opposed to the Dunbeg road end.

Mr Fair advised that this location was allocated in the Local Plan. He advised that there were no issues with the existing junction to his knowledge and that it worked quite well. He advised that the advantage of having a roundabout would unlock development on both sides of the road, would provide a second means of access into Dunbeg and that without it the other development allocations would fail to be developed. There was no requirement for a roundabout at the existing junction as it operated safely.

Councillor Freeman referred to road safety and the location of the roundabout and sought clarification that Members had already approved this location during the Local Plan process and as such the proposal fully complied with the Local Plan and Council policies.

Mr Fair confirmed that this location was allocated in the Local Plan as the second means of access into Dunbeg. He advised that the Application was assessed as compliant with the Local Plan policies. He advised that it was assessed in terms of road safety and that it had not generated any road safety concerns and will be the subject of further road safety assessments.

Councillor Freeman referred to the road safety issue and noted that the first audit had been carried out and that further audits will be assessed by Transport Scotland. He advised that he was assured Transport Scotland had no concerns regarding road safety. He had noted that the existing access was not adequate to serve future developments.

Mr Forsyth advised that during assessment of the Application traffic generated was taken into account.

Councillor Freeman referred to the Community Council's concerns about a lack of consultation and asked Planning if they had any concerns regarding consultation on the Application.

Mr Fair replied no.

Councillor MacMillan asked if the link road would be finished before or after the roundabout.

Mr Fair advised that this Application was just for the roundabout. He advised that during the first phase of development of the whole area 50 units were approved which will utilise the existing access. This second access will allow other allocations to come forward. He advised there was no direct control over the timing of the link through.

Councillor McNaughton referred to the area belonging to the Applicant and asked if there was any reason why the roundabout could not be moved 100 metres and approved as a minor departure to the Local Plan.

Mr Fair advised that would involve speculation and that anyone can propose any application and that you could not prejudge.

Mr Forsyth advised that if you tried to move the location of the roundabout south there would be a need to slew the whole road south and that this would involve more excavation.

Councillor McNaughton referred to the Stage 1 Road Safety Audit which had been carried out and asked if the Stage 2 Road Safety Audit could end the job if it was found not to be safe.

Mr Forsyth advised that the whole aspect of the design of the roundabout was looked at against a set of parameters and that independent people will look at the whole project during the Stage 2 Audit.

Councillor McNaughton advised that it seemed peculiar that all issues were not addressed before construction started.

Mr Forsyth advised that consideration had to be given to what was reasonable to be asked of the Applicant at this stage.

Councillor Colville sought clarification on the redundant bit of carriage way that could be used by cyclists and highlighted his concerns about this.

Mr Fair referred to the plans showing the alignment of the existing A85 and advised that some of this could be used as a combined footpath and cycle route. He advised that the preferred position of Transport Scotland is for cyclists to use the road and that the Police have indicated a preference for the footpath to be used. He advised that landscaping was recommended not to hide cyclists but to ensure drivers knew where to go on the new stretch of road.

Councillor Colville asked why the old road could not just be closed off.

Mr Fair advised that the proposal was not to divert cyclists off the new road onto the old road but to provide cyclists with a more direct route by continuing on the old road.

Councillor Colville asked if this Application was approved today, what assurances would be given that these issues would be picked up during the Stage 2 Road Safety Audit.

Mr Forsyth advised that these were the very issues that would be addressed during the Stage 2 Road Safety Audit. He advised that these Audits were not just for motorists but for pedestrians and cyclists too.

Councillor Colville referred to concerns about a break in the core path and concerns that granting this roundabout would generate a lot more housing and a lot more children and asked if consideration could be given to an underpass being built for the cycle path.

Mr Fair advised that this Application was purely for the roundabout and that the Local Plan had already allocated the route of the development road through to further developments in the area. He advised that the context of the cycle path will change and consideration of the crossing will be taken when further applications come forward.

Mr Cameron advised that development of the Masterplan for this corridor had been going on for a number of years.

Mr Dobbie confirmed that safety was paramount and that concerns raised have been thoroughly checked through.

Councillor Blair asked if consultation on the new Local Plan ended on 29 April 2013 and Mr Fair confirmed that this was correct and that the contents of the proposed new Plan were not a material consideration at this time.

Councillor Blair advised that like most other Plans it was not set in stone.

Mr Fair advised that as material considerations were taken account of, this allowed the possibility of a departure.

Councillor Hall asked Mr Fair if he would agree that cyclists could cycle to Dunbeg from Oban via a route through Ganavan and Mr Fair replied yes.

Councillor Hall asked Mr Fair if he would agree that cyclists could cycle on a pavement from Dunbeg to Connel and Mr Fair replied yes.

Councillor Hall asked Mr Fair if he would agree that cyclists could cycle on a route from Mossfield to Connel close to the railway line.

Mr Fair advised that Councillor Hall's knowledge of this route exceeded his.

Councillor Kinniburgh sought clarification on what was established during the Stage 1 and Stage 2 Road Safety Audits.

Mr Forysth advised that Stage 1 looked to see if there were any major safety issues that could be show stoppers. Stage 2 looked at the design of the project in more detail.

SUM UP

Planning

Mr Fair advised that the Application before the Committee was for a four arm roundabout south of Dunbeg. He advised that this infrastructure was required and allocated in the Local Plan to unlock a number of allocations for further development of Dunbeg. The proposal had been thoroughly scrutinised and a road safety audit was properly carried out. No objections have been received from key Consultees and that all the issues raised by the 63 individual objectors and the Community Council were fully appraised with some being controlled through conditions and others not supported by Statutory bodies. He advised that this was a key piece of infrastructure considered necessary to meet the Council's ambitions to open up land for housing, business and leisure. He advised that the proposal was compliant with the Local Plan and recommended that planning permission be granted subject to the conditions listed in the report of handling.

Applicant

Mr Cameron advised that he had heard the concerns regarding the nearby property and business and will be happy to open up lines of communication with them if this Application is granted.

Statutory Consultee

Mr Forsyth advised that he had nothing further to add.

Objectors

Mr Garside advised that the one thing that was most important was safety and that the road had been described as horrendous by one Councillor. He advised that a number of years ago the road was horrendous but following a successful campaign for anti-skid road surfacing there had been no accidents on this part of the road for 8 years. He advised that the road could not be made better than it is now but it could be made worse and that he anticipated it becoming more of an accident black spot.

Mr Munro advised that he had nothing further to add.

The Chair asked all parties to confirm that they had received a fair hearing and they all confirmed this to be the case.

DEBATE

Councillor Devon thanked everyone for their presentations and advised that she was very sympathetic to the people of Dunbeg. However, she advised that when determining applications the Committee had to take account of the Local Plan policies and listen to Statutory Consultees. She advised that she felt she had been given assurance that the Local Plan policies have been met and advised that in terms of road safety the Stage 2 Road Safety Audit will be very detailed. She advised that she has received assurances from the Applicant that they have no problem with carrying out a baseline survey and having monitoring systems in place during construction. She advised that this proposal was central to the growth and development of Dunbeg and that she supported the Planning recommendation.

Councillor Hall advised that most development at the moment had been in the south of Oban and that there was a need to develop the north of Oban and to do that there was a need to build transport infrastructure like roundabouts on trunk roads. He advised that he believed that traffic calming measures will be robust to make the road safer. He advised that he was reassured that West Highland Housing Association will continue to consult with the residents of the houses and businesses and that he supported the Planning recommendation.

Councillor Freeman advised that he was likeminded to Councillors Devon and Hall. He advised that there was a need for a roundabout and that this access has been identified in the Local Plan. He advised that he was reassured that the Road Safety Audits will ensure there are no safety issues and that no road was 100% safe. He advised that the roundabout would improve road safety as it would slow traffic down as there have been several accidents there over the

years. He advised that he supported the Planning recommendation.

Councillor Blair advised that he still had concerns regarding the location of the roundabout and would have felt better if an alternative to the roundabout could have been found. He advised that this was the gateway into Dunbeg and that a roundabout in this location was inappropriate and that he did not support the Planning recommendation.

Councillor Kinniburgh advised that he agreed with Councillors Devon, Freeman and Hall and supported the Planning recommendation. He advised that concerns regarding rock removal and safety issues had been adequately addressed.

Councillor McNaughton advised that he had concerns about the location of the roundabout and did not support the Planning recommendation.

Councillors McQueen and MacMillan advised that they supported the Planning recommendation.

Councillor Taylor advised that he noted a division of views and asked if anyone wished to move a Motion.

Councillor Devon moved the Officer's recommendation to grant planning permission subject to the conditions detailed in the report of handling. Councillor Freeman agreed to second that Motion.

As it was established there were no amendments the Motion became the decision of the Committee.

DECISION

Agreed 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 11th July 2012; and the approved drawings numbered: 1414-001 – Site Location Plan; 23A – Proposed Roundabout Planning Boundary; 15B – Roundabout General Arrangement – Existing; 17D – Roundabout General Arrangement – Proposed; and, 18D – Proposed Roundabout Capacity Assessment; and stamped approved by Argyll and Bute Council.

Reason: In order to ensure that the proposed development is carried out in accordance with the details submitted and the approved drawings.

2. The proposed new roundabout junction on the A85 trunk road shall be constructed to a layout and type (and method) of construction to be approved by Transport Scotland, as the Trunk Roads Authority. (Note: The junction modifications will be generally as detailed in RDA Construction Ltd drawing number 17 Revision D and titled Roundabout GA - Proposed).

Reason: To ensure that the standard of access layout complies with the current standards and that the safety of the traffic on the trunk road is not

diminished.

3. The angle of repose of the finished rock face shall be as shown in the section on drawing 17D and prior to the completion of the rock extraction operations details of the treatment of the newly exposed rock face, including the approach to and the means of dressing the rock face following primary rock modelling and measures to establish vegetation, shall be submitted to and be approved in writing by the Planning Authority, along with details of a mitigation monitoring plan relative to the establishment of vegetation on the rock cut. The rock face shall be formed and the vegetation established in accordance with the duly approved details.

Reason: In the interests of visual amenity in order to ensure that the finished rock cut appears as natural as possible and allows colonisation by vegetation.

4. That no works in connection with this permission hereby approved shall commence unless a detailed site-specific construction method statement has been submitted to and approved in writing by the planning authority in consultation with Transport Scotland and the Environmental Health Officer. The construction method statement shall include details of the measures proposed to deal with the removal of rock, and reuse of rock on site. Once agreed, all construction works on site shall comply with the approved construction method statement.

Reason: In the interests of public safety and the amenity of the area.

5. No development shall take place until a landscaping scheme has been submitted to and approved in writing by the Planning Authority in consultation with Transport Scotland. The landscaping scheme, which shall comply with the Landscaping recommendations of the Independent Stage 1 Road Safety Audit (November 2012) shall include: a plan (at a scale of 1:500 or greater) showing a site appraisal including contours (at 0.5 metre intervals), drainage characteristics, vegetation patterns, significant site features, area of existing landscaping within the site, and details of any to be retained, together with measures for their protection in the course of development and shall indicate the siting, numbers, species and heights (at the time of planting) of all trees, shrubs and hedges to be planted and to the extent of any areas of earth mounding, cross sections and relationship to existing land form and the location of the site in its wider landscape context. The development shall be landscaped and maintained in accordance with the approved scheme as follows: -

- (a) Completion of the scheme during the first planting season prior to the completion of the development, or such other date as may be approved in writing with the Planning Authority.
- (b) The maintenance of the landscaped areas in perpetuity in accordance with the detailed maintenance schedule/table. Any trees or shrubs removed, or which in the opinion of the Planning Authority, are dying, being severely damaged or becoming seriously diseased within three years of planting shall be replaced by trees or shrubs of similar size and species to those originally required to be planted.

Reason: The proposed development and its location requires landscaping to fully integrate the proposal with its surroundings.

6. Prior to the commencement of development, the developer shall submit full working details of the method of on-site disposal of surface water drainage. This shall be in accordance with the CIRIA SUDS Manual for Scotland and Northern Ireland, to the satisfaction of the Planning Authority in consultation with Transport Scotland.

Reason: To ensure the site is adequately drained to meet Best Management Practice and to prevent pollution of watercourses.

(Reference: Report by Head of Planning and Regulatory Services dated 10 March 2013, submitted)