

**MINUTES of MEETING of PLANNING, PROTECTIVE SERVICES AND LICENSING
COMMITTEE held in the COUNCIL CHAMBERS, KILMORY, LOCHGILPHEAD
on WEDNESDAY, 19 DECEMBER 2018**

Present: Councillor David Kinniburgh (Chair)

Councillor Rory Colville	Councillor Donald MacMillan
Councillor Robin Currie	Councillor Roderick McCuish
Councillor Lorna Douglas	Councillor Jean Moffat
Councillor Audrey Forrest	Councillor Sandy Taylor
Councillor George Freeman	Councillor Richard Trail

Attending: Charles Reppke, Head of Governance and Law
Angus Gilmour, Head of Planning, Housing and Regulatory Services
Sandra Davies, Major Applications Team Leader
David Moore, Senior Planning Officer
Sybil Johnson, Senior Planning and Strategies Officer
Alan Morrison, Regulatory Services Manager
Alex Linden, Area Team Leader – Building Standards

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Gordon Blair, Mary-Jean Devon, Graham Archibald Hardie and Alastair Redman.

2. DECLARATIONS OF INTEREST

Councillor Rory Colville declared a financial interest in the report at item 6 of this Minute as he was the owner of a private water supply. He left the room and took no part in the consideration of this item.

3. MINUTES

1. The Minute of the Planning, Protective Services and Licensing Committee held on 19 November 2018 was approved as a correct record.
2. The Minute of the Planning, Protective Services and Licensing Committee held on 21 November 2018 at 11.00 am was approved as a correct record.
3. The Minute of the Planning, Protective Services and Licensing Committee held on 21 November 2018 at 1.30 pm was approved as a correct record.

4. ARGYLL AND BUTE COUNCIL: ERECTION OF NEW LEISURE BUILDING INCLUDING SWIMMING POOL, IMPROVED FLOOD DEFENCES, NEW CAR PARK INCLUDING PUBLIC REALM WORKS AND DEMOLITION OF EXISTING SWIMMING POOL: HELENSBURGH SWIMMING POOL, 1B WEST CLYDE STREET, HELENSBURGH (REF: 18/01614/PP)

Before the Senior Planning Officer presented the application to the Committee it was confirmed by the Head of Governance and Law that only those Members who

attended the hearing on 19 November 2018 could take part in the consideration of this application.

The Major Applications Team Leader referred to supplementary report number 3 issued on 18 December 2018 which contained the details of a late submission from Helensburgh Community Council and an updated response from SEPA. She also referred to a late submission from the Applicant in response to the Community Council representation and a late submission from the Helensburgh & Lomond Chamber of Commerce which were both tabled at the meeting. Once the Committee were given time to read over these late submissions the Senior Planning Officer presented the application to the Committee. He referred to the presentation given to the Committee at the hearing on 19 November 2018. He also referred to supplementary report number 2 which advised of additional matters following continuation of the application at the hearing. Updates were provided on the flood defences; conformity of the proposal with the approved 2012 Masterplan addendum; the design reasons for the proposed location of the building; future skate park arrangements and additional representations received. It is the view of Officers that the proposal is in accordance with the adopted Local Development and with the approved 2012 Masterplan addendum and that it also fulfils its role as a landmark building on this prominent and important site. It is the view of Officers that the new leisure facility will provide benefits for the whole community and also tourists and visitors to the town. There have been no objections from statutory consultees, other than Helensburgh Community Council and there have been no technical objections raised on flooding matters which have now been fully addressed using the most up to date climate change information to inform the amended flood defence measures proposed. The application is recommended for approval subject to the revised conditions and reasons detailed in supplementary report number 2.

Motion

To agree to approve the application subject to the conditions and reasons detailed in supplementary report number 2.

Moved by Councillor David Kinniburgh, seconded by Councillor Rory Colville

Councillor Lorna Douglas asked if time could be given to Members to discuss with Officers a competent amendment which could be put forward today.

The Chair ruled, and the Committee agreed, to adjourn the meeting at 12.50 pm for lunch to allow time for Members to explore the option of a further amendment.

The Committee reconvened at 1.30 pm.

Amendment

To continue consideration of the application and request the Head of Planning, Housing and Regulatory Services to:

- a) Seek further information from the Applicant to ascertain whether altering the location of the building would change the flooding risk factor leading to vulnerability of the building; and

- b) Seek further advice seeking further reports from the Applicant on the impact of wave overtopping/wave action on the building.

Moved by Councillor Lorna Douglas, seconded by Councillor George Freeman

Decision

On a show of hands vote the Amendment was carried by 6 votes to 3 and the Committee resolved accordingly.

(Reference: Report by Head of Planning, Housing and Regulatory Services dated 9 October 2018, supplementary report number 1, supplementary report number 2 dated 12 December 2018, supplementary report number 3 dated 18 December 2018, submitted, correspondence from Applicant dated 18 December 2018 and correspondence from Helensburgh & Lomond Chamber of Commerce dated 18 December 2018, tabled)

Councillor Jean Moffat left the meeting at this point.

5. HOUSES IN MULTIPLE OCCUPATION: TECHNICAL GUIDANCE

A report addressing issues related to Houses in Multiple Occupation which are cross cutting in nature and require an integrated approach by Environmental Health, Building Standards and Planning was considered. The report recommends that a Technical Note is put out to consultation with a view to adopting it as non-statutory guidance, giving advice to help with the assessment of applications for Houses in Multiple Occupation across Argyll and Bute (excluding Loch Lomond and the Trossachs).

Decision

The Committee agreed to:

1. note the content of the report; and
2. approve the Draft non-statutory planning guidance "Technical Note 3: Houses in Multiple Occupational", as set out in Appendix 1 for consultation online.

(Reference: Report by Executive Director – Development and Infrastructure Services dated 19 December 2018, submitted)

Having previously declared an interest in the following item, Councillor Rory Colville left the meeting at this point.

6. PRIVATE WATER SUPPLY LEGISLATIVE CHANGES AND PROPOSED CHANGES TO THE CHARGING REGIME

A report outlining the impact on the Water Intended for Human Consumption (Private Supplies) (Scotland) Regulations 2017 to the Council and proposing a revised charging policy in respect of statutory monitoring samples which are taken from Regulated private water supplies was considered.

Decision

The Committee agreed to:

1. note the impact of the Water Intended for Human Consumption (Private Supplies) (Scotland) Regulations 2017 in seeking to improve the quality of private water supplies, and the additional work placed on the Council's Environmental Health Service as detailed at section 6.5 of the report;
2. approve changes to the financial hardship amount for the private water supply improvement grant scheme; and
3. note the proposed charging regime which will be incorporated within the budget papers for fees and charges, which will be considered by Council in February 2019.

(Reference: Report by Executive Director – Development and Infrastructure Services, submitted)

7. DRAFT SERVICE PLANS 2019-2022 FOR 2019/20 BUDGET ALLOCATION

A report presenting the Draft Service Plans for 2019-2022 for the 2019/2020 budget allocation was considered.

Decision

The Committee agreed to:

1. approve the Draft Service Plans 2019-2022 for the 2019/2020 budget allocation; and
2. note that the budget allocation will be proposed at the Policy and Resources Committee on 14 February 2019 for final approval at Council on 21 February 2019.

(Reference: Report by Executive Director – Development and Infrastructure Services date November 2018, submitted)

8. UPDATE ON RECENT SCOTTISH GOVERNMENT PLANNING APPEALS DECISIONS

A report summarising the outcome of recent decisions by the Scottish Government Directorate for Planning and Environmental Appeals relative to planning application reference 18/01135/HH – High Hedge at Culvona, 4 Kennedy Drive, Helensburgh; and planning application reference 18/00301/PPP – Erection of 4 self-catering log cabins for holiday use at land at Taychreggan Hotel, Kilchrenan, by Taynuilt, was before the Committee for information.

Decision

The Committee noted the contents of the report.

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

The Committee resolved in terms of Section 50(A)(4) of the Local Government (Scotland) Act 1973 to exclude the press and 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.

9. FASLANE PEACE CAMP - UNAUTHORISED ERECTION OF STRUCTURES

A report providing an update on the unauthorised erection of structures as Faslane Peace Camp was considered.

Decision

The Committee agreed the recommendations detailed in the report.

(Reference: Report by Head of Planning, Housing and Regulatory Services dated 5 November 2018, submitted)