

**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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**Reference No:** 10/02048/PP

**Planning Hierarchy:** Local Development

**Applicant:** Mr Colin Gladstone

**Proposal:** Erection of 2 dwelling houses and installation of 2 septic tanks

**Site Address:** Land North East of East Kames, Kilmelford

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**SUPPLEMENTARY REPORT NO. 1**

**(A) Background**

This application was presented to the Planning, Protective Services and Licensing Committee meeting on 16 February 2011.

Since presenting the proposal to Committee, two further representations from the following individuals have been received.

Cllr Elaine Robertson, Dungrianach, Crannaig-a-Mhinister, Oban, PA34 4LU  
Mrs Dalton, Maolochy, Kilmelford, Argyll

The above representations raise no new issues but reiterates the issues raised in the previous submissions which are detailed and commented on in the main report.

It has also been brought to the Planning Department's attention that comments attributed to the council's archaeological advisors were wrong and that, after discussion with West of Scotland Archaeology Service (WoSAS), a further condition addressing any potential archaeological issues should be attached to any issued consent. This condition has been included in those outlined below.

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**(B) RECOMMENDATION:**

Having due regard to the Development Plan and all other material considerations, it is recommended that planning permission be granted subject to:

- 1) a discretionary local hearing in view of the number of representations received in the context of a small community, and
  - 2) the conditions and reasons appended to this report.
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**Author of Report:** David Love

**Date:** 28/02/11

**Reviewing Officer:** Stephen Fair

**Date:** 28/02/11

**Angus Gilmour**  
**Head of Planning**

## CONDITIONS AND REASONS RELATIVE TO 10/02048/PPP

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. Prior to the commencement of works at the site, details shall be submitted for the approval of the Planning Authority in respect of the undermentioned matters:
  - a. The siting, design and external appearance of the proposed development;
  - b. The boundary treatment of the site of the proposed development, which shall include indigenous tree and shrub planting utilising native species;
  - c. Details of the access arrangements;
  - d. Details of the proposed surface water drainage arrangements;

which shall be consistent with the provisions set out within the submitted Design Statement dated December 2010.

*Reason: To comply with Section 59 of the Town and Country Planning (Scotland) Act 1997 and ensure the proposed dwellings are consistent with the character of the surrounding natural and built environment.*

3. Prior to the development commencing a full appraisal to demonstrate the wholesomeness and sufficiency of the private water supply to serve the development shall be submitted to and approved in writing by the Planning Authority. This assessment shall be carried out by a qualified and competent person(s). Such appraisal shall include a risk assessment having regard to the requirements of Schedule 4 of the Private Water Supplies (Scotland) Regulations 2006 and shall on the basis of such risk assessment specify the means by which a wholesome and sufficient water supply shall be provided and thereafter maintained to the development. Such 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. Furthermore, the development itself shall not be brought into use or occupied until the required supply has been installed in accordance with the agreed specification.

*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.*

4. The development shall be implemented in accordance with the details specified on the application form dated 2<sup>nd</sup> December 2010 and the approved drawing reference numbers:

- Plan 1 of 8 (Location Plan at scale of 1:10000)
- Plan 2 of 8 (Site Plan at scale of 1:500)
- Plan 3 of 8 (Site Plan at scale of 1:1000)
- Plan 4 of 8 (Site Plan at scale of 1:2000)
- Plan 5 of 8 (New Turning Head at scale of 1:100)
- Plan 6 of 8 (Proposed Junction to A816 at scale of 1:100)
- Plan 7 of 8 (Location Plan at scale of 1:5000)
- Plan 8 of 8 (Site Plan – Habitat at scale of 1:1000)

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.*

5. No development shall commence until on site until a scheme incorporating the following access details have been submitted to and has been agreed in writing by the local planning authority in consultation with the Council's roads engineers.

- Access at junction to public road to be constructed with 4.5m radii and a 5.5m width for first 10m;
- No walls, hedges, fences etc to be permitted within 2m from the channel line of the public road.
- Visibility splays measuring 160.0m x 2.4m to be cleared in advance of development and maintained clear of all obstruction in excess of 1.0m in height;.
- Carriageway width to be 3.5m to beyond access to dwellings
- 2m wide footway to be provided at radius of access road;
- Turning head to diagram 5.24 of the Council's Guidelines for Developments at the access to the dwellings;
- 2m wide verge required on both sides of the access road.

The duly approved scheme shall be implemented in full prior to the occupation of either dwelling

*Reason: In the interests of road safety to ensure the proposed development is served by a safe means of vehicular access.*

6. Proposals subject to application for matters specified in condition and implementation of the development shall have regard to and be carried out in full compliance with the mitigation measures outlined within the submitted 'Ecological Assessment of Kames Farm Proposed Development' dated November 2009 by Quadrat Scotland.

*Reason: In the interests of ecological and habitat preservation.*

7. No development shall commence within the site as outlined in red on the approved plan 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 to the satisfaction of the Planning Authority in agreement with the West of Scotland Archaeology Service

*Reason: In the interests of preserving potential archaeological remains and the historic environment.*