

MINUTES of MEETING of PLANNING, PROTECTIVE SERVICES AND LICENSING COMMITTEE
held in the HOLYROOD SUITE, QUEEN'S HALL, DUNOON
on WEDNESDAY, 20 OCTOBER 2010

Present: Councillor Daniel Kelly (Chair)

Councillor Rory Colville	Councillor Donald MacMillan
Councillor Robin Currie	Councillor Roderick McCuish
Councillor David Kinniburgh	Councillor Alex McNaughton
Councillor Bruce Marshall	Councillor James McQueen
Councillor Alister MacAlister	

Also Present: Councillor Ron Simon

Attending: Charles Reppke, Head of Governance and Law
Angus Gilmour, Head of Planning and Regulatory Services
Ross McLaughlin, Development Manager

Apologies: Councillor Vivien Dance Councillor Neil Mackay
Councillor Mary-Jean Devon Councillor Al Reay

1. MINUTES

- (a) The Minutes of the Planning, Protective Services and Licensing Committee of 15 September 2010 (10.00am) were approved as a correct record.
- (b) The Minutes of the Planning, Protective Services and Licensing Committee of 15 September 2010 (10.30am) were approved as a correct record.
- (c) The Minutes of the Planning, Protective Services and Licensing Committee of 30 September 2010 were approved as a correct record subject to the alteration of the word "store" to "skate park" at paragraph 3, line 6 of page 22 of the agenda pack.

2. PROPOSED AMENDMENTS TO PRE-DETERMINATION HEARING PROTOCOL

The Committee were asked to consider a report suggesting that the numbers threshold which currently triggered a pre-determination hearing be reviewed. The suggestion was that this number threshold be discontinued in favour of a criteria based approach which sought to add value to the decision making process. This new approach would look at the degree of local interest and controversy, the complexity of the case, how up to date the Development Plan is, the volume of representation and whether there had been any previous decisions or pre-determination hearings with the same issues/material considerations.

Decision

The Committee agreed to endorse the new criteria based approach as outlined in the report by the Head of Planning and Regulatory Services dated 20 October 2010 and that this be implemented with immediate effect.

(Ref: Report by Head of Planning and Regulatory Services dated 20 October 2010, submitted)

3. BUILDING STANDARDS BALANCED SCORECARD AND GENERAL PERFORMANCE: UPDATE

The Committee were invited to consider a report updating them on the Balanced Scorecard and General Performance of the Building Standards Service. The report advised that since the last reporting period (March 2010) the performance figures have continually exceeded targets despite difficulties in recruiting staff. The report also contained positive information relating to Customer Satisfaction Surveys with 100% of respondents rating the service delivery as either good or excellent.

Decision

1. To note with satisfaction the content of the submitted report.
2. To congratulate the Building Standards Manager and his staff for all their efforts.

(Ref: Report by Head of Planning and Protective Services dated 4 October 2010, submitted)

4. TRUSTEES OF REVEREND FELL: APPLICATION FOR DEMOLITION OF TWO BUILDINGS AND ERECTION OF TWO DWELLINGS: PORT MOLUAG, LISMORE (REF: 09/01676/PP)

The Development Manager spoke to the application advising that this was consistent with the Local Plan and was therefore recommended for approval. However, while there were no objections from statutory consultees (subject to conditions), there were 27 letters of representation received and he therefore recommended that a discretionary hearing be undertaken by the Committee in advance of determining the application. He recommended that this hearing would be undertaken on the basis of the volume of local interest in the application.

Decision

Agreed to hold a discretionary hearing in advance of determining the application on a date, time and venue yet to be determined.

(Ref: Report by Head of Planning and Regulatory Services dated 1 October 2010, submitted)

5. RWE NPOWER RENEWABLE LTD: APPLICATION FOR ERECTION OF A 15 TURBINE WINDFARM (45 MEGAWATT MAXIMUM CAPACITY): RAERA FOREST, KILNINVER (REF: 09/01874/PP)

The Development Manager spoke to his recommendation for refusal and advised that due to the level of representations and the complexity of the issues a local discretionary hearing be arranged in advance of determining the application.

Decision

Agreed to hold a discretionary hearing in advance of determining the application on a date, time and venue yet to be determined.

(Ref: Report by Head of Planning and Regulatory Services dated 7 October 2010, submitted)

6. MR AND MRS MACGREGOR: APPLICATION FOR DEMOLITION OF OUTBUILDINGS AND ERECTION OF 5 DWELLINGS IN COURTYARD FORMATION: LAND AT LITTLE RAHANE FARM, RAHANE, HELENSBURGH (REF: 10/00536/PP)

The Development Manager advised that the site lay within a Rural Opportunity Area and was small in scale. The Council's Environmental Health Service had recommended that the associated noise from the neighbouring farm would cause nuisance and therefore be considered the proposal to be "bad neighbour in reverse". Accordingly, the recommendation was for refusal as the development was contrary to Policy LP BAD 2. Due to the technical nature of the case it was recommended that a discretionary hearing take place.

Decision

Agreed to hold a discretionary hearing in advance of determining the application on a date, time and venue yet to be determined.

(Ref: Report by Head of Planning and Regulatory Services dated 30 September 2010, submitted)

7. COWAL GOLF CLUB: APPLICATION FOR ERECTION OF 4 HOUSES AND 8 FLATS: COWAL GOLF CLUB, ARDENSLATE ROAD, KIRN, DUNOON (REF: 10/00899/PP)

The Head of Planning and Regulatory Services advised that the proposal was required to amend a previous permission granted in 2008. The proposal conforms with the requirements of the Local Plan Policies and that there were no material considerations to suggest anything other than approval. He commented that there was a Section 75 Agreement in place for permission ref 07/02508/DET which would be required to be altered to reflect the change in number of flats and the addition of dwellinghouses and to allow the affordable housing objective to be met. There had been no objections from either Statutory Consultees or the public and he recommended that the application be approved.

Decision

Agreed to grant planning permissions subject to (a) the alteration of the original Section 75 Agreement (07/02508/DET) to reflect the changes to the number of flats, the addition of four dwellinghouses and to allow the affordable housing objective to be met by the sale of the site of one block of 24 flats to a RSL (Registered Social Landlord) and (b) that the affordable housing element (Block A) should be implemented prior to the completion of Block B. The following conditions and reasons were also endorsed:-

1. That the development to which this permission relates must be begun within three years from the date of this permission.

Reason: In accordance with Section 58 of the Town and Country Planning (Scotland) Act 1997.

2. The development shall be implemented in accordance with the details specified on the application form dated 16th April 2010 and the approved drawing reference numbers: 2634/P/102 RevA, 2634/P/101, 2634/P/200 RevC, 2634/P/201 RevC, 2634/P/300, 2634/P/301, 2634/P/302, 2634/P/303 RevA, 2634/P/304, 2634/P/305, 2634/P/500 RevA, 2634/P/501, 2634/P/503, 2634/P/901, 2634/P/902, Flood Risk and Surface Water Drainage Impact Assessment Report by Dougal Baillie Associates dated February 2010 including drawings and details contained in Appendices A to H (or as amended), 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.

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

3. Within one year of any work commencing on site, the applicant/developer shall provide an equipped children's play area (as shown on Proposed Site Plan 1:500 drawing no. 2634/P/200 Rev C and 1:200 Proposed Site Plan drawing no. 2634/P/201 RevC) that shall be completed and ready for use. Prior to any works commencing on site full details shall be submitted in writing for the approval of the Planning Authority in respect of play equipment, seating, landscaping, boundary treatment and maintenance/factoring of this area.

Reason: In order to provide on-site play provision for the proposed development.

4. No development, including any site works, shall commence until the written agreement of Scottish Water has been received confirming that the site foul drainage system can be connected to the public sewerage system, unless otherwise agreed in writing by the planning authority.

Reason: In order to provide for sustainable development of the site, and to avoid any unacceptable adverse impact on the water environment.

5. Prior to the commencement of any construction works, the following information to supplement the submitted 'Flood Risk and Surface Water Drainage Impact Assessment Report' by Dougal Baillie Associates dated February 2010 shall be

submitted for the prior written approval of the Planning Authority in consultation with the Council's Flood Alleviation Manager. Such details shall include :

- Details of access to intakes MH1, MH2 and MH4 which should have a platform at the end of the access with a handrail;
- Detail of intakes showing horizontal section of intake grill 900mm long;
- Details of flow path should intake MH1 overtop;
- Confirmation of maintenance procedures for surface water drainage systems, SuDS, watercourses, surface water outfalls and intakes and that the property owners will be responsible for the maintenance of these systems.

Reason: To avoid potential for flooding at the site in the interests of health and amenity.

6. The drainage proposals as detailed in the submitted Flood Risk and Surface Water Drainage Impact Assessment Report by Dougal Bailie Associates dated February 2010 including drawings and details contained in Appendices A to H (or as amended) shall be fully implemented prior to the occupation of the first flat or dwellinghouse, or such other timescale as may be agreed in writing with the Planning Authority.

Reason: In order to provide for a sustainable drainage scheme for the development.

7. Prior to the commencement of any site works, a preliminary contaminated land assessment, carried out by a competent person, shall be undertaken and submitted to the Planning Authority. The assessment should be sufficient, given the past use(s) of the site, to demonstrate the likely presence or absence of contaminants and their nature and make recommendations for further investigation if needed to quantify any hazards posed.

Reason: In the interest of public health and amenity as previous site uses may have resulted in contamination which may pose a hazard to the proposed residential development.

8. Where the preliminary investigation has concluded that contamination is present and may pose a hazard to the development, a secondary assessment, carried out by a competent person, shall be undertaken and submitted to the Planning Authority prior to the commencement of any site works. The assessment should seek to define any risks to the development posed by contamination, and make recommendations as to the requirement for any actions necessary to render the site suitable for the proposed use. The recommendations shall be agreed in writing by the Planning Authority, prior to the commencement of any site works.

Reason: In the interest of public health and amenity as previous site uses may have resulted in contamination which may pose a hazard to the proposed residential development.

9. Where the secondary investigation has indicated that action is necessary to render the site suitable for the proposed use, a remediation plan shall be devised by a competent person and submitted to the Planning Authority, prior to the commencement of any site works. The plan shall include details of the methodology that will be employed to demonstrate that the site will be

rendered suitable for the proposed use.

Reason: In the interest of public health and amenity.

10. The remediation works shall be carried out as detailed within a remediation plan, unless otherwise agree, in writing, with the Planning Authority. Upon completion of remediation works a completion certificate shall be issued, by a competent person, certifying that the works identified within the remediation plan have been carried out in accordance with the plan.

Reason: In the interest of public health and amenity.

11. Prior to the commencement of any construction works, samples of all external finishes (including car park surfaces) and roof coverings shall be submitted for the written approval of the Planning Authority. The development shall thereafter be carried out in accordance with the approved details unless otherwise agreed in writing with the Planning Authority.

Reason: In the interest of visual amenity and to help integrate the proposal within its surroundings.

12. The access serving this site shall be a Road over which the public has a right of access in terms of the Roads (Scotland) Act 1984, and shall be constructed in consultation with the Council's Area Roads Manager, unless the prior consent for variation is obtained in writing from the Planning Authority.

Reason: In order to ensure that provision is made for a service "road" commensurate with the scale of the overall development and having regard to the status of the proposed access as a residential service road.

13. Prior to the construction of any of the flats or dwellinghouses hereby approved or such other timescale as may be agreed in writing with the Planning Authority, the proposed vehicular access shall be constructed to adoptable standards as per the Council's Development Guidelines and shall be 'fit for purpose' for existing users at Kirn Hunters Quay Bowling Club and Cowal Indoor Bowling Club. The access shall have a minimum radius of 6 metres, width 5.5 metres and 2 metre wide footway/service strip on both sides with a turning area at or near the end of the road.

Reason: In order to ensure that provision is made for a service "road" commensurate with the scale of the overall development and having regard to the status of the proposed access as a residential service road.

14. Prior to the first occupation of any of the flats or dwellinghouses hereby approved, the car parking area for 24 vehicles serving Block B and the terraced block as shown on approved site plan drawings 2634/P/200 RevC and 2634/P/201 RevC, shall be provided together (unless otherwise agreed in writing with the Planning Authority) and the northernmost 12 no spaces identified on this plan suitably surfaced in 'grasscrete' (or other similar material that may be agreed with the Planning Authority) and thereafter be retained in perpetuity for such a dedicated purpose.

Reason: In the interest of traffic and pedestrian safety and to ensure suitable

car parking provision for the development that will be surfaced to integrate with the surroundings in terms of visual amenity.

15. Prior to the occupancy of any of the flats or dwellinghouses hereby approved, the vehicular accesses onto Ardenslate Road and internal access shall be formed with sightlines of 90 metres in each direction formed from a 2.5 metres setback. No obstruction to visibility shall be permitted thereafter within these visibility splays above a height of 1.0 metres from the level of the highway.

Reason: In the interests of road safety and to ensure that appropriate sightlines can be achieved and maintained.

16. No development (including any land engineering works or any associated operations) shall take place within the site until the developer has secured the implementation of a programme of archaeological works in accordance with a written scheme of investigation which has been submitted by the applicant, agreed by the West of Scotland Archaeology Service, and approved by the Planning Authority. Thereafter, the developer shall ensure that the programme of archaeological works is fully implemented and that all recording and recovery of archaeological resources within the development site is undertaken in consultation and agreement with the West of Scotland Archaeology Service.

Reason: In order to allow the recovery and recording of any finds of archaeological significance.

17. No downpipes, burglar alarms, balanced flue extracts, meter boxes or service pipes shall be installed on the front elevations (south) on all of the flatted blocks, unless otherwise agreed in writing with the Planning Authority.

Reason: In order that such external fittings do not detract from the appearance of the building.

18. Prior to the commencement of any construction works, a detailed landscaping and tree planting scheme shall be submitted to the Planning Authority for approval. The scheme shall provide for a high quality scheme that shall include all landscaping including tree planting, shrub planting, hedges and soft/hard landscaping proposals for the site including all communal areas including details of the management and maintenance regime. The landscaping scheme, as may be approved, shall be fully implemented no later than the first planting and seeding season following the commencement of the development and thereafter shall be maintained for a period of ten years. Any losses of plant species to be included in the landscaping scheme, through disease, weather exposure, neglect or damage, shall be replaced with equivalent species within one growing season.

Reason: In the interest of visual amenity and to help integrate the proposal into its surroundings.

19. Notwithstanding any details submitted, and prior to the commencement of any construction works a detailed scheme indicating a common boundary

treatment to the flatted development shall be submitted for the written approval of the Planning Authority. The scheme shall be provided around all communal open space areas (including car parking areas and bin shelters) and shall provide for a natural hedge and/or stone boundary wall that shall be consistent throughout in terms of height, material and appearance and implemented commensurate with the development of the individual dwellinghouse(s). Thereafter and notwithstanding the provision of Class 7 of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 no fence or wall shall be erected fronting the new road without the prior written approval of the Planning Authority.

Reason: In the interests of visual amenity and to help integrate the proposal into the surrounding townscape setting and in terms of health and safety.

20. Prior to any construction works on site, full details (in respect of design and materials) of all proposed bin stores, cycle shelters, screening of electricity sub-station and any seating areas shall be submitted to and approved in writing by the Planning Authority.

Reason: No such details having been submitted.

21. Prior to any construction works on site, full details of a public art scheme(s) at the entrance to and within the development, shall be submitted to and approved in writing by the Planning Authority. The duly approved scheme shall be implemented prior to the first occupation of the last of the units to be occupied.

Reason: In the interest of visual amenity and to create a sense of place.

22. No works shall commence until further details including a timetable for ground engineering works has been submitted to and approved by the Planning Authority. Such details shall include confirmation and extent of soil redistribution and regarding of fairways and other land within Cowal Golf Course included within the application boundary. Given potential contamination on parts of the existing site close to the green keeper's buildings, no soil or material shall be moved around the site until the contamination conditions above have been formally discharged and subsequent details of earthworks submitted for consideration.

Reason: As no details have been submitted and to avoid redistribution of potential contaminated material.

(Ref: Report by Head of Planning dated 24 September 2010, submitted)

8. MR ROBERT BROWN: APPLICATION FOR REPLACEMENT OF ROOF COVERING ON BARN (RETROSPECTIVE), INSTALLATION OF CHIMNEY FLUE, ERECTION OF PORCH AND FENCING: COURTYARD COTTAGE, STRATHLACHLAN, CAIRNDOW (REF: 10/01128/PP)

The Head of Planning and Regulatory Services advised that the application was recommended for approval as it accords with the Development Plan, being consistent with Policies LP ENV1, LP ENV 10 and LP ENV 19. Although there was sufficient number of representations to trigger a hearing in relation to the old

thresholds, with the adoption of the new criteria it was considered that the criteria prompting the need for a hearing was not satisfied in this case.

Motion

That a discretionary hearing take place in advance of determining the application.

Moved by Councillor Marshall, seconded by Councillor McNaughton

Amendment

That the application be granted subject to the conditions and reasons contained within the report by the Head of Planning and Regulatory Services dated 5 October 2010.

Moved by Councillor Kinniburgh, seconded by Councillor Colville

Decision

The amendment was carried by 6 votes to 3 and the Committee resolved to grant planning permission subject to the undernoted conditions and reasons:-

1. The development shall be implemented in accordance with the details specified on the application form dated 25th June 2010 and the approved site plan titled '*Application Ref no. 10/01128/PP*', received on 22nd July 2010 and approved drawings titled '*Plan of Building & Adjacent Property to Letter Farm Showing Extent of Land Belonging to Courtyard Cottage Letters*', received 22nd July 2010, '*Plans & Elevations Existing & Proposed*', Drg, No. RGB/10/1, received 22nd July 2010, '*Details of Proposed Entrance Porch At Courtyard Cottage, Letter Farm*' (x2), received 22nd July 2010 and unless the prior written approval of the planning authority is obtained for other materials/finishes/for an amendment to the approved details under Section 64 of the Town and Country Planning (Scotland) Act 1997.

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

2. Prior to the first use of the porch enclosure, its roof shall be fitted with opaque glazing and its north facing elevation shall be of solid construction. The porch enclosure shall be retained with this design and appearance in perpetuity, unless the prior written consent of the Planning Authority is obtained for variation.

Reason: In the interest of privacy and amenity of the adjoining property.

(Ref: Report by Head of Planning and Regulatory Services dated 5 October 2010, submitted)

9. MR R YOUNG: APPLICATION FOR ERECTION OF ANEMOMETER MAST FOR TEMPORARY PERIOD (2 YEARS): SOUTH OF BEINN MHOR, CLACHAN SEIL (REF: 10/01147/PP)

The Development Manager advised that there had been a further 5 letters of representation received taking the total number to 63. He also advised that he had been made aware that the mast had been erected onsite. In terms of permitted development rights this would be allowed for a 28 day period and if it exceeded this period, enforcement action could be taken if there was no planning permission. He advised that the land could absorb the development and that the land was relatively featureless. In terms of the new hearing criteria, it was not recommended that a hearing was necessary.

Decision

Agreed:-

1. That the conclusions of the Area Capacity Evaluation (ACE) undertaken to accompany the assessment of this proposal be endorsed as a material consideration in the determination of the application and in the consideration of subsequent applications within the defined ACE compartment.
2. That a discretionary hearing was not required on the basis that there were no technically complex matters and that in granting this application it did not set a precedent for a windfarm development in this location.

3. To grant planning permission subject to the following conditions and reasons:-

1. Permission is hereby granted for 2 years from the date of this permission. The anemometer mast, supporting guy wires (and any base and associated fencing) shall be completely removed from the site no later than 31 October 2012. Thereafter the site shall be reinstated with the planting of indigenous vegetation within one month of the mast being removed from the site, unless a further period for an extended period is obtained from the Planning Authority.

Reason: In order that the Planning Authority may review the circumstances pertaining to the development within a reasonable period of time and in the interests of visual amenity.

2. The wind monitoring mast shall not be erected until full details of bird deflectors (which should be spaced at no greater than 2.5 metre intervals) to be installed on all guy wires of the mast have been submitted to and approved by the Planning Authority in consultation with Scottish Natural Heritage. The approved deflectors shall be installed on the mast for the duration of its installation and any that break or become detached shall be replaced.

Reason: In the interest of nature conservation to protect important bird species, as the application site is located within an important area for raptors, principally Golden Eagle, which are specifically protected under Annex 1 of the EEC Birds Directive 1979 and Schedule 1 of the Wildlife and Countryside Act 1981 (as amended).

3. The development shall be implemented in accordance with the details specified on the application form dated 25/06/10 and the approved drawing reference numbers:

Plan 1 of 2 (Drawing Number ANM – 001)

Plan 2 of 2 (Drawing Number ANM – 002)

unless the prior written approval of the planning authority is obtained for other materials/finishes/for an amendment to the approved details under Section 64 of the Town and Country Planning (Scotland) Act 1997 (as amended).

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

(Ref: Report by Head of Planning and Regulatory Services dated 23 September 2010, submitted and 19 October 2010, tabled)

10. NHS HIGHLAND: APPLICATION FOR INSTALLATION OF GENERATOR: VICTORIA HOSPITAL, ROTHESAY (REF: 10/01251/PP)

The Head of Planning and Protective Services advised that that application was in respect of the siting of a standby generator at the hospital. He advised that the large open spaced area gave a buffer to the residential property and that in terms of visual amenity the generator could not be seen from High Street although could be viewed from Wallace avenue. He advised that he had proposed a condition regarding screening and noise attenuation in terms of the representation from the Environmental Health Officer. He recommended that planning permission be approved subject to the conditions and reasons contained within his report.

Decision

Agreed to grant planning permission subject to the undernoted conditions and reasons:-

1. That the development to which this permission relates must be begun within three years from the date of this permission.

Reason: In accordance with Section 58 of the Town and Country Planning (Scotland) Act 1997)

2. The development shall be implemented in accordance with the details specified on the approved drawings: Drawing Number. 10011 00A; Drawing Number. 10017 01D; Drawing Number. 10017 03M; Drawing Number. 10017 20; and Drawing Number. 10017 21A unless the prior written approval of the planning authority is obtained for other materials/finishes/for an amendment to the approved details under Section 64 of the Town and Country Planning (Scotland) Act 1997.

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

3. Additional sound reduction measures should be taken to ensure that calculated noise levels, arising from the operation of the generator, shall not increase pre-determined ambient background noise levels, as agreed with the Planning Authority, by more than 3dB at the nearest noise-sensitive property. All measurements shall be taken in accordance with BS 4142: 1997. Such measures shall include erecting a suitable barrier around the generator to reduce both sound transmission and the visual impact of the generator. A competent person such as a noise consultant must be appointed to identify suitable sound reduction measures.

The sound reduction measures that are agreed shall be implemented prior to the first operation of the generator.

Reason: In the interests of visual amenity and no such details having been submitted.

(Ref: Report by Head of Planning and Regulatory Services dated 30 September 2010, submitted)

11. ARGYLL COLLEGE UHI LTD:APPLICATION FOR ERECTION OF CYCLE SHELTER: CAMPBELTOWN LEARNING CENTRE, HAZELBURN CAMPUS, CAMPBELTOWN (REF: 10/00738/PP)

The Committee had, at their September 2010 meeting, agreed that this application be continued to explore the alternative siting of the shelter to a less intrusive location and to seek confirmation of the Council's interest in the application (if any). A report updating the Committee was considered which advised that the applicant had not submitted any further information in respect of this request.

Decision

Agreed to continue the application for a further month to allow the opportunity for submission of further/amended details by the applicant and to instruct the Head of Planning and Regulatory Services to take a more proactive approach by asking the Local Planning Officer to visit the applicant to progress the matter.

(Ref: Report by Head of Planning and Regulatory Services dated 6 October 2010, submitted)

12. PROPOSED FELLING OF TREES AT THE BURIAL GROUND, KILMARTIN

On 19 May 2010 the Committee had agreed to grant permission to fell a number of conservation area trees within Kilmartin Burial Ground subject to a scheme to provide replacement trees. Following this decision, the Council's Horticultural Officer had advised that it would be impractical to replant within the cemetery grounds and that attempts to agreed to plant on third party land outwith the site had been unsuccessful. Due to this material change in circumstances, the Committee were invited to reconsider their earlier decision.

Decision

Agreed to fell the ten trees identified within the application (09/01778/TPO) without the previously identified requirement for compensatory planting.

(Ref: Report by Head of Planning and Regulatory Services dated 5 October 2010, submitted)

The Committee resolved in terms of Section 50(A)(4) of the Local Government (Scotland) Act 1973 to exclude the public for the following 3 items 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.

13. 10/00323/ENOTH2

The Committee were invited to consider a report regarding enforcement case 10/00323/ENOTH2.

Decision

Agreed the recommendation contained within the report dated 8 October 2010 by the Head of Planning and Regulatory Services.

(Ref: Report by Head of Planning and Regulatory Services dated 8 October 2010, submitted)

14. 10/00204/ENOTH2

The Committee were invited to consider a report in relation to enforcement case 10/00204/ENOTH2.

Decision

Agreed that no enforcement action be taken.

(Ref: Report by Head of Planning and Regulatory Services dated 23 September 2010, submitted)

15. 10/00012/ENOTH1, 10/00077/ENOTH2 & 10/00210/ENFOTH2

The Committee were invited to consider a report in relation to enforcement cases 10/00012/ENOTH1, 10/00077/ENOTH2 and 10/00210/ENFORTH2.

Decision

Agreed that enforcement option 1 within the report by the Head of Planning and Regulatory Services be the preferred course of action and that the Head of Planning and Regulatory Services investigate and expedite the consultation process with Transport Scotland, reporting back on progress to the Committee each month.

(Ref: Report by Head of Planning and Regulatory Services dated 18 October 2010, submitted)