

**Delegated or Committee Planning Application Report and Report of handling as required by Schedule 2 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2008 relative to applications for Planning Permission or Planning Permission in Principle**

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<b>Reference No:</b>	10/01147/PP
<b>Planning Hierarchy:</b>	Local
<b>Applicant:</b>	Mr R Young
<b>Proposal:</b>	Temporary erection of 50 metre high Anemometer Mast for period of 2 years
<b>Site Address:</b>	South of Beinn Mhor, Clachan-Seil, Oban

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**SUPPLEMENTARY REPORT 1**

**1.0 SUMMARY**

Members are due to consider the above planning application at their meeting on 20 October 2010. The Planning Application Report includes assessment of public representations received up to the date of checking (23/09/10). Since then, a further 5 representations have been received, which are summarised below:

Representors:

Catriona Henderson, (email address only)

James & Else Mellor, Innishail, Clachan Seil, Isle of Seil, PA34 4TJ

David MacLennan, 10 Park Terrace, Glasgow, G3 6BY

Juliet Cadzow, The Longhouse, Ardlarach, Isle of Luing

Stuart & Ann Reid, Torbeag, Clachan Seil, Isle of Seil, PA34 4TJ

In addition to concerns previously raised by other objectors, already summarised in the Planning Application Report, some new objectors allege that the mast has been erected on site, and concern is noted about the PPSL Meeting being convened in Dunoon rather than in Oban or Lochgilphead thereby locals shall not be traveling to meeting in person which will detract from conveying the true sense of public interest in this application.

**2.0 UPDATE**

In response to the Planning Officer investigation into this allegation, the applicant's have confirmed that a 15m high mast has been erected for a period of 2 – 3 weeks for the collection of background noise data.

Although this is likely to confuse or potentially antagonise objectors to the planning application for the 50m high anemometer mast; it is a separate matter.

It is considered in this instance that the temporary siting of the 15m high mast for a period not exceeding 28 days is permitted development under the provisions of Class 15 of the Town & Country Planning (General Permitted Development) (Scotland) (Order) 1992 as amended, which allows for:

“The use of land (other than a building or land within the curtilage of a building) for any purpose, except as a caravan site or an open air market, on not more than 28 days in total in any calendar year, and the erection of moveable structures on the land for the purposes of that use.”

In the event that the mast remains on site for more than 28 days, it would then require planning permission or be liable to enforcement action.

There has been concern / allegations noted that the location of the PPSL Meeting in Dunoon shall detract from conveying ‘true’ public interest in this application, by virtue that contributors shall not travel to the meeting and thereby give a distorted perception of importance. The PPSL does move around depending on scheduling arrangement and applications that are on the agenda. This month the decision has been taken for Dunoon to host Members. The application is currently recommended for a discretionary hearing, which shall be held at a local venue to the site at which point locals shall be given opportunity to attend and contributors to speak. There is no opportunity for contributors to make verbal representation on initial PPSL meeting in any event. All existing contributions have also been acknowledged and logged. It is not considered that there is any democratic deficit or disadvantage to contributors to holding PPSL in Dunoon.

### 3.0 RECOMMENDATION

It is recommended that Members acknowledge the additional representations received; and acknowledge the situation in terms of the temporary 15m high mast currently on site; before determining the planning application 10/01147/PP.

**Angus J Gilmour**  
**Head of Planning & Regulatory Services**  
**19 October 2010**

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