

**MINUTES of MEETING of PLANNING, PROTECTIVE SERVICES AND LICENSING COMMITTEE
held BY MICROSOFT TEAMS on WEDNESDAY, 23 AUGUST 2023**

Present: Councillor Kieron Green (Chair)

Councillor John Armour	Councillor Andrew Kain
Councillor Gordon Blair	Councillor Paul Donald Kennedy
Councillor Jan Brown	Councillor Liz McCabe
Councillor Amanda Hampsey	Councillor Luna Martin
Councillor Graham Hardie	Councillor Peter Wallace
Councillor Mark Irvine	

Attending: Stuart McLean, Committee Manager
Peter Bain, Development Manager
Sandra Davies, Major Applications Team Leader
Bryn Bowker, Area Team Leader – Mid Argyll, Kintyre and the Islands
Stephanie Wade, Senior Planning Officer
Sybil Johnson, Senior Planning and & Strategies Officer
Sheila MacFadyen, Senior Solicitor

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Audrey Forrest, Daniel Hampsey and Dougie Philand.

2. DECLARATIONS OF INTEREST

There were no declarations of interest.

3. MINUTES

- a) The Minute of the Planning, Protective Services and Licensing Committee held on 21 June 2023 was approved as a correct record.
- b) The Minute of the Planning, Protective Services and Licensing Committee held on 28 June 2023 at 2.00 pm was approved as a correct record.
- c) The Minute of the Planning, Protective Services and Licensing Committee held on 28 June 2023 at 2.30 pm was approved as a correct record.
- d) The Minute of the Planning, Protective Services and Licensing Committee held on 28 June 2023 at 3.00 pm was approved as a correct record.

4. PROTECTION OF CHILDREN AT WORK - EMPLOYMENT OF CHILDREN BYELAWS

Argyll and Bute Council made byelaws on 14 August 2002 in relation to the employment of children at work. These byelaws were confirmed by the Scottish Executive on 24 June 2003 and came into force on 29 August 2003. In terms of Section 201 of the Local Government (Scotland) Act 1973, byelaws require to be renewed not later than 10 years from coming into force. The byelaws were last reviewed in May 2013 and were before the Committee for consideration.

Decision

The Committee agreed that no change be made to the current byelaws at this time.

(Reference: Report by Executive Director with responsibility for Legal and Regulatory Support dated 9 August 2023, submitted)

* **5. CIVIC GOVERNMENT (SCOTLAND) ACT 1982: SHORT-TERM LETS LICENSING POLICY HEARING PROCEDURE**

Consideration was given to a report proposing amendments to Argyll and Bute Council's current Short-term Lets Policy Hearing Procedure.

Decision

The Committee:-

1. considered the content of this report; and
2. agreed to recommend to Council approval of the proposed revisions to Argyll and Bute Council's Short-term Lets Policy Hearing Procedure as set out in Appendix 1 of the report.

(Reference: Report by Executive Director with responsibility for Legal and Regulatory Support dated 4 August 2023, submitted)

6. MR & MRS D KELLY: DEMOLITION OF EXISTING CONSERVATORY, ERECTION OF REAR EXTENSION, ERECTION OF FRONT PORCH AND ALTERATIONS TO PRINCIPAL ELEVATION: STRATHMORE, DRUMLEMBLE, CAMPBELTOWN (REF: 23/01069/PP)

The Area Team Leader spoke to the terms of the report. This application was before the Committee as the Applicant was an elected Member of the Council. Planning permission is sought for the erection of a front porch, the demolition of an existing rear conservatory and the erection of a single storey rear extension. It is also proposed to extend the lounge area to the front of the detached property.

The proposal is considered to be consistent with the relevant provisions of the Development Plan, and there are no other material considerations of sufficient significance to indicate that it would be appropriate to withhold planning permission.

It was recommended that planning permission be granted subject to one standard condition and reason as detailed in the report of handling.

Decision

1. The Committee agreed to grant planning permission subject to the following condition and reason:

PP - Approved Details & Standard Notes – Non EIA Development

The development shall be implemented in accordance with the details specified on the application form dated 31.05.23; 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
Existing Location Plan/elevations/floor plan	Kelly-21/100-01	REV A	01.06.23
Proposed site plan/elevations/floor plan	Kelly-21/100-02	REV A	01.06.23

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

(Reference: Report by Head of Development and Economic Growth dated 4 August 2023, submitted)

7. SAULMORE BAY RESORT LTD: PROPOSAL OF APPLICATION NOTICE FOR MARINA; BOATYARD (INCLUDING ANCILLARY OFFICES (CLASS 4) AND STORE (CLASS 6)); LEISURE RESORT (INCLUDING BUILDINGS FOR LEISURE USE (CLASS 11), RETAIL (CLASS 1) AND RESTAURANT/CAFE (CLASS 3)); HOLIDAY LODGES (SUI GENERIS); AND OTHER HOLIDAY ACCOMMODATION TYPES (SUI GENERIS); NEW ROADS, WALKWAYS/CYCLEWAYS; AND RELATED DRAINAGE AND OTHER INFRASTRUCTURE: CAMUS BRUAICH, RUAIDHE, CONNEL (REF: 23/01040/PAN)

The Senior Planning Officer spoke to the terms of the report. The site of the proposed development which is subject to the Proposal of Application Notice (PAN) is located within open countryside adjacent to the western settlement boundary of Connel and to the north of the A85, around Camus Bruaich Bay (Loch Etive).

The report sets out the information submitted to date as part of the PAN and summarises the policy considerations, against which any future planning application will be considered as well as potential material considerations and key issues based upon the information received to date.

It was recommended that Members note the content of the report and submissions and provide such feedback as they consider appropriate in respect of the PAN to allow these matters to be considered by the Applicant in finalising any future planning application submission.

Decision

The Committee noted the content of the report and submissions with no further feedback being provided.

(Reference: Report by Head of Development and Economic Growth dated 8 August 2023, submitted)

8. INTELLIGENT LAND INVESTMENTS: PROPOSAL OF APPLICATION NOTICE FOR PROPOSED PUMPED STORAGE HYDRO SCHEME: LAND EAST OF BALLIEMEANOCH, DALMALLY (REF: 23/01212/PAN)

The Senior Planning Officer spoke to the terms of the report. The development which is subject to the Proposal of Application Notice (PAN) is of a scale which will be an application to the Scottish Ministers under the Electricity Act 1989. Therefore the submission of this PAN is voluntary and no public events are required under the provisions of the Act. This may form the basis of subsequent application to Scottish Ministers and Argyll and Bute Council will be a consultee on the application.

The proposal comprises a Pumped Storage Hydro Electric Scheme close to Lochan Airigh approximately 4.4 km to the south of the village of Portsonachan and 9 km north west of Inveraray. The site is located within the North Argyll Area of Panoramic Quality as defined in the Local Development Plan and would be located around 13 km to the south of the Loch Etive Mountains Wild Land Area and around 9 km to the west of Ben Lui Wild Land area as identified by NatureScot.

The report sets out the information submitted to date as part of the PAN and summarises the policy considerations, against which any future planning application will be considered as well as potential material considerations and key issues based upon the information received to date.

It was recommended that Members note the content of the report and submissions and provide such feedback as they consider appropriate in respect of the PAN to allow these matters to be considered by the Applicant in finalising any future planning application submission.

Decision

The Committee noted the content of the report and submissions with no further feedback being provided.

(Reference: Report by Head of Development and Economic Growth dated 8 August 2023, submitted)

9. SCOTTISH GOVERNMENT CONSULTATION: EFFECTIVE COMMUNITY ENGAGEMENT IN LOCAL DEVELOPMENT PLANNING GUIDANCE

A report advising the Committee of the Scottish Government consultation on Effective Community Engagement in Local Development Planning Guidance and seeking approval for the proposed response to this consultation was before the Committee for consideration.

Decision

The Committee agreed to:-

1. note this report and the implications of the proposed guidance for the planning service and the wider council; and
2. approve the proposed response to the consultation to the Scottish Government set out in Appendix 1 of the report.

(Reference: Report by Executive Director with responsibility for Development and Economic Growth dated 23 August 2023, submitted)

10. DEVELOPMENT MANAGEMENT PERFORMANCE UPDATE - FQ1 2023/24

A report providing an update on the performance of the Development Management Service for the reporting period FQ1 2023/24 was considered.

The document attached at Appendix 1 of the report provides an overview of the current demands upon the Development Management Service, its output during this period, the handling of the current backlog of casework, and the average time taken to determine planning applications.

Decision

The Committee considered and noted the content of the report.

(Reference: Report by Executive Director with responsibility for Development and Economic Growth dated 9 August 2023, submitted)

11. UPDATE ON RECENT SCOTTISH MINISTERS SECTION 36 WIND FARM DECISION

A report summarising the recent decision by Scottish Ministers to refuse section 36 consent and deemed planning permission for Sheirdrim Renewable Energy Development was before the Committee for information.

Decision

The Committee noted the contents of the report.

(Reference: Report by Head of Development and Economic Growth dated 19 July 2023, submitted)

12. PLANNING PERFORMANCE FRAMEWORK 2022/23

A report introducing the 2022/23 Planning Performance Report Framework (PPF) Annual report as required by the Scottish Government Planning Reform Agenda was before the Committee for information.

Decision

The Committee noted:

1. the content of the Planning Performance Framework 2022/23; and
2. that an update report would be submitted detailing Scottish Government feedback at the appropriate time later in 2023/24.

(Reference: Report by Executive Director with responsibility for Development and Economic Growth dated 8 August 2023 and Planning Performance Framework 2022/23, submitted)