

## **CONDITIONS AND REASONS RELATIVE TO APPLICATION REF. NO. 17/03118/PP**

1. The development shall be implemented in accordance with the details specified on the application form dated 1<sup>st</sup> December 2017 and the approved drawing reference numbers 562-P-OS-01; 562-P-LOC-02; 562-P-G-A-01; 562-P-G-A-02; and 554-P-GA-03 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. The hereby approved building shall only be used for the storage and maintenance of boats for purposes ancillary to the enjoyment of the occupation of the dwellinghouse constructed at Plot 3 at land east of West Barfad as identified on approved drawing no. 562-P-LOC-02. The use of the boatshed for any other purpose will constitute a material change of use requiring an application for express planning permission.

Reason: In order to define the parameters of this permission and to secure the building's relationship with the occupancy of Rosehill Farm, a relationship which underpins the justification for the principle of the development at this location.

3. Notwithstanding the provisions of condition 1, this planning permission shall expressly exclude the formation of any re-cycled plastic ground re-enforcement grid as referred to in the application submission unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to respect and preserve the key characteristics and fragile landscape qualities of this area by controlling the creation of uniformly levelled grass-planted areas of plastic grid within largely undisturbed rocky coastland specifically uneven, hummocky and unmanaged land elevated land with rock outcrops and diversity of plant species and diverse mix of colours and textures.

4. No materials, equipment, containers, trailers or boats shall be stored within the planning unit on land outwith the building without the prior written approval of the Local Planning Authority.

Reason: In order to safeguard the undeveloped, tranquil and unmanaged characteristics and qualities of this area of landscape and to protect the immediate locality against detrimental impact of visual clutter potentially resulting from an uncontrolled expansion of external storage of various equipment for which the boathouse has been designed to accommodate.

5. Notwithstanding the provisions condition 1 or those 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, within the area subject of this permission, any development referred to in Part 2 and Classes 7 and 9 of the aforementioned Schedule, as summarised below:

### **PART 2: SUNDRY MINOR OPERATIONS**

Class 7: The erection, construction, maintenance, improvement or alteration of a gate, fence, wall or other means of enclosure.

Class 9: Stone cleaning or painting of the exterior of a building.

No such development shall be carried out at any time within this Part and these Classes without the express grant of planning permission.

Reason: To protect the sensitive landscape qualities and character of this area of predominantly open and unmanaged coastal margin which forms the setting of the proposed boathouse from uncontrolled sub-division of potentially unsympathetic means of enclosure to the detriment to landscape character.

## NOTE TO APPLICANT

- **The length of the permission:** This planning permission will last only for three years from the date of this decision notice, unless the development has been started within that period [See section 58(1) of the Town and Country Planning (Scotland) Act 1997 (as amended).]
- For the avoidance of doubt, the applicant should be aware that any works to level land within the application site may constitute engineering operations which constitutes “development” under the terms of Section 26 of the Town and Country Planning (Scotland) Act 1997, and for which an application for planning permission may be required. If the applicant is in any doubt as to the requirement for planning permission he is advised to contact the Local Planning Authority prior to commencement of any works.
- Whilst it is noted that the application does not provide for the construction of a slipway, and that applicant has submitted that no further works are required to facilitate the launch of a rib over the rocky foreshore, the Local Planning Authority has not yet been convinced that this will be straightforward and safe given existing level changes and rocky conditions underfoot. As such, notwithstanding the statement that a slipway is not required, the applicant is reminded, without prejudice to the outcome of any planning application, that any ground engineering works or the construction of any slipway or other structure to aid the launching of a boat will require planning permission and may also require a license from other organisations.
- In order to comply with Section 27A(1) of the Town and Country Planning (Scotland) Act 1997, prior to works commencing on site it is the responsibility of the developer to complete and submit the attached ‘Notice of Initiation of Development’ to the Planning Authority specifying the date on which the development will start.
- In order to comply with Section 27B(1) of the Town and Country Planning (Scotland) Act 1997 it is the responsibility of the developer to submit the attached ‘Notice of Completion’ to the Planning Authority specifying the date upon which the development was completed.

## APPENDIX TO DECISION APPROVAL NOTICE

Appendix relative to application **(Insert reference number)**

- (A) Has the application required an obligation under Section 75 of the Town and Country Planning (Scotland) Act 1997 (as amended): **Yes/No (delete as appropriate)**

**If Yes: The terms of the Section 75 obligation may be viewed on the Council's website at [www.argyll-bute.gov.uk](http://www.argyll-bute.gov.uk) by recalling the application reference number on the Council's Public Access Module and then by "Clicking" Section 75 Obligation under the attached correspondence or by viewing the Public Planning register located at Planning Services, 1A Manse Brae, Lochgilphead, Argyll, PA31 8RD.**

- (B) Has the application been the subject of any "non-material" amendment in terms of Section 32A of the Town and Country Planning (Scotland) Act 1997 (as amended) to the initial submitted plans during its processing. **Yes/No (delete as appropriate, if Yes insert bullet point list below)**

- (C) The reason why planning permission has been approved:

**(Insert Reasons why Planning Permission or Planning Permission in Principle Should be Granted – copy and paste from part R above)**

OR (delete as appropriate)

## APPENDIX TO DECISION REFUSAL NOTICE

Appendix relative to application **(Insert reference number)**

- (A) Has the application been the subject of any "non-material" amendment in terms of Section 32A of the Town and Country Planning (Scotland) Act 1997 (as amended) to the initial submitted plans during its processing. **Yes/No (delete as appropriate, if Yes insert bullet point list below)**

- (B) The reason why planning permission has been approved:

**(Insert Reasons why Planning Permission or Planning Permission in Principle Should be Granted – copy and paste from part R above)**