

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

Present:

Councillor Rory Colville (Chair)

Councillor Gordon Blair	Councillor Roderick McCuish
Councillor Lorna Douglas	Councillor Alastair Redman
Councillor George Freeman	Councillor Sandy Taylor
Councillor Graham Archibald	Councillor Richard Trail
Hardie	
Councillor Donald MacMillan	

Attending:

Charles Reppke, Head of Governance and Law
Angus Gilmour, Head of Planning Housing and Regulatory Services
Sandra Davies, Acting Major Application Team Leader

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Robin Currie, Mary-Jean Devon, Audrey Forrest and David Kinniburgh.

2. DECLARATIONS OF INTEREST

There were no declarations of interest.

3. MINUTES

- a) The Minute of the Planning, Protective Services and Licensing Committee held on 22 August 2018 was approved as a correct record.
- b) The Minute of the Planning, Protective Services and Licensing Committee held on 27 August 2018 at 10.00 am was approved as a correct record.
- c) The Minute of the Planning, Protective Services and Licensing Committee held on 27 August 2018 at 10.20 am was approved as a correct record.
- d) The Minute of the Planning, Protective Services and Licensing Committee held on 27 August 2018 at 10.40 am was approved as a correct record.
- e) The Minute of the Planning, Protective Services and Licensing Committee held on 27 August 2018 at 11.00 am was approved as a correct record.
- f) The Minute of the Planning, Protective Services and Licensing Committee held on 27 August 2018 at 11.20 am was approved as a correct record.
- g) The Minute of the Planning, Protective Services and Licensing Committee held on 27 August 2018 at 1.20 pm was approved as a correct record.

4. AVANT HOMES SCOTLAND: REMOVAL OF CONDITIONS 4 AND 5 AND VARIATION OF CONDITION 7 OF PLANNING PERMISSION IN PRINCIPLE 15/01794/PPP (SITE FOR THE ERECTION OF RESIDENTIAL DEVELOPMENT WITH ASSOCIATED ACCESS, INFRASTRUCTURE, OPEN SPACE, LANDSCAPING AND MISCELLANEOUS WORKS) - IN RELATION TO ROADS ARRANGEMENTS: LAND NORTH OF CARDROSS PRIMARY SCHOOL, BARRS ROAD, CARDROSS (REF: 18/01444/PP)

The Acting Major Applications Team Leader spoke to the terms of the report. A Section 42 application has been submitted for removal of conditions 4 and 5 and variation of a condition 7 of planning permission in principle reference 15/01794/PPP. A Section 42 application is an application for a new planning permission for a development but with different conditions from those attached to a previous permission for that development. In determining such an application, the planning authority can only consider changes to the conditions on the previous application. The principle of development is not under consideration and the original planning permission remains live. Planning permission in principle was approved for this development following a hearing on 26 January 2017. In this application, the Applicant has applied for the removal of two conditions and the variation of a third. Conditions 4 and 5 which the Applicant wishes to be removed relate to offsite road improvements on Darleith Road. Condition 7 which the Applicant wishes to be varied relates to the internal road layout of the development. The Applicant has submitted a supporting statement which they consider justifies a layout which would bring all of the vehicular traffic down the east side of the development on routes using Barrs Road, Ritchie Avenue and Muirend Road which has a junction with the main A814. Objections to this application have been received from Roads Network Manager, Cardross Community Council and in excess of 157 individuals along with a representation from Jackie Baillie MSP. Whilst this application has previously been the subject of a local hearing, it is considered that there would be merit in holding a further hearing. The level of objection on this application is significantly higher than the previous planning permission in principle and it is considered that there would be added value in Members being able to visit the residential streets proposed to access the site and hearing the arguments on both sides in more detail.

Decision

The Committee agreed to hold a discretionary pre determination hearing at the earliest opportunity.

(Reference: Report by Head of Planning, Housing and Regulatory Services dated 4 September 2018, submitted)

5. MR AND MRS MICHAEL CROWE: ERECTION OF DWELLINGHOUSE AND FORMATION OF ACCESS: GARDEN GROUND OF 34 KIRKTON ROAD, CARDROSS, G82 5PL (REF: 18/01500/PP)

The Acting Major Applications Team Leader spoke to the terms of the report. Planning permission is sought for the erection of a dwellinghouse in the garden ground of an end terrace comprising 4 ex-local authority dwellings. The site is within the settlement boundary of Cardross where there is a presumption in favour of development subject to site specific criteria being met. This is a re-submission of a previous planning application (18/00026/PP) which was withdrawn prior to it being presented to the Committee. The current application seeks to address issues that

were raised during the processing of the previous application with regards to daylight/sunlight. The two storey element to the rear has been replaced by a single storey extension and the houses has been brought forward to be in line with the existing terrace. The parking arrangements to the front has been altered and the new house will stand alone rather than the upper floor being attached to the end terrace. Thirteen letters of objection have been received along with an objection from Cardross Community Council. The proposed plot is considered to be acceptable at this location and it is considered to be a density comparable with other plots in the area. The scale and design is acceptable and there are no issues with regard to loss of amenity to surrounding properties or the wider area. It is therefore considered that the proposal is in accordance with Policies LDP DM 1, LDP 3, LDP 9, LDP 11, SG LDP HOU 1, SG LDP – Sustainable Siting and Design Principles and SG LDP TRAN 6 of the Argyll and Bute Local Development Plan and it is recommended that planning permission is granted subject to the conditions and reasons detailed in the report of handling.

Decision

The Committee 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 02/07/2018 and the approved drawing reference numbers 2339..11, 2339..12, 2339..13, 2339..14, 2339..15 and 2339..16 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. Notwithstanding the details on the approved plans, the dwellinghouse shall be finished in a render of a colour similar to that of the neighbouring terrace, details of which shall be submitted to and approved in writing by the Planning Authority prior to works commencing on site.

Reason: In order to integrate the development with its surroundings.

3. The parking provision for the existing house shall be in place prior to commencement of construction of the proposed dwelling. The parking provision for the proposed house shall be in place prior to occupation.

Reason: In the interests of road safety.

4. The provision of surface water drainage is required to be installed at the low point of each driveway (heel of the public footway) to ensure that no surface water spills onto the public footway. Details of which shall be submitted to and approved in writing by the Planning Authority. These drainage channels shall be in place prior to occupation of the dwellinghouse.

Reason: In the interests of road safety and to stop surface water from cascading onto the public road.

5. The first 3 metres of the driveways/parking areas shall be surfaced in a bituminous material or other approved hard material as agreed in writing by the Planning Authority.

Reason: In the interests of road safety and to prevent loose material spilling onto the public footway.

(Reference: Report by Head of Planning, Housing and Regulatory Services dated 3 September 2018, 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.

6. ENFORCEMENT REPORT - REFERENCES 16/00076/ENAMEN AND 17/00046/ENAMEN

The Committee considered enforcement case references 16/00076/ENAMEN and 17/00046/ENAMEN.

Decision

The Committee agreed the recommendation in the report.

(Reference: Report by Head of Planning, Housing and Regulatory Services dated 10 September 2018, submitted)