

**MINUTES of MEETING of PLANNING, PROTECTIVE SERVICES AND LICENSING COMMITTEE  
held ON A HYBRID BASIS IN THE MARRIAGE SUITE, HELENSBURGH AND LOMOND CIVIC  
CENTRE, 38 EAST CLYDE STREET, HELENSBURGH AND BY MICROSOFT TEAMS  
on WEDNESDAY, 21 JUNE 2023**

**Present:** Councillor Kieron Green (Chair)

Councillor John Armour	Councillor Andrew Kain
Councillor Jan Brown	Councillor Paul Donald Kennedy
Councillor Audrey Forrest	Councillor Liz McCabe
Councillor Amanda Hampsey	Councillor Luna Martin
Councillor Daniel Hampsey	Councillor Peter Wallace
Councillor Fiona Howard	

**Attending:** Fergus Murray, Head of Development and Economic Growth  
Shona Barton, Governance Manager  
Peter Bain, Development Manager  
Alan Morrison, Regulatory Services and Building Standards Manager  
Sheila MacFadyen, Senior Solicitor  
Sandra Davies, Major Applications Team Leader  
Tim Williams, Area Team Leader – Oban, Lorn and the Isles  
Kirsty Sweeney, Area Team Leader – Helensburgh and Lomond/Bute and Cowal  
David Moore, Senior Planning Officer  
Fiona Scott, Planning Officer  
Steven Gove, Planning Officer  
Norman Shewan, Planning Officer  
Fiona Macdonald, Solicitor

**1. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Gordon Blair, Graham Archibald Hardie and Mark Irvine.

**2. DECLARATIONS OF INTEREST**

Councillor Paul Kennedy declared a financial interest in Agenda Item 4 (Civic Government (Scotland) Act 1982: Taxi Fare Scale Review) as he held a Taxi Car Licence for the Helensburgh and Lomond Area. He left the meeting and took no part in the determination of this report which is dealt with at item 4 of this Minute.

**3. MINUTES**

- a) The Minute of the Planning, Protective Services and Licensing Committee held on 24 May 2023 at 10.30 am was approved as a correct record.
- b) The Minute of the Planning, Protective Services and Licensing Committee held on 24 May 2023 at 2.00 pm was approved as a correct record.
- c) The Minute of the Planning, Protective Services and Licensing Committee held on 24 May 2023 at 2.30 pm was approved as a correct record.

Having declared an interest in the following item, Councillor Paul Kennedy left the meeting at this point.

#### **4. CIVIC GOVERNMENT (SCOTLAND) ACT 1982: TAXI FARE SCALE REVIEW**

In terms of Section 17 of the Civic Government (Scotland) Act 1982, the Local Authority requires to fix maximum fares and other charges in connection with the hire of taxis operating in their area and to review the scales for taxi fares and other charges on a regular basis. The new fare structure requires to come into force by 22 October 2023. The fares were last reviewed by Members on 19 January 2022 and took effect on 22 April 2022.

Consideration was given to a report advising the Committee they were now required to carry out a further review of taxi fares and other charges.

#### **Decision**

The Committee agreed:

1. To propose that there be no change to the existing scales and that this take effect from 22 October 2023;
2. To authorise the Head of Legal and Regulatory Support to advertise this proposal and to invite any responses within one month of the advertisement and report back to Members at their meeting on 23 August 2023; and
3. Should no objections or representations be received in relation to the proposal, to delegate to the Head of Legal and Regulatory Support, in consultation with the Chair of the PPSL Committee to conclude the review without the requirement for the Committee to consider a further report.

(Reference: Report by Executive Director with responsibility for Legal and Regulatory Support dated 21 June 2023, submitted)

Councillor Kennedy returned to the meeting.

#### **5. HOLIDAYS DIRECT MARKETING: CHANGE OF USE OF LAND FOR THE SITING OF 10 HOLIDAY PODS, FORMATION OF VEHICULAR ACCESS AND PARKING, INSTALLATION OF SEWAGE TREATMENT PLANT AND ASSOCIATED LANDSCAPING: LAND BETWEEN ACHNAKEEP AND SCHOOLHOUSE COTTAGE, PORTSONACHAN (REF: 22/00625/PP)**

The Planning Officer spoke to the terms of the report and to supplementary report number 1 which advised that the examination into the Argyll and Bute Proposed Local Development Plan 2 (PLDP2) by the Scottish Government had now concluded and that the Examination Report was a material consideration of significant weight. The supplementary report highlighted the PLDP2 policies relevant to this application and it was concluded that in this case there was no significant material change of policy between the Adopted Plan and the PLDP2.

The Planning Officer also referred to 3 late representations sent directly to the PPSL Committee from Mr Flint, Mr Short, and Mr and Mrs Manson. The submissions were reviewed by Officers and it was considered that they did not raise any issues not already

addressed in the reports. A further representation was also received from Councillor Julie McKenzie, on behalf on an unnamed constituent, querying the validity of the ecological assessment submitted with the application which, it was claimed, should be no older than 18 months. Referring to the ecological survey which was dated September 2021 and the tree survey dated October 2021, it was considered by Officers that there was no requirement for updated surveys to be carried out. There was no objection from the Council's Biodiversity Officer and it was not considered that any biodiversity issues affecting the site had changed since the surveys were produced.

The application seeks to secure planning permission for the change of use of land to allow it to be utilised as a small scale holiday development comprising 10 pods. In terms of the Settlement Strategy set out in the adopted Local Development Plan (LDP), the application site is situated within the defined Minor Settlement of Portsonachan where Policies LDP STRAT 1 and LDP DM 1 give general encouragement to small scale development on appropriate sites. The proposed development benefits from direct policy support from both National and Local Policy (NPF4 Policy 30 and LDP Policy LDP 5, SG LDP TOUR 1 and SG LDP TOUR 3) which recognise that tourism is a sustainable industry and has the potential to add value to the economy of Argyll.

Issues raised by third parties have all been assessed and in this instance it is not considered by Planning Officers that the objections raise any complex or technical issues that have not been addressed in the report.

In this instance the proposed development is considered to be wholly consistent with, and actively supported by, the provisions of the adopted National Policy as underpinned by the LDP and it was recommended that planning permission be 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. PP - Approved Details & Standard Notes – Non EIA Development

The development shall be implemented in accordance with the details specified on the application form dated 25/03/22, supporting information and, the approved drawings listed in the table below unless the prior written approval of the planning authority is obtained for an amendment to the approved details under Section 64 of the Town and Country Planning (Scotland) Act 1997.

Plan Title.	Plan Ref. No.	Version	Date Received
Proposed Site Layout and Landscaping Plan	1538/07	D	23/06/22
Existing Site Layout Plan	1538/08	A	23/06/22
Site Location Plan	1538/09	B	23/06/22
Section A – Existing and Proposed Topography	1538/10	A	28/03/22
Section B – Existing and Proposed Topography	1538/10	B	28/03/22
Key Plan & Elevations	22-0000-001	A	23/06/22

Biodiversity Enhancement Plan – 26 PAGES			11/05/23
Civil/Structural Site Constraints Report Part 1 of 3 – 151 PAGES			23/06/22
Civil/Structural Site Constraints Report Part 2 of 3 – 30 PAGES			23/06/22
Civil/Structural Site Constraints Report Part 3 of 3 – 22 PAGES			23/06/22
Design and Access Statement Part 1 of 2 – 13 PAGES			23/06/22
Design and Access Statement Part 2 of 2 – 12 PAGES			23/06/22
Drainage Details – Greenfield and Storage Calculations			08/02/23
Drainage Details – 30 Year Storage Calculations – 4 PAGES			08/02/23
Ecological Assessment – 34 PAGES			28/03/22
Proposed Drainage Strategy	HDM-BLY-XX-XX-SK-C-96		08/02/23
Proposed Parking and Entrance Road	HDM-BLY-XX-XX-SK-C-95003	F	27/07/22
High Level Landscape and Visual Appraisal Part 1 of 2 – 17 PAGES			23/06/22
High Level Landscape and Visual Appraisal Part 2 of 2 – 20 PAGES			23/06/22
Lodge Specification – 2 PAGES			28/03/22
Noise Management Plan – 3 PAGES			06/03/23
NPF4 Statement May '23 – 11 PAGES			
Planning Statement – 49 PAGES			28/03/22
Planting Notes & Landscape Maintenance and Management Proposals – 13 PAGES			28/03/22
Tree Survey and Arboricultural Constraints – 16 PAGES			28/03/22
Vehicle Trip Briefing Note – 6 PAGES			

*Reason: For the purpose of clarity, to ensure that the development is implemented in accordance with the approved details.*

## 2. Vehicular Access

Notwithstanding the provisions of Condition 1, the proposed access shall be formed in accordance with the Council's Roads Standard Detail Drawing SD 08/004a and shall include visibility splays of 2.4 metres to point X by 53 metres to point Y from the centre

line of the proposed access. The access shall be surfaced with a bound material in accordance with the stated Standard Detail Drawing. Prior to work starting on site the access hereby approved shall be formed to at least base course standard and the visibility splays shall be cleared of all obstructions such that nothing shall disrupt visibility from a point 1.05 metres above the access at point X to a point 0.6 metres above the public road carriageway at point Y. The final wearing surface on the access shall be completed prior to the development first being brought into use and the visibility splays shall be maintained clear of all obstructions thereafter.

*Reason: In the interests of road safety.*

#### Note to Applicant

- A Road Opening Permit under the Roads (Scotland) Act 1984 must be obtained from the Council's Roads Engineers prior to the formation/alteration of a junction with the public road.
- The access shall be constructed and drained to ensure that no surface water is discharged onto the public road.
- A 300mm diameter twin walled culvert pipe to be installed in the existing ditch where the new access is to be situated.

### **3. Passing Places**

Notwithstanding the provisions of Condition 1, no development shall commence on site until details, in plan form, of 6 additional passing places provided, or formalised, along the B840 public road, between the junction of the A819 and the application site, have been submitted to and their position and specification agreed in writing with the Planning Authority in consultation with the Roads Engineer. Thereafter the passing places shall be undertaken in accordance with the approved details unless otherwise agreed in writing with the Planning Authority, and shall be available for their intended use before any of the holiday pods hereby granted are first occupied.

*Reason: In the interests of road safety.*

### **4. Private Water Supply**

Notwithstanding the provisions of Condition 1, no development shall commence until an appraisal of the wholesomeness and sufficiency of the intended private water supply and the system required to serve the development has been submitted to and approved by the Planning Authority.

The appraisal shall be carried out by a qualified hydrologist/hydrogeologist or other suitably competent person and shall include a risk assessment having regard to the requirements of Part 3 of the Water Intended for Human Consumption (Private Supplies) (Scotland) Regulations 2017 (as appropriate) which shall inform the design of the system by which a wholesome and sufficient water supply shall be provided and maintained. The appraisal shall also demonstrate that the wholesomeness and sufficiency of any other supply in the vicinity of the development, or any other person utilising the same source or supply, shall not be compromised by the proposed development.

The development shall not be brought into use or occupied until the required water supply system has been installed in accordance with the agreed specification and is operational.

*Reason: In the interests of public health and in order to ensure that an adequate private water supply in terms of both wholesomeness and sufficiency can be provided to meet the requirements of the proposed development and without compromising the interests of other users of the same or nearby private water supplies.*

#### Notes to Applicant

1. Regulatory requirements for private water supplies should be discussed with the Council's Environmental Health Service in the first instance.
  2. If the development is likely to use 10m<sup>3</sup> water per day then the applicant will need to apply for a registration or licence for water abstraction from SEPA <https://www.sepa.org.uk/regulations/authorisations-and-permits/application-forms/#Water>.
  3. If the proposed development is a commercial undertaking including but not limited to; use as a holiday or long term private let, workplace, food business, campsite etc. then the applicant must apply to the Environmental Health service 8 weeks before the intended use date for the private water supply to be registered and certified as fit for use. Email: [pws@argyll-bute.gov.uk](mailto:pws@argyll-bute.gov.uk).
  4. It is recommended that should planning permission be granted, that the applicant contact this Service to discuss further the measures needed to comply with the requirements of Water Intended for Human Consumption (Private Supplies) (Scotland) Regulations 2017.
5. **Sustainable Drainage System**

The development shall be undertaken in accordance with the drainage details set out on Drawing Number HDM-BLY-XX-XX-SK-C-96001 – Proposed Drainage Strategy and Greenfield Run-off and Micro Drainage Calculations (GC22462 Greenfield and Storage Calculations and GC22462 30 Year Storage Calculations).

The approved surface water drainage scheme shall be operational prior to the development being brought into use and shall be maintained as such thereafter.

*Reason: To ensure the provision of an adequate surface water drainage system and to prevent flooding.*

#### Note to Applicant

- Please note the advice and guidance set out in the consultation response from JBA Consulting Ltd which is available to view via the [Public Access](#) section of the Council's website.
- Further advice on SuDS can be found in SEPA's Standing Advice for Small Scale Development – [www.sepa.org.uk](http://www.sepa.org.uk)

## 6. **Occupancy Restriction**

Notwithstanding the provisions of Class 9 of the Town and Country Planning (Use Classes) (Scotland) Order 1997 the residential accommodation hereby approved shall be used for short term holiday occupancy only and not as a main residence and shall not be occupied by any family, group or individual for a cumulative period of more than three calendar months in any one year. A register showing dates of arrivals and departures shall be maintained at the premises and shall be available at all reasonable times for inspection by the Planning Authority.

*Reason: In order to define the permitted occupancy having regard to the fact that the premises are unsuitable for occupation as a permanent dwellings.*

### Note to Applicant

For the avoidance of doubt this permission only provides for the occupation of the premises on a short term basis on the grounds that the development is unsuited to full time residential occupation. Specifically the occupation of the premises as a dwelling shall require the benefit of a separate planning permission.

## 7. **Noise Management Plan**

The development shall be operated in accordance with the measures set out in the Noise Management Plan for the proposed development dated 01/03/23 unless otherwise approved in writing by the Planning Authority.

*Reason: In order to avoid noise nuisance in the interest of amenity.*

## 8. **External Lighting**

Notwithstanding the effect of Condition 1, no development shall commence until full details of any external lighting to be used within the site has been submitted to and approved in writing by the Planning Authority. Such details shall include the location, type, angle of direction and wattage of each light which shall be so positioned and angled to prevent any glare or light spillage outwith the site boundary. Thereafter the external lighting shall be installed in accordance with the approved details unless otherwise agreed in writing with the Planning Authority.

*Reason: In order to avoid light pollution in the interest of amenity.*

### Note to Applicant

All external lighting should be designed in accordance with the Scottish Government's Guidance Note "Controlling Light Pollution and Reducing Light Energy Consumption" 2007, Annexes A and B. Site specific advice may be obtained by contacting the Council's Environmental Health Officers.

## 9. **Ecological Assessment**

The development shall be implemented in accordance with the mitigation measures identified in the Ecological Appraisal dated September 2021 unless otherwise agreed in writing by the Planning Authority.

*Reason: In order to protect natural heritage assets in the interest of nature conservation.*

Note to Applicant:

Consideration should be given to the advice and guidance set out in the consultation response from the Council's Biodiversity Officer in relation to the requirement for checks for protected species prior to works commencing and species/habitats which may be affected and the developer's responsibilities and obligations under nature conservation legislation and associated licencing requirements. The consultation response is available to view via the Public Access section of the Council's website.

#### **10. Tree Retention and Protection Measures**

The development shall be implemented in accordance with the mitigation measures identified in the Tree Survey and Arboricultural Constraints Report dated October 2021 unless otherwise agreed in writing by the Planning Authority.

*Reason: In order to protect natural heritage assets in the interest of nature conservation.*

#### **11. Eradication of Non-Native Invasive Species**

No development shall commence on site until full details of an Eradication Scheme for non-native invasive species comprising Rhododendron ponticum and Japanese knotweed within the application site has been submitted to and approved in writing by the Planning Authority in consultation with the Biodiversity Officer. The Eradication Scheme shall include a timetable for implementation and clearly identify the extent of the Rhododendron ponticum and Japanese knotweed on a scaled plan

*Reason: To eradicate non-native species from the development site and to prevent their spread throughout development works.*

#### **12. Biodiversity Enhancement and Landscaping**

The development shall be implemented in accordance with the approved biodiversity enhancement measures as set out in the Biodiversity Enhancement Plan dated April 2023 and received 11.05.23 and the associated Landscaping Plan (Drawing Number 1538/07 D). Notwithstanding the effect of Condition 1, the development shall not be occupied until such time as the physical biodiversity enhancement measures have been completed.

All of the agreed hard and soft landscaping works shall be completed during the first planting season following the first occupation of the development unless otherwise agreed in writing by the Planning Authority.

Any trees or shrubs which fail to become established, which die, are removed or become seriously diseased within five years of the implementation of the scheme shall be replaced in the following planting season by equivalent size and species of trees or shrubs as those originally required to be planted.

*Reason: To assist with the integration of the proposal with its surroundings in the interest of amenity and in order to protect and enhance natural heritage assets and*



*increase the biodiversity value of the site in accordance with national and local planning policy aims.*

(Reference: Report by Head of Development and Economic Growth dated 1 June 2023 and supplementary report number 1 dated 20 June 2023, submitted)

**6. MR COLIN CAMPBELL: ERECTION OF DECKING AND FENCING (RETROSPECTIVE): 3 ACADEMY TERRACE, ACADEMY ROAD, ROTHESAY, ISLE OF BUTE (REF: 22/01611/PP)**

The Planning Officer spoke to the terms of the report and to supplementary report number 1 which advised that the examination into the Argyll and Bute Proposed Local Development Plan 2 (PLDP2) by the Scottish Government had now concluded and that the Examination Report was a material consideration of significant weight. The supplementary report highlighted the PLDP2 policies relevant to this application and it was concluded that in this case there was no significant material change of policy between the Adopted Plan and the PLDP2.

Retrospective planning permission is sought for works that have been carried out within the curtilage of No. 3 Academy Terrace, Rothesay, Isle of Bute. Academy Terrace is a Category C Listed Building. Development Plan Policies and Supplementary Guidance and Historic Environment Scotland's publications seek to ensure that developments affecting the setting of a Listed Building should preserve its character, and its special architectural or historic interest.

The application has elicited 4 objections from neighbouring properties.

It is considered that the application is contrary to the relevant Policies and Supplementary Guidance contained in National Planning Framework 4 and the Argyll and Bute Local Development Plan 2015, and the guidance provided by Historic Environment Scotland in its "Managing Change in the Historic Environment Setting".

It was recommended that planning permission be refused for the reasons detailed in the report of handling.

**Decision**

The Committee agreed to refuse planning permission for the following reasons:

1. Academy Terrace is a Category C Listed Building in Rothesay that is a symmetrical gabled terrace set on a sloping site comprising six, two and three-storey, 2-bay dwellinghouses.

Academy Road looks on to the building's rear elevation and there is a set of steps that runs centrally through the back gardens down to the property. Two footpaths branch off diagonally from the steps to either end of the building.

The decking and fencing that have been erected within the rear garden area of No. 3 have a significantly adverse impact on the setting of Academy Terrace by virtue of their relatively close proximity to the main building; their central position in relation to the south western facade of the main building; and their substantial vertical and horizontal scale. These result in the diminution in one of the key views towards the building from

Academy Road and the visual intrusion into the relatively open and undeveloped character of the rear garden areas.

The front elevation of Academy Terrace faces in a north easterly direction towards the water and it occupies an elevated position above Argyle Street approximately 70 metres from the rear of the buildings at street level. Pedestrian access from Argyle Street (which was already relatively steep) looks to have diminished considerably over the years, with the path and set of steps becoming overgrown.

The fencing that has been erected around part of the north-eastern curtilage of No. 3 is considered to be unacceptable as it has a significantly adverse impact on the setting of Academy Terrace by virtue of its solid form and appearance that detracts from one of the key characteristics of the property, which is the relatively open nature of its front garden areas.

In view of the foregoing, the application is considered to be contrary to the provisions of the following:

National Planning Framework 4 (2023)

NPF4 Policy 7 – Historic Assets and Places

NPF4 Policy 14 – Design, Quality and Place

NPF 4 Policy 16 – Quality Homes

Argyll and Bute Local Plan 2015

Policy LDP 3 – Supporting the Protection Conservation and Enhancement of our Environment

Policy LDP 9 – Development Setting, Layout and Design

Supplementary Guidance policy SG LDP ENV 16(a) – Development Impact on Listed Buildings

Supplementary Guidance policy SG LDP Sustainable Siting and Design Principles

Historic Environment Scotland Published Guidance

‘Managing Change in the Historic Environment: Setting’ (2020)

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2. The decking that has been erected is 3 metres closer to the building than the patio area that has been in existence for some time. The decking detracts from the privacy and amenity of No. 2 Academy Terrace to a significantly adverse degree as it constitutes an elevated external living space in association with No. 3 Academy Terrace that would allow the congregation of people for prolonged periods with a relatively direct view into the ground floor kitchen window and the upper floor bedroom window of the neighbouring dwellinghouse at a distance of approximately 5 metres.

In view of the foregoing, the application is considered to be contrary to the provisions of the following:

National Planning Framework 4 (2023)

NPF 4 Policy 16 – Quality Homes

Argyll and Bute Local Plan 2015

Policy LDP 9 – Development Setting, Layout and Design

Supplementary Guidance policy SG LDP Sustainable Siting and Design Principles

(Reference: Report by Head of Development and Economic Growth dated 6 June 2023 and supplementary report number 1 dated 19 June 2023, submitted)

**7. SCOTTISH HYDRO ELECTRIC TRANSMISSION PLC: TO CONSTRUCT AND OPERATE A 275 KILOVOLT (KV) ELECTRICITY SUBSTATION AND ASSOCIATED INFRASTRUCTURE. THE WORKS WILL COMPRISE CUT AND FILL TO TIE THE PLATFORM INTO THE EXISTING GROUND LEVEL LANDSCAPING, SUSTAINABLE DRAINAGE SYSTEMS (SUDS) BASINS, NEW PERMANENT ACCESS AND UPGRADES TO EXISTING TRACKS: LAND APPROX 1.6 KM NORTH WEST OF MINARD AND UPSLOPE OF THE EXISTING CRARAE SUBSTATION, MINARD (REF: 22/02376/PP)**

The Senior Planning Officer spoke to the terms of the report and to supplementary report number 1 which advised that a holding objection by SEPA in respect of proposals had now been withdrawn subject to the imposition of new condition to replace condition 7 detailed in the main report of handling. The supplementary report also advised that the examination into the Argyll and Bute Proposed Local Development Plan 2 (PLDP2) by the Scottish Government had now concluded and that the Examination Report was a material consideration of significant weight. The supplementary report highlighted the PLDP2 policies relevant to this application and it was concluded that in this case there was no significant material change of policy between the Adopted Plan and the PLDP2.

The proposal is for the erection of a 275kV substation as part of a number of infrastructure proposals to “maintain an efficient, coordinate and economical electrical transmission system” and is required to allow connection for renewable energy in the area across the wider electricity network.

It is considered that the proposal would accord with the principles and policies contained within the Local Development Plan and National Planning Framework 4 and is acceptable in terms of all other applicable material considerations.

It was recommended that planning permission be granted subject to the revised conditions and reasons listed in Appendix 1 of supplementary report number 1.

### **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 23.11.22; the Environmental Appraisal (November 2022), supporting information and, the approved drawings listed in the table below unless the prior written approval of the planning authority is obtained for an amendment to the

approved details under Section 64 of the Town and Country Planning (Scotland) Act 1997.

Plan Title.	Plan Ref. No.	Version	Date Received
Site Location Plan	A01	A01	23.12.22
Figure 1.1 Red Line Boundary 1:20000	A01	A01	23.12.22
Site Layout Plan	4534c-DR-P-0017	Rev.5	26.05.23
Substation Compound Layout and Electrical Section Locations	4534c-DR-P-0004	Rev.3	23.12.22
Proposed Site Access Profiles	4534c-DR-P-0021		06.12.22
Proposed Site Profiles	4534c-DR-P-0018	Rev.1	06.12.22
Site Access Details	4534c-DR-P-0008	Rev.1	24.11.22
Typical Access Track Sections – Sheet 1	4534c-DR-P-0007	Rev.2	24.11.22
Typical Access Track Sections – Sheet 2	4534c-DR-P-0012	Rev.2	24.11.22
Typical Deer Fence and Gate	4534c-DR-P-0016		24.11.22
2.5m High Security Palisade Fencing Details	CE/34/2015	Rev.E	
Electrical Layout Elevations 01	4534c-DR-P-0011	Rev.1	24.11.22
Generator Building Elevations	4534c-DR-P-0009	Rev.2	24.11.22
Substation Building Elevations	4534c-DR-P-0006	Rev.2	24
Substation Building Layout	4534c-DR-P-0005	Rev.1	24.11.22
Transformer Building Elevations	4534c-DR-P-0019	Rev.1	24.11.22
Transformer Building Layout	4534c-DR-P-0020	Rev.1	24.11.22

Septic Tank and Private Water Supply Location	A01( Dated 16.12.22)	A0!	23.12.22
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*Reason: For the purpose of clarity, to ensure that the development is implemented in accordance with the approved details.*

2. No construction works shall be commenced until a Finalised Construction Environmental Management Document [CEMD] has been submitted to and approved in writing by the Planning Authority, in consultation with SEPA and other consultees, as appropriate. The development shall then proceed in accordance with the approved CEMD unless otherwise agreed in writing by the Planning Authority. The CEMD shall include:

- a) An updated Schedule of Mitigation (SM) highlighting mitigation set out within each chapter of the Environmental Appraisal (EA), and the conditions of this consent;
- b) Processes to control/ action changes from the agreed SM;
- c) Construction Environmental Management Plans (CEMPs) for the construction phase covering:
  - i) Habitat and species protection, including ECoW Details, surveys and species protection plans;
  - ii) Landscape and Mitigation Restoration Plan including compensatory planting (refer to Condition 9);
  - iii) Pollution prevention and control;
  - iv) Dust management, including construction activity and vehicle movements;
  - v) Construction noise and vibration
  - vi) Temporary site lighting;
  - vii) Watercourse crossings;
  - viii) Site waste management
  - ix) Surface and ground water management, including: drainage and sediment management measures from all construction areas including access tracks, mechanisms to ensure that construction will not take place during periods of high flow or high rainfall; and a programme of water quality monitoring;
  - x) Mapping of borrow pits and associated habitats identified for restoration;
  - xi) Invasive Non-Native Species Management Plan
  - xii) Emergency Response Plans;
  - xiii) Timetable for post construction restoration/ reinstatement of the temporary working areas and construction compound; and
  - xiv) Other relevant environmental management as may be relevant to the development
- d) A statement of responsibility to 'stop the job/ activity' if a breach or potential breach of mitigation or legislation occurs; and
- e) Methods of monitoring, auditing, reporting and the communication of environmental management on site and with client, Planning Authority, and other relevant parties.

*Reason: To ensure protection of surrounding environmental interests and general amenity.*

3. No development shall commence until a Construction Traffic Management Plan (CTMP) and Phased Delivery Plan have been prepared and approved in writing by the

Planning Authority and Transport Scotland as the trunk roads Authority. The Plan shall include details of:

- a) Approved access routes,
- b) Agreed operational practises (including avoidance of convoy movements, specifying conduct in use of passing places, identification of turning areas, information of wheel cleansing facilities, signage to be installed on the A83 warning of construction traffic, signage or temporary traffic control measures to include for larger or abnormal loads, reporting of verge damage);
- c) The provision of an appropriate Code of Practice to drivers of construction and delivery vehicles.
- d) Abnormal load route surveys and finalised plan (including any accommodation measures required including the removal of street furniture, junction widening, traffic management).

The development shall be implemented in accordance with the duly approved Traffic Management Plan

*Reason: To minimise the interference with the safety and free flow of traffic on the trunk road and to ensure that the transportation of abnormal loads will not have any detrimental effect on the trunk road network.*

4. No development or ground breaking works shall commence until a programme of archaeological works in accordance with a written scheme of investigation, has been submitted to and approved in writing by the Planning Authority in consultation with the West of Scotland Archaeology Service. The scheme shall be prepared by a suitably qualified person and shall provide for the recording, recovery and reporting of items of interest or finds within the application site. Thereafter the development shall be implemented in accordance with the duly approved details with the suitably qualified person being afforded access at all reasonable times during ground disturbance works.

*Reason: In order to protect archaeological resources.*

5. No development shall commence, until a strategy for housing incoming construction workers shall be submitted to and approved in writing by the Planning Authority. Thereafter the development shall be carried out in accordance with the approved details.

*Reason: In order to ensure that any potential adverse impacts on the functioning of the local housing market and tourist accommodation to the detriment of the interests of the local community are identified and mitigated in accordance with the requirements of NPF4, and in particular Policy 11C and Policy 25 Objectives.*

6. No development shall commence until an appraisal of the wholesomeness and sufficiency of the intended private water supply and the system required to serve the development has been submitted to and approved by the Planning Authority.

The appraisal shall be carried out by a qualified hydrologist/ hydrogeologist or other suitably competent person and shall include a risk assessment having regard to the requirements of Schedule 4 of the Private Water Supplies (Scotland) Regulations 2006 or Part 3 of the Water Intended for Human Consumption (Private Supplies) (Scotland) Regulations 2017 (as appropriate) which shall inform the design of the system by which a wholesome and sufficient water supply shall be provided and maintained. The

appraisal shall also demonstrate that the wholesomeness and sufficiency of any other supply in the vicinity of the development, or any other person utilising the same source or supply, shall not be compromised by the proposed development.

The development shall not be brought into use or occupied until the required water supply system has been installed in accordance with the agreed specification and is operational.

*Reason: In the interests of public health and in order to ensure that an adequate private water supply in terms of both wholesomeness and sufficiency can be provided to meet the requirements of the proposed development and without compromising the interests of other users of the same or nearby private water supplies.*

7. No development shall commence until a detailed peat management and reinstatement plan has been submitted to and approved by the Planning Authority in consultation with SEPA.

This shall be submitted to the planning authority and SEPA no later than two months prior to the intended commencement of development date and include details of :

- The written consent of all landowners whose land is to be utilised
- Methodology and volume of extraction,
- Phasing/timing of any works impacting peat
- Quality/classification of Peat to be extracted
- Details of any onsite peat re-instatement and /or enhancement
- Details of storage and transportation
- Details of the location, area and condition of onsite or offsite peatland to be improved
- Details of peat enhancement measures on this land
- Details of peatland restoration outcomes to be achieved
- Details of ongoing management arrangements of the restored peatland

The restored peatland shall thereafter be maintained in accordance with the terms of the approved peatland management plan, and retained in perpetuity unless with the written agreement of the Planning Authority in consultation with SEPA.

The restored area shall not be subject to any works or operations in the future to undermine the objectives of the restoration objectives contained in the approved Peat Management Plan.

The peat improvement works shall also be undertaken in accordance with the objectives of the necessary habitat and management plan set out at condition 08 below.

*Reason: In order to minimise disturbance of peat and ensure the appropriate reinstatement, reuse and management of peat in accordance with NPF 4 Policy 5 (c) objectives.*

8. No works to excavate any peat on the site shall be undertaken until a Habitat Management and Enhancement Plan has been submitted to and approved by the Planning Authority in consultation with its biodiversity advisor.

*Reason: To ensure that works result in habitat enhancement works being undertaken in accordance with NPF 4 and LDP Objectives.*

9. No development shall commence until a detailed Compensatory Planting Plan (CPP) and Long Term Forestry Management Plan (LTFMP) are submitted to and approved in writing by the Planning Authority, in consultation with Scottish Forestry. The approved CPP and LTFMP shall be implemented in full and in accordance with the approved timing, unless otherwise agreed in writing by the Planning Authority.

*Reason: To enable appropriate woodland removal to proceed, without incurring a net loss in woodland related public benefit, in accordance with the Scottish Government's policy on the Control of Woodland Removal.*

10. No development shall commence until a revised Landscape Planting Plan and Maintenance Plan in accordance with BS EN ISO 11091:1999 has been submitted to and approved in writing by the Planning Authority. The revised plans must include:
- a) A plan showing numbers and locations of each tree and shrub species;
  - b) Planting schedule to show for each species, the total number, type and size at planting;
  - c) Specification for planting to include ground preparation, planting operations and protection from herbivores;
  - d) Compensatory planting scheme for tree loss
  - e) Schedule of implementation and phasing;

The approved Landscape Planting Plan and Maintenance Plan shall thereafter be implemented in full in accordance with the implementation schedule and maintained in accordance with the approved details. Any plant losses within the first five years will be replaced at the next planting season.

*Reason: To ensure the development conserves and enhances the landscape character and biodiversity interests of the area.*

11. Any watercourse crossings, hereby permitted, shall be designed to at least the capacity of the existing channel and to the 1 in 200 year plus climate change flow and an allowance for freeboard, unless otherwise agreed in writing by the Planning Authority.

*Reason: To ensure that new watercourse crossings do not affect the existing flows in the interests of flood risk.*

12. No external lighting shall be installed on the site other than with the prior written approval of the planning authority. In that event the location, type and luminance of the lighting units to be installed shall be specified, and any duly approved lighting shall be installed in a manner which minimises illumination and glare outwith the boundary of the application site. The completed site shall not be illuminated other than in the event of staff being present on site.

*Reason: In order to avoid unnecessary visual intrusion in the interests of the visual amenity of an area otherwise unaffected by the presence of light sources.*



13. No development/works shall take place outside the following hours;

0800 – 1800 hours Monday to Friday,  
0800 – 1300 hours Saturday  
Not at all on Sunday, Bank or Scottish Public Holidays.

*Reason: To minimise the impact of noise, generated by construction activities, on occupiers of residential properties.*

14. No development shall commence until a noise management strategy and plan has been submitted to the Planning Authority for its approval in consultation with its Environmental Protection advisors. This shall set out the hours of associated with proposed vehicular movements which could potentially disturb residential occupiers. Such details as may be approved shall thereafter be adhered to unless with the written authority of Environmental Health Officers.

*Reason: To safeguard residential amenity.*

(Reference: Report by Head of Development and Economic Growth dated 7 June 2023 and supplementary report number 1 dated 20 June 2023, submitted)

**8. SCOTTISH HYDRO ELECTRIC TRANSMISSION PLC: ERECTION OF HIGH VOLTAGE ELECTRICITY SUBSTATION AND FORMATION OF ASSOCIATED ACCESS, LANDSCAPING, DRAINAGE AND MEANS OF ENCLOSURE (CRAIG MURRAIL) SUBSTATION): ACHNABRECK FOREST - LAND APPROXIMATELY 2.5 KM NORTH EAST OF LOCHGILPHEAD AND 4 KM SOUTH WEST OF LOCH GLASHAN, LOCHGILPHEAD (REF: 22/02578/PP)**

The Senior Planning Officer spoke to the terms of the report and to supplementary report number 1 which advised that a holding objection by SEPA in respect of proposals had now been withdrawn subject to the imposition of new condition to replace condition 7 detailed in the main report of handling. The supplementary report also advised that the examination into the Argyll and Bute Proposed Local Development Plan 2 (PLDP2) by the Scottish Government had now concluded and that the Examination Report was a material consideration of significant weight. The supplementary report highlighted the PLDP2 policies relevant to this application and it was concluded that in this case there was no significant material change of policy between the Adopted Plan and the PLDP2.

The proposal is for the erection of a 275kV substation as part of a number of infrastructure proposals to “maintain an efficient, coordinate and economical electrical transmission system” and is required to allow connection for renewable energy in the area across the wider electricity network.

It is considered that the proposal would accord with the principles and policies contained within the Local Development Plan and National Planning Framework 4 and is acceptable in terms of all other applicable material considerations.

It was recommended that planning permission be granted subject to the revised conditions and reasons listed in Appendix 1 of supplementary report number 1.

## 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 14.12.22; the Environmental Appraisal (December 2022), supporting information and, the approved drawings listed in the table below unless the prior written approval of the planning authority is obtained for an amendment to the approved details under Section 64 of the Town and Country Planning (Scotland) Act 1997.

Plan Title.	Plan Ref. No.	Version	Date Received
Site Location Plan 1:75000	A01	A01	19.12.22
Site Location Plan 1:25000	A01	A01	19.12.22
Site Layout Plan	4534b-DR-P-0017	Rev.7	26.05.23
Substation Compound Layout and Electrical Section Locations	4534b-DR-P-0004	Rev.3	16.01.23
Proposed Site Access Profiles	4534b-DR-P-0021	-	19.12.22
Proposed Site Profiles	4534b-DR-P-0018	Rev.2	19.12.22
Site Access Details	4534b-DR-P-0008	Rev.1	19.12.22
Typical Access Track Sections – Sheet 1	4534b-DR-P-0007	Rev.2	19.12.22
Typical Access Track Sections – Sheet 2	4534b-DR-P-0012	Rev.2	19.12.22
2.5m High Security Palisade Fencing Details	CE/34/2015	Rev. E	19.12.22
Electrical Layout Elevations 01	4534b-DR-P-0011	Rev.1	19.12.22
Electrical layout Elevations 02	4534b-DR-P-0014	Rev.2	19.12.22
Electrical Layout Elevations 03	4534b-DR-P-0015	Rev.1	19.12.22
Generator Building Elevations	4534b-DR-P-0009	Rev.2	19.12.22

Substation Building Elevations	4534b-DR-P-0006	Rev.2	19.12.22
Substation Building Layout	4534b-DR-P-0005	Rev.1	19.12.22
Transformer Building Elevations	4534b-DR-P-0019	-	19.12.22
Transformer Building Layout	4534b-DR-P-0020	-	19.12.22
Switch Room Elevations	4534b-DR-P-0013		19.12.22
Switch Room Floor Plans	4534b-DR-P-0010	Rev.1	19.12.22
Septic Tank and Private Water Supply Location (15.12.22)	A01	A01	08.02.23

*Reason: For the purpose of clarity, to ensure that the development is implemented in accordance with the approved details.*

2. No construction works shall be commenced until a Finalised Construction Environmental Management Plan [CEMP] has been submitted to and approved in writing by the Planning Authority, in consultation with SEPA and other consultees, as appropriate. The development shall then proceed in accordance with the approved CEMP unless otherwise agreed in writing by the Planning Authority. The CEMP shall include:
  - a) An updated Schedule of Mitigation (SM) highlighting mitigation set out within each chapter of the Environmental Appraisal (EA), and the conditions of this consent;
  - b) Processes to control/ action changes from the agreed SM;
  - c) Construction Environmental Management Plans (CEMPs) for the construction phase covering:
    - i) Habitat and species protection, including ECoW Details, surveys and species protection plans;
    - ii) Landscape and Mitigation Restoration Plan including compensatory planting (refer to Condition 9);
    - iii) Pollution prevention and control;
    - iv) Dust management, including construction activity and vehicle movements;
    - v) Construction noise and vibration
    - vi) Temporary site lighting;
    - vii) Watercourse crossings;
    - viii) Site waste management
    - ix) Surface and ground water management, including: drainage and sediment management measures from all construction areas including access tracks, mechanisms to ensure that construction will not take place during periods of high flow or high rainfall; and a programme of water quality monitoring;
    - x) Mapping of borrow pits and associated habitats identified for restoration;
    - xi) Invasive Non-Native Species Management Plan

- xii) Emergency Response Plans;
  - xiii) Timetable for post construction restoration/ reinstatement of the temporary working areas and construction compound; and
  - xiv) Other relevant environmental management as may be relevant to the development
- d) A statement of responsibility to 'stop the job/ activity' if a breach or potential breach of mitigation or legislation occurs; and
- e) Methods of monitoring, auditing, reporting and the communication of environmental management on site and with client, Planning Authority, and other relevant parties.

*Reason: To ensure protection of surrounding environmental interests and general amenity.*

3. No development shall commence until a Construction Traffic Management Plan (CTMP) and Phased Delivery Plan have been prepared and approved in writing by the Planning Authority and Transport Scotland as the trunk roads Authority. The Plan shall include details of:

- a) Approved access routes,
- b) Agreed operational practises (including avoidance of convoy movements, specifying conduct in use of passing places, identification of turning areas, information of wheel cleansing facilities, signage to be installed on the A83 warning of construction traffic, signage or temporary traffic control measures to include for larger or abnormal loads, reporting of verge damage);
- c) The provision of an appropriate Code of Practice to drivers of construction and delivery vehicles.
- d) Abnormal load route surveys and finalised plan (including any accommodation measures required including the removal of street furniture, junction widening, traffic management).

The development shall be implemented in accordance with the duly approved Traffic Management Plan

*Reason: To minimise the interference with the safety and free flow of traffic on the trunk road and to ensure that the transportation of abnormal loads will not have any detrimental effect on the trunk road network.*

4. No development or ground breaking works shall commence until a programme of archaeological works in accordance with a written scheme of investigation, has been submitted to and approved in writing by the Planning Authority in consultation with the West of Scotland Archaeology Service. The scheme shall be prepared by a suitably qualified person and shall provide for the recording, recovery and reporting of items of interest or finds within the application site. Thereafter the development shall be implemented in accordance with the duly approved details with the suitably qualified person being afforded access at all reasonable times during ground disturbance works.

*Reason: In order to protect archaeological resources.*

5. No development shall commence, until a strategy for housing incoming construction workers shall be submitted to and approved in writing by the Planning Authority. Thereafter the development shall be carried out in accordance with the approved details.

*Reason: In order to ensure that any potential adverse impacts on the functioning of the local housing market and tourist accommodation to the detriment of the interests of the local community are identified and mitigated in accordance with the requirements of NPF4, and in particular Policy 11C and Policy 25 Objectives.*

6. No development shall commence until an appraisal of the wholesomeness and sufficiency of the intended private water supply and the system required to serve the development has been submitted to and approved by the Planning Authority.

The appraisal shall be carried out by a qualified hydrologist/ hydrogeologist or other suitably competent person and shall include a risk assessment having regard to the requirements of Schedule 4 of the Private Water Supplies (Scotland) Regulations 2006 or Part 3 of the Water Intended for Human Consumption (Private Supplies) (Scotland) Regulations 2017 (as appropriate) which shall inform the design of the system by which a wholesome and sufficient water supply shall be provided and maintained. The appraisal shall also demonstrate that the wholesomeness and sufficiency of any other supply in the vicinity of the development, or any other person utilising the same source or supply, shall not be compromised by the proposed development.

The development shall not be brought into use or occupied until the required water supply system has been installed in accordance with the agreed specification and is operational.

*Reason: In the interests of public health and in order to ensure that an adequate private water supply in terms of both wholesomeness and sufficiency can be provided to meet the requirements of the proposed development and without compromising the interests of other users of the same or nearby private water supplies.*

7. No development shall commence until a detailed peat management and reinstatement plan has been submitted to and approved by the Planning Authority in consultation with SEPA.

This shall be submitted to the planning authority and SEPA no later than two months prior to the intended commencement of development date and include details of :

- The written consent of all landowners whose land is to be utilised
- Methodology and volume of extraction,
- Phasing/timing of any works impacting peat
- Quality/classification of Peat to be extracted
- Details of any onsite peat re-instatement and /or enhancement
- Details of storage and transportation
- Details of the location, area and condition of onsite or offsite peatland to be improved
- Details of peat enhancement measures on this land
- Details of peatland restoration outcomes to be achieved
- Details of ongoing management arrangements of the restored peatland

The restored peatland shall thereafter be maintained in accordance with the terms of the approved peatland management plan, and retained in perpetuity unless with the written agreement of the Planning Authority in consultation with SEPA.

The restored area shall not be subject to any works or operations in the future to undermine the objectives of the restoration objectives contained in the approved Peat Management Plan.

The peat improvement works shall also be undertaken in accordance with the objectives of the necessary habitat and management plan set out at condition 08 below.

*Reason: In order to minimise disturbance of peat and ensure the appropriate reinstatement, reuse and management of peat in accordance with NPF 4 Policy 5 (c) objectives.*

8. No works to excavate any peat on the site shall be undertaken until a Habitat Management and Enhancement Plan has been submitted to and approved by the Planning Authority in consultation with its biodiversity advisor.

*Reason: To ensure that works result in habitat enhancement works being undertaken in accordance with NPF 4 and LDP Objectives.*

9. No development shall commence until a detailed Compensatory Planting Plan (CPP) and Long Term Forestry Management Plan (LTFMP) are submitted to and approved in writing by the Planning Authority, in consultation with Scottish Forestry. The approved CPP and LTFMP shall be implemented in full and in accordance with the approved timing, unless otherwise agreed in writing by the Planning Authority.

*Reason: To enable appropriate woodland removal to proceed, without incurring a net loss in woodland related public benefit, in accordance with the Scottish Government's policy on the Control of Woodland Removal.*

10. No development shall commence, until a revised Landscape Planting Plan and Maintenance Plan in accordance with BS EN ISO 11091:1999 has been submitted to and approved in writing by the Planning Authority. The revised plans must include:

- a) A plan showing numbers and locations of each tree and shrub species;
- b) Planting schedule to show for each species, the total number, type and size at planting;
- c) Specification for planting to include ground preparation, planting operations and protection from herbivores;
- d) Compensatory planting scheme for tree loss
- e) Schedule of implementation and phasing;

The approved Landscape Planting Plan and Maintenance Plan shall thereafter be implemented in full in accordance with the implementation schedule and maintained in accordance with the approved details. Any plant losses within the first five years will be replaced at the next planting season.

*Reason: To ensure the development conserves and enhances the landscape character and biodiversity interests of the area.*

11. Any watercourse crossings, hereby permitted, shall be designed to at least the capacity of the existing channel and to the 1 in 200 year plus climate change flow and

an allowance for freeboard, unless otherwise agreed in writing by the Planning Authority.

*Reason: To ensure that new watercourse crossings do not affect the existing flows in the interests of flood risk.*

- 12.No external lighting shall be installed on the site other than with the prior written approval of the planning authority. In that event the location, type and luminance of the lighting units to be installed shall be specified, and any duly approved lighting shall be installed in a manner which minimises illumination and glare outwith the boundary of the application site. The completed site shall not be illuminated other than in the event of staff being present on site.

*Reason: In order to avoid unnecessary visual intrusion in the interests of the visual amenity of an area otherwise unaffected by the presence of light sources.*

- 13.No development shall take place outside the following hours:

07.00hrs and 19.00hrs Mon to Friday (inclusive)  
07.00hrs and 18.00hrs Saturday

And not at all on Sundays or Scottish Bank Holidays unless as otherwise may be agreed with Environmental Protection Officers in advance of the operations.

*Reason: To safeguard residential amenity.*

(Reference: Report by Head of Development and Economic Growth dated 8 June 2023 and supplementary report number 1 dated 20 June 2023, submitted)

**9. SCOTTISH HYDRO ELECTRIC TRANSMISSION PLC: ERECTION OF HIGH VOLTAGE ELECTRICITY SUBSTATION AND FORMATION OF ASSOCIATED ACCESS, LANDSCAPING, DRAINAGE AND MEANS OF ENCLOSURE (CROSSAIG (NORTH) SUBSTATION): LAND ADJACENT TO CROSSAIG SUBSTATION, SKIPNESS (REF: 23/00382/PP)**

The Senior Planning Officer spoke to the terms of the report and to supplementary report number 1 which advised that a holding objection by SEPA in respect of proposals had now been withdrawn subject to the imposition of new condition to replace condition 7 detailed in the main report of handling. The supplementary report also advised that the examination into the Argyll and Bute Proposed Local Development Plan 2 (PLDP2) by the Scottish Government had now concluded and that the Examination Report was a material consideration of significant weight. The supplementary report highlighted the PLDP2 policies relevant to this application and it was concluded that in this case there was no significant material change of policy between the Adopted Plan and the PLDP2.

The proposal is for the erection of a 275kV substation as part of a number of infrastructure proposals to “maintain an efficient, coordinate and economical electrical transmission system” and is required to allow connection for renewable energy in the area across the wider electricity network.

It is considered that the proposal would accord with the principles and policies contained within the Local Development Plan and National Planning Framework 4 and is acceptable in terms of all other applicable material considerations.

It was recommended that planning permission be granted subject to the revised conditions and reasons listed in Appendix 1 of supplementary report number 1.

## 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 14.12.22; the Environmental Appraisal (December 2022), supporting information and, the approved drawings listed in the table below unless the prior written approval of the planning authority is obtained for an amendment to the approved details under Section 64 of the Town and Country Planning (Scotland) Act 1997.

Plan Title.	Plan Ref. No.	Version	Date Received
Site Location Plan	A01	A01	24.2.23
Site Layout Plan	4534d-DR-P-0017	Rev.5	26.5.23
Existing Substation Proposed Platform Extension and Detail	4534d-DR-P-0027	-	24.2.23
Substation Compound Layout and Electrical Section Locations	4534d-DR-P-0004	Rev.2	24.2.23
Proposed Site Access Profiles	4534d-DR-P-0021	Rev.1	24.2.23
Proposed Site Profiles	4534d-DR-P-0018	Rev.1	24.2.23
Site Access Details	4534d-DR-P-0008	Rev.2	24.2.23
Typical Deer Fence and Gate	4534d-DR-P-0016	-	24.2.23
2.5m High Security Palisade Fencing Details	CE/34/2015	Rev. E	24.2.23
Electrical Layout Elevations 01	4534d-DR-P-0011	Rev.1	24.2.23
Compound layout& Electrical Section Locations	4534d-DR_P-0004	Rev.2	24.2.23
Generator Building Elevations and Floor Plan	4534d-DR-P-0009	Rev.2	24.2.23
Control Building Elevations	4534d-DR-P-0006	Rev.1	24.2.23
Control Building Layout	4534d-DR-P-0022	Rev.1	24.2.23
Control Building Elevations	4534d-DR-P-0023	Rev.1	24.2.23
Transformer Building	4534d-DR-P-0019	Rev.1	24.2.23



Elevations			
Transformer Building Layout	4534d-DR-P-0020	Rev.1	24.2.23

*Reason: For the purpose of clarity, to ensure that the development is implemented in accordance with the approved details.*

2. No construction works shall be commenced until a Finalised Construction Environmental Management Plan [CEMP] has been submitted to and approved in writing by the Planning Authority, in consultation with SEPA and other consultees, as appropriate. The development shall then proceed in accordance with the approved CEMP unless otherwise agreed in writing by the Planning Authority. The CEMP shall include:

- a) An updated Schedule of Mitigation (SM) highlighting mitigation set out within each chapter of the Environmental Appraisal (EA), and the conditions of this consent;
- b) Processes to control/ action changes from the agreed SM;
- c) Construction Environmental Management Plans (CEMPs) for the construction phase covering:
  - i) Habitat and species protection, including ECoW Details, surveys and species protection plans;
  - ii) Landscape and Mitigation Restoration Plan including compensatory planting (refer to Condition 9);
  - iii) Pollution prevention and control;
  - iv) Dust management, including construction activity and vehicle movements;
  - v) Construction noise and vibration
  - vi) Temporary site lighting;
  - vii) Watercourse crossings;
  - viii) Site waste management
  - ix) Surface and ground water management, including: drainage and sediment management measures from all construction areas including access tracks, mechanisms to ensure that construction will not take place during periods of high flow or high rainfall; and a programme of water quality monitoring;
  - x) Mapping of borrow pits and associated habitats identified for restoration;
  - xi) Invasive Non-Native Species Management Plan
  - xii) Emergency Response Plans;
  - xiii) Timetable for post construction restoration/ reinstatement of the temporary working areas and construction compound; and
  - xiv) Other relevant environmental management as may be relevant to the development
- d) A statement of responsibility to 'stop the job/ activity' if a breach or potential breach of mitigation or legislation occurs; and
- e) Methods of monitoring, auditing, reporting and the communication of environmental management on site and with client, Planning Authority, and other relevant parties.

*Reason: To ensure protection of surrounding environmental interests and general amenity.*

3. No development shall commence until a Construction Traffic Management Plan (CTMP) and Phased Delivery Plan have been prepared and approved in writing by the

Planning Authority and Transport Scotland as the trunk roads Authority. The Plan shall include details of:

- a) Approved access routes,
  - All HGV construction traffic to use the Cross Kintyre Haul Route.
  - The B8001 Redhouse - Skipness Road and the B842 Claonaig - Southend Road must not be used by HGV's.
  - The B8001 Redhouse - Skipness Road and the B842 Claonaig - Southend Road may be used by LGV related to these works
- b) Agreed operational practises (including avoidance of convoy movements, specifying conduct in use of passing places, identification of turning areas, information of wheel cleansing facilities, signage to be installed on the A83 warning of construction traffic, signage or temporary traffic control measures to include for larger or abnormal loads, reporting of verge damage);
- c) The provision of an appropriate Code of Practice to drivers of construction and delivery vehicles.
- d) Abnormal load route surveys and finalised plan (including any accommodation measures required including the removal of street furniture, junction widening, traffic management).

The development shall be implemented in accordance with the duly approved Traffic Management Plan

*Reason: To minimise the interference with the safety and free flow of traffic on the trunk road and to ensure that the transportation of abnormal loads will not have any detrimental effect on the trunk or local road network.*

4. No development or ground breaking works shall commence until a programme of archaeological works in accordance with a written scheme of investigation, has been submitted to and approved in writing by the Planning Authority in consultation with the West of Scotland Archaeology Service. The scheme shall be prepared by a suitably qualified person and shall provide for the recording, recovery and reporting of items of interest or finds within the application site. Thereafter the development shall be implemented in accordance with the duly approved details with the suitably qualified person being afforded access at all reasonable times during ground disturbance works.

*Reason: In order to protect archaeological resources.*

5. No development shall commence, until a strategy for housing incoming construction workers shall be submitted to and approved in writing by the Planning Authority. Thereafter the development shall be carried out in accordance with the approved details.

*Reason: In order to ensure that any potential adverse impacts on the functioning of the local housing market and tourist accommodation to the detriment of the interests of the local community are identified and mitigated in accordance with the requirements of NPF4, and in particular Policy 11C and Policy 25 Objectives.*

6. No development shall commence until an appraisal of the wholesomeness and sufficiency of the intended private water supply and the system required to serve the development has been submitted to and approved by the Planning Authority.

The appraisal shall be carried out by a qualified hydrologist/ hydrogeologist or other suitably competent person and shall include a risk assessment having regard to the requirements of Schedule 4 of the Private Water Supplies (Scotland) Regulations 2006 or Part 3 of the Water Intended for Human Consumption (Private Supplies) (Scotland) Regulations 2017 (as appropriate) which shall inform the design of the system by which a wholesome and sufficient water supply shall be provided and maintained. The appraisal shall also demonstrate that the wholesomeness and sufficiency of any other supply in the vicinity of the development, or any other person utilising the same source or supply, shall not be compromised by the proposed development.

The development shall not be brought into use or occupied until the required water supply system has been installed in accordance with the agreed specification and is operational.

*Reason: In the interests of public health and in order to ensure that an adequate private water supply in terms of both wholesomeness and sufficiency can be provided to meet the requirements of the proposed development and without compromising the interests of other users of the same or nearby private water supplies.*

7. No development shall commence until a detailed peat management and reinstatement plan has been submitted to and approved by the Planning Authority in consultation with SEPA.

This shall be submitted to the planning authority and SEPA no later than two months prior to the intended commencement of development date and include details of :

- The written consent of all landowners whose land is to be utilised
- Methodology and volume of extraction,
- Phasing/timing of any works impacting peat
- Quality/classification of Peat to be extracted
- Details of any onsite peat re-instatement and /or enhancement
- Details of storage and transportation
- Details of the location, area and condition of onsite or offsite peatland to be improved
- Details of peat enhancement measures on this land
- Details of peatland restoration outcomes to be achieved
- Details of ongoing management arrangements of the restored peatland

The restored peatland shall thereafter be maintained in accordance with the terms of the approved peatland management plan, and retained in perpetuity unless with the written agreement of the Planning Authority in consultation with SEPA.

The restored area shall not be subject to any works or operations in the future to undermine the objectives of the restoration objectives contained in the approved Peat Management Plan.

The peat improvement works shall also be undertaken in accordance with the objectives of the necessary habitat and management plan set out at condition 08 below.

*Reason: In order to minimise disturbance of peat and ensure the appropriate reinstatement, reuse and management of peat in accordance with NPF 4 Policy 5 (c) objectives.*

8. No works to excavate any peat on the site shall be undertaken until a Habitat Management and Enhancement Plan has been submitted to and approved by the Planning Authority in consultation with its biodiversity advisor.

*Reason: To ensure that works result in habitat enhancement works being undertaken in accordance with NPF 4 and LDP Objectives.*

9. No development shall commence until a detailed Compensatory Planting Plan (CPP) and Long Term Forestry Management Plan (LTFMP) are submitted to and approved in writing by the Planning Authority, in consultation with Scottish Forestry. The approved CPP and LTFMP shall be implemented in full and in accordance with the approved timing, unless otherwise agreed in writing by the Planning Authority.

*Reason: To enable appropriate woodland removal to proceed, without incurring a net loss in woodland related public benefit, in accordance with the Scottish Government's policy on the Control of Woodland Removal.*

10. No development shall commence, until a revised Landscape Planting Plan and Maintenance Plan in accordance with BS EN ISO 11091:1999 has been submitted to and approved in writing by the Planning Authority. The revised plans must include:

- a) A plan showing numbers and locations of each tree and shrub species;
- b) Planting schedule to show for each species, the total number, type and size at planting;
- c) Specification for planting to include ground preparation, planting operations and protection from herbivores;
- d) Compensatory planting scheme for tree loss
- e) Schedule of implementation and phasing;

The approved Landscape Planting Plan and Maintenance Plan shall thereafter be implemented in full in accordance with the implementation schedule and maintained in accordance with the approved details. Any plant losses within the first five years will be replaced at the next planting season.

*Reason: To ensure the development conserves and enhances the landscape character and biodiversity interests of the area.*

11. Any watercourse crossings, hereby permitted, shall be designed to at least the capacity of the existing channel and to the 1 in 200 year plus climate change flow and an allowance for freeboard, unless otherwise agreed in writing by the Planning Authority.

*Reason: To ensure that new watercourse crossings do not affect the existing flows in the interests of flood risk.*

12. No external lighting shall be installed on the site other than with the prior written approval of the planning authority. In that event the location, type and luminance of the lighting units to be installed shall be specified, and any duly approved lighting shall be installed in a manner which minimises illumination and glare outwith the boundary of

the application site. The completed site shall not be illuminated other than in the event of staff being present on site.

*Reason: In order to avoid unnecessary visual intrusion in the interests of the visual amenity of an area otherwise unaffected by the presence of light sources.*

13. No development shall take place outside the following hours:

07.00hrs and 19.00hrs Mon to Friday (inclusive)

07.00hrs and 18.00hrs Saturday

No construction works shall take place on Sundays or Scottish Bank Holidays

unless as otherwise may be agreed in writing with Environmental Protection Officers in advance of the operations

Non-construction work and switching works can be carried out on Sundays and Scottish Bank Holidays between the hours of 08.00 and 13.00.

*Reason: Reason: To minimise the impact of noise, generated by construction activities, on occupiers of residential properties.*

(Reference: Report by Head of Development and Economic Growth dated 8 June 2023 and supplementary report number 1 dated 20 June 2023, submitted)

The Chair ruled, and the Committee agreed, to take a short comfort break at 3.00 pm.

The Committee reconvened at 3.10 pm.

**10. MR D HIGGINS: ERECTION OF DWELLINGHOUSE, FORMATION OF VEHICULAR ACCESS AND ASSOCIATED WORKS: GARDEN GROUND OF TORWOOD HOUSE, TORWOODHILL ROAD, RHU, HELENSBURGH (REF: 22/02523/PP)**

The Planning Officer spoke to the terms of supplementary report number 1 which advised that the examination into the Argyll and Bute Proposed Local Development Plan 2 (PLDP2) by the Scottish Government had now concluded and that the Examination Report was a material consideration of significant weight. The supplementary report highlighted the PLDP2 policies relevant to this application and it was concluded that in this case there was no significant material change of policy between the Adopted Plan and the PLDP2. The supplementary report also referred to a further representation received from one of the objectors.

The Planning Officer also advised of a further representation received by an original objector which related to the same subject as the late objection referred to in the supplementary report regarding concerns about flooding and drainage.

The Planning Officer advised that the most significant item in the supplementary report was a request from the Applicant that determination of this application be deferred to allow an opportunity for him to engage in discussions with Council Officers and to prepare further details of a scheme of commensurate off-site road improvements for assessment by Planning Officers in consultation with Area Roads Engineers.

It was recommended that determination of this application be deferred to allow an opportunity for the Applicant to prepare and submit further details to demonstrate to the satisfaction of Council Officers that there were no constraints to the implementation of an agreed scheme of commensurate off-site road improvements.

### **Decision**

The Committee agreed to defer determination of this application to allow an opportunity for the Applicant to prepare and submit further details to demonstrate to the satisfaction of Council Officers that there were no constraints to the implementation of an agreed scheme of commensurate off-site road improvements and noted that this would be reported back to the Committee at a future meeting.

(Reference: Report by Head of Development and Economic Growth dated 13 June 2023 and supplementary report number 1 dated 20 June 2023, submitted)

## **11. PROPOSED PROGRAMME OF PLANNING TRAINING FOR MEMBERS**

Over the past 10 years a series of short training sessions or occasionally workshops/site visits have been delivered for all elected Members with an aim to improve knowledge of the planning system on a wide range of issues.

A report seeking endorsement of the training programme from August 2023 to June 2024 was before the Committee for consideration.

### **Decision**

The Committee:

1. agreed to continuing an ongoing programme of planning related training for Members of the PPSL Committee, and that it be open to any other Members not currently involved in planning decision-making; and
2. endorsed the initial subject areas for training and the provisional dates for delivery, on the understanding that the programme may be varied to take account of any additional training requirements Members may wish to identify, along with any other particular training needs identified by Officers as a consequence of matters emerging during the course of the year.

(Reference: Report by Head of Development and Economic Growth dated 5 June 2023, submitted)

## **12. REGULATORY SERVICES - SERVICE PLAN 2023-25**

A report presenting the Regulatory Services Service Plan 2023-25 was considered. The Plan provided details of service achievements and performance in 2022-23 together with service priorities for 2023-25.

### **Decision**

The Committee considered and approved the Regulatory Services Service Plan 2023-25.

(Reference: Report by Executive Director with responsibility for Development and Economic Growth dated 12 June 2023 and Regulatory Services Service Plan 2023-2025, submitted)

### **13. BUILDING STANDARDS BALANCED SCORECARD 2023-25**

A report presenting the Building Standards Balanced Scorecard 2023-25 was considered. The Scorecard provided details of achievements and performance in 2022-23, together with service priorities for 2023-25.

#### **Decision**

The Committee considered and approved the Building Standards Balanced Scorecard 2023-25.

(Reference: Report by Executive Director with responsibility for Development and Economic Growth dated 12 June 2023 and Building Standards Service Plan 2023-2025, 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.

### **14. ENFORCEMENT REPORT REFERENCE 22/00002/ENFHSB**

Consideration was given to Enforcement Report reference 22/00002/ENFHSB.

#### **Decision**

The Committee agreed the recommendations detailed in the report.

(Reference: Report by Head of Development and Economic Growth dated 6 June 2023, submitted)