

MINUTES of MEETING of OBAN LORN & THE ISLES AREA COMMITTEE held in the COUNCIL CHAMBER, MUNICIPAL BUILDINGS, ALBANY STREET, OBAN on TUESDAY, 5 APRIL 2005

- Present:** Councillor Alasdair MacDougall (Chairman)
Councillor Ian Gillies
Councillor Robin Banks
Councillor Allan Macaskill
Councillor Sidney MacDougall
Councillor Duncan MacIntyre
Councillor Elaine Robertson
- Attending:** Kenneth Macdonald, Area Corporate Services Manager
Alex Taylor, Area Manager, Social Work
Neil Brown, Area Roads & Amenity Services Manager
Iain MacKinnon, Senior Environmental Health Officer
Roy Alexander, Estates Surveyor
Ian MacIntyre, Senior Planning Officer

1. APOLOGIES FOR ABSENCE

Councillor Donald McIntosh

The Chairman ruled, and the Committee agreed in terms of Section 50B(4)(b) of the Local Government (Scotland) Act 1973 and in terms of Standing Order 3.2.2, that four reports by the Head of Planning in regard to applications for planning permission, be dealt with at items 5(i) to 5(l) of this Minute, be taken as matters of urgency due to the need for them to be determined prior to the next ordinary meeting.

2. DECLARATIONS OF INTEREST

Councillor Alistair MacDougall declared a non-pecuniary interest in the application from Bunessan Primary School for financial assistance under the Education Development Grants Scheme, dealt with in item 4(a) of this minute.

Councillor Elaine Robertson declared a non-pecuniary interest in planning applications ref. 04/02172/OUT; 04/02173/OUT; 04/02394/OUT; 04/01978/OUT; 04/01981/OUT; 04/01984/OUT; 04/01985/OUT, dealt with in items 5(d), 5(e), 5(f), 5(i), 5(j), 5(k) and 5(l) respectively of this minute, because of her husband's position in a firm of solicitors with an interest in these matters.

3. CORPORATE SERVICES

(a) MINUTE OF OBAN LORN & THE ISLES AREA COMMITTEE MEETING HELD ON 2ND MARCH 2005

The Committee approved as a correct record the Minute of the meeting held on 2nd March 2005, subject to the following amendments:

- (a) The inclusion of a supplementary paragraph (h) under the decisions in respect of item 4(j) recommending that consideration be given to the provision of a new bus service to serve Pulpit Hill, subject to the availability of appropriate funding; and
- (b) The insertion, after item 5, of a the standard paragraph regarding exclusion of the public from the succeeding items of business.

(b) **MINUTE OF PUBLIC HEARING HELD ON 2ND FEBRUARY 2005 IN REGARD TO PLANNING APPLICATION REF. 04/00572/OUT**

The Committee approved as a correct record the Minute of the public hearing held on 2nd February 2005

(c) **NOTE OF SITE INSPECTION MEETING HELD ON 2ND MARCH 2005 IN REGARD TO PLANNING APPLICATION REF. 03/00457/DET**

The Committee approved as a correct record the Minute of the site inspection meeting held on 2nd March 2005, subject to minor amendments.

(d) **NOTE OF SITE INSPECTION MEETING HELD ON 2ND MARCH 2005 IN REGARD TO PLANNING APPLICATION REF. 04/01738/OUT AND 04/01789/LIB**

The Committee approved as a correct record the Minute of the site inspection meeting held on 2nd March 2005

(e) **NOTE OF SITE INSPECTION MEETING HELD ON 2ND MARCH 2005 IN REGARD TO PLANNING APPLICATION REF. 04/02426/DET**

The Committee approved as a correct record the Minute of the site inspection meeting held on 2nd March 2005

(f) **REPORT BY AREA CORPORATE SERVICES MANAGER IN REGARD TO USABLE CAPITAL RECEPITS**

Members considered a report dated 14th March 2005 by the Area Corporate Services Manager in regard to the availability of a sum of £13,989.12 for allocation against projects which meet the capital criteria.

Decision:

Members agreed not to allocate any of this funding at this time and wait until there is a further allocation.

(Ref: Report dated 14th March 2005 by Area Corporate Services Manager, submitted)

4. COMMUNITY SERVICES

(a) **APPLICATION FROM BUNESSAN PRIMARY SCHOOL FOR FINANCIAL ASSISTANCE UNDER THE EDUCATION DEVELOPMENT GRANT SCHEME**

The Committee considered an application from Bunessan Primary School PTA for financial assistance under the Education Development Grant Scheme towards the cost of a residential outdoor education experience for 57 children.

Decision:

It was agreed that grant funding of £1,140 be awarded towards the estimated cost of £10,920.

(Ref: Report by Community Learning & Regeneration Manager, submitted)

(b) **APPLICATION FROM THE HIGHLANDS AND ISLANDS MUSIC AND DANCE FESTIVAL FOR FINANCIAL ASSISTANCE UNDER THE LEISURE DEVELOPMENT GRANT SCHEME**

The Committee considered an application from the Highlands and Islands Music and Dance Festival for financial assistance under the Leisure Development Grant Scheme towards the cost of promotion of the annual music and dance festival.

Decision:

It was agreed that grant funding of £2,500 be awarded towards the estimated cost of £27,000.

(Ref: Report by Community Learning & Regeneration Manager, submitted)

5. DEVELOPMENT SERVICES

(a) **LIST OF BUILDING WARRANTS APPROVED BY THE DIRECTOR OF DEVELOPMENT SERVICES SINCE THE LAST MEETING**

The Committee considered, and noted, a list dated 15th March 2005 of Building Warrants and Relaxation of the Building Standards Regulations in respect of which approvals had been issued since the last meeting.

(Ref: List of approvals dated 15th March 2005, submitted)

(b) **LIST OF DELEGATED DECISIONS ISSUED BY THE DIRECTOR OF DEVELOPMENT SERVICES SINCE THE LAST MEETING**

The Committee considered and noted a list dated 29th March 2005 of applications for planning permission in respect of which delegated decisions had been issued since the last meeting.

(Ref: List of approvals dated 29th March 2005, submitted)

- (c) **04/02162/DET: A. DAWSON: EERECTION OF 2 HOLIDAY LETTING UNITS - LAND SOUTH WEST OF DRUIMARD, DERVAIG, TOBERMORY, ISLE OF MULL**

Refused for the reasons set out in the report dated 9th March 2005 by the Head of Planning.

(Ref: Report dated 9th March 2005 by Head of Planning, submitted)

- (d) **04/02172/OUT: MR GILBERT: SITE FOR DWELLING HOUSE - ARDSHELLACH FARM, ARDMADDY, BY OBAN**

Approved subject to the conditions set out in the report dated 21st March 2005 by the Head of Planning.

(Ref: Report dated 21st March 2005 by Head of Planning, submitted)

- (e) **04/02173/OUT: MR GILBERT: SITE FOR DWELLINGHOUSE - ARDSHELLACH FARM, ARDMADDY, BY OBAN**

Approved subject to the conditions set out in the report dated 14th March 2005 by the Head of Planning.

(Ref: Report dated 14th March 2005 by Head of Planning, submitted)

- (f) **04/02394/OUT: MR GILBERT: SITE FOR DWELLINGHOUSE - ARDSHELLACH FARM,. ARDMADDY, BY OBAN**

Approved subject to the conditions set out in the report dated 21st March 2005 by the Head of Planning.

(Ref: Report dated 21st March 2005 by Head of Planning, submitted)

- (g) **04/02241/DET: MR. STRACHAN: ERECTION OF A DWELLINGHOUSE - LAND SOUTH WEST OF NEW BARRAN FARM, BARRAN, KILMORE, OBAN**

Approved, in principle, as a minor departure from current adopted policy, subject to (a) the conditions set out in the report dated 28th February 2005 by the Head of Planning; and (b) an additional condition in regard to the tidying up of site and removal of caravan upon completion of the house, the final wording of this condition to be submitted to the next meeting.

(Ref: Report dated 28th February 2005 by Head of Planning, submitted)

(h) **05/00238/COU: LADBROKES LTD: PARTIAL CHANGE OF USE OF FORMER MUSEUM AND STORAGE WAREHOUSE TO CLASS 2 BETTING OFFICE - EXHIBITION CENTRE, NORTH PIER, OBAN**

It was noted that the local member in this case is Councillor Sidney MacDougall, and not Councillor Banks as stated on the report.

It was moved by Councillor MacIntyre, seconded by Councillor Sidney MacDougall that this application be refused on the grounds that "The proposed external alterations to the building (specifically the use of modern aluminium polyester powder finished windows and doors; the use of modern single glazed doors; the use of large wall to floor glazing on the front elevation) would have an adverse impact on the appearance of the building and on the character and setting of the adjoining listed building and townscape policy area where traditional finishes and shop fronts predominate. The proposals are therefore contrary to policies POL BE (1) and BE (9) of the adopted Lorn Local Plan".

It was moved by Councillor Macaskill, seconded by Councillor Gillies, as an amendment, that the application for change of use be approved as per the report dated 10th March 2005 by the Head of Planning, subject to details of the design of the shop front and rear being submitted to a future meeting for approval.

Upon a vote being taken by roll call

	Motion	Amendment
Councillor R Banks		√
Councillor I Gillies		√
Councillor A Macaskill		√
Councillor A MacDougall		√
Councillor S MacDougall	√	
Councillor D MacIntyre	√	
Councillor E Robertson	√	

Accordingly the application for change of use was approved.

(Ref: Report dated 10th March 2005 by Head of Planning, submitted)

(i) **04/01978/OUT: MR S BARTON: ERECTION OF A DWELLING - PLOT 6, ICHRACHAN, TAYNUILT**

Approved, subject to (a) conditions 1-4, 6, 7 and 9 as set out in the report dated 29th March 2005 by the Head of Planning; (b) the amendment of condition 5 to reflect that the approved scheme of planting and landscaping must be maintained for a period of not less than ten years; (c) the amendment of condition 8 to reflect that any external lighting must be angled downwards; and the amendment of condition 10 to reflect that the access must be surfaced in dense bitumen macadam or similar hardbound material for the first 5 metres back from the edge of the public road.

(Ref: Report by Head of Planning dated 29th March 2005, submitted)

(j) **04/01981/OUT: MR S BARTON: ERECTION OF A DWELLING - PLOT 7, ICHRACHAN, TAYNUILT**

Approved, subject to (a) conditions 1-4, 6, 7 and 9 as set out in the report dated 29th March 2005 by the Head of Planning; (b) the amendment of condition 5 to reflect that the approved scheme of planting and landscaping must be maintained for a period of not less than ten years; (c) the amendment of condition 8 to reflect that any external lighting must be angled downwards; and the amendment of condition 10 to reflect that the access must be surfaced in dense bitumen macadam or similar hardbound material for the first 5 metres back from the edge of the public road.

(Ref: Report by Head of Planning dated 29th March 2005, submitted)

(k) **04/01984/OUT: MR S BARTON: ERECTION OF A DWELLING - PLOT 8, ICHRACHAN, TAYNUILT**

Approved, subject to (a) conditions 1-4, 6, 7 and 9 as set out in the report dated 29th March 2005 by the Head of Planning; (b) the amendment of condition 5 to reflect that the approved scheme of planting and landscaping must be maintained for a period of not less than ten years; (c) the amendment of condition 8 to reflect that any external lighting must be angled downwards; and the amendment of condition 10 to reflect that the access must be surfaced in dense bitumen macadam or similar hardbound material for the first 5 metres back from the edge of the public road.

(Ref: Report by Head of Planning dated 29th March 2005, submitted)

(l) **04/01985/OUT: MR S BARTON: ERECTION OF A DWELLING - PLOT 9, ICHRACHAN, TAYNUILT**

Approved, subject to (a) conditions 1-4, 6, 7 and 9 as set out in the report dated 29th March 2005 by the Head of Planning; (b) the amendment of condition 5 to reflect that the approved scheme of planting and landscaping must be maintained for a period of not less than ten years; and (c) the amendment of condition 8 to reflect that any external lighting must be angled downwards.

(Ref: Report by Head of Planning dated 29th March 2005, submitted)

(m) **REPORT BY HEAD OF PLANNING IN REGARD TO DESIGN AWARD**

Members considered a report dated 6th April 2005 by the Head of Planning in regard to the Planning Design Award 2005.

Decision:

It was agreed that:

- (a) all Members of the Area Committee are to be involved in the judging process and are to receive a presentation with good quality coloured digital photographs at the next meeting;
- (b) an independent Architect should be present to offer a professional perspective; and
- (c) that nominations numbered 2,3,4,5 and 7 should be put forward for judging.

(Ref: Report dated 6th April 2005 by Head of Planning, submitted)

(n) **LETTER DATED 8TH MARCH 2005 FROM SCOTTISH EXECUTIVE INQUIRY REPORTERS UNIT IN REGARD TO PLOTS 1 -3 CLACHAN, LISMORE**

Members considered, and noted, a letter dated 8th March 2005 from the Scottish Executive Inquiry Reporters Unit intimating refusal of the appeals by Messrs Fell Trustees in respect of plots 1-3, Clachan, Lismore.

(Ref: Letter dated 8th March 2005 from the Scottish Executive Inquiry Reporters Unit, submitted)

(o) **REPORT BY TECHNICAL SUPPORT OFFICER IN REGARD TO FOOTPATH AT MILLPARK, OBAN**

Members considered a report by the Technical Support Officer, Development Services in regard to future maintenance responsibilities for the footpath at Millpark, Oban.

Decision:

It was agreed that consideration of this item be continued to the next meeting for a full report, with photographs, addressing the issues of ownership of the path and the estimated annual maintenance costs.

(Ref: Report by the Technical Support Officer, Development Services, submitted)

6. OPERATIONAL SERVICES

(a) **REPORT BY AREA ROADS & AMENITY SERVICES MANAGER IN REGARD TO GANAVAN SEA WALL**

Members considered a report dated 17th March 2005 by the Area Roads and Amenity Services Manager in regard to action planned for the damaged sea wall at Ganavan.

Decision:

It was agreed that consideration of this item be continued to the next meeting to allow the Area Roads and Amenity Services Manager to (a) advise Members of the level of funding available within the coastal protection budget; (b) advise of other projects in the Oban Lorn & the Isles area which could be funded from this budget; and (c) make an approach to the owner of Ganavan Pavilion to ascertain the level of contribution from him towards the cost of repairing the sea wall.

(Ref: Report dated 17th March 2005 by the Area Roads and Amenity Services Manager, submitted)

(b) **VERBAL UPDATE BY AREA ROADS & AMENITY SERVICES MANAGER IN REGARD TO THE CHICANE AND CATTLE GRID - CROSSAPOL, ISLE OF TIREE**

It was agreed that consideration of this item be continued to the next meeting for a full report to be submitted, including photographs.

(c) **REPORT BY AREA ROADS & AMENITY SERVICES MANAGER IN REGARD TO CAPITAL RECONSTRUCTION AND SURFACE DRESSING PROGRAMME**

Members considered, and approved, a report dated 5th April 2005 by the Area Roads and Amenity Services Manager in regard to road reconstruction and resurfacing schemes for 2005/2006.

The Area Roads and Amenity Services Manager was also asked to consider the formation of additional passing places on the Kilmore - Connel road.

(Ref: Report dated 5th April 2005 by Area Roads & Amenity Services Manager, submitted)

7. PUBLIC QUESTION TIME

Mr S Leddy, Connel

Expressed concern in regard to various matters in relation to Ganavan. It was agreed that the Area Corporate Services Manager speak with Mr Leddy after the meeting.

Councillor Macaskill left the meeting at this point as he had to attend a meeting with COSLA elsewhere in Oban.

The Committee resolved in terms of Section 50A(4) of the Local Government (Scotland) Act 1973, to exclude the public from the following items of business on the grounds that it was likely to involve the disclosure of exempt information as defined in Paragraph 9 of Part 1 of

8. ACQUISITION / DISPOSAL / LEASING OF PROPERTY

(a) REPORT BY DIRECTOR OF CORPORATE SERVICES IN REGARD TO SNACK BAR SITE, MCCAIGS TOWER, OBAN

Members considered, and approved, a report dated 23rd March 2005 by the Director of Corporate Services in regard to the lease of the McCaigs Tower Snack Bar site, Oban.

(Ref: Report dated 23rd March 2005 by the Estates Surveyor, submitted)

(b) REPORT BY DIRECTOR OF CORPORATE SERVICES IN REGARD TO SNACK BAR SITE, CORRAN HALLS, OBAN

Members considered, and approved, a report dated 23rd March 2005 by the Director of Corporate Services in regard to the lease of the Corran Halls Snack Bar site, Oban.

(Ref: Report dated 23rd March 2005 by the Estates Surveyor, submitted)

(c) REPORT BY DIRECTOR OF CORPORATE SERVICES IN REGARD TO FUNFAIR AT LEDAIG CAR PARK, TOBERMORY

Members considered a report dated 4th April 2005 by the Director of Corporate Services in regard to a request for a short term lease of an area of ground at Ledaig car park, Tobermory for the purposes of a funfair.

Decision:

It was decided to accede to the request for a short term lease as set out in the report. It was further agreed that alternative sites be investigated for future years.

(Ref: Report dated 4th April 2005 by the Estates Surveyor, submitted)

9. ENFORCEMENT ACTIONS

(a) REPORT BY HEAD OF PLANNING IN REGARD TO ENFORCEMENT ACTION

A report dated 23rd March 2005 by the Head of Planning in regard to a complaint received in respect of works carried out at a site on the Isle of Seil was considered.

Members noted that planning permission is not required.

(Ref: Report dated 23rd March 2005 by Head of Planning, submitted)

10. DEEDS AND DOCUMENTS

(a) REPORT BY CHIEF SOLICITOR IN REGARD TO FORMAL DEEDS AND DOCUMENTS ISSUED SINCE THE LAST MEETING

Members considered, and noted, a report dated 24th March 2005 by the Head of Legal and Protective Services in regard to formal deeds and documents executed between 15th February and 23rd March 2005.

(Ref: Report dated 24th March 2005 by the Chief Solicitor, submitted)