

## **Commentary on suggested planning conditions for 10/00263/PP**

### Conditions:

Condition 1: Standard condition which confirms the documents which are to be subject to approval in the decision.

Condition 2: Condition requiring the submission and approval of details relating to the colour and external finish of both the roof and upper walls – neither of these items having been specified in the appellant's submission.

Condition 3: Condition requiring the submission and approval of details of the finished floor level of the building relative to an identifiable fixed datum – this detail not having been specified in the appellant's submission.

Condition 4: It is noted that at their meeting of 1<sup>st</sup> Feb 2012, Members of the LRB appeared to be of the opinion that the proposal might be considered as a "special case" – in the event that the decision of the LRB were to justify approval of the development as a "special case" having regard to the provisions of policies LP BUS 2, STRAT DC 4 and STRAT DC 5 then it is advised that it would be appropriate to underpin any such justification by ensuring that the benefits of any such permission are solely utilised by Kilchoman Distillery with a requirement that the building be demolished in the event that it is no longer required as their bonded store. If the building were either to be utilised by another party or was no longer required as a bonded store for Kilchoman Distillery then the circumstances upon which the "special case" is based and upon which the permission relies would no longer be relevant. It is further advised that the exact wording of the reasons which justify the imposition of such a condition would require to be amended to reflect the exact reasons and policy justification (including their justification for any departure to the development plan) which the LRB may settle upon should they determine this matter in favour of the appellant.

Condition 5: Requirement for an archaeological watching brief requested by the West of Scotland Archaeology Service based upon the location of the development within a site of archaeological sensitivity. Requirement for a condition is consistent with the provisions of Scottish Planning Policy and Development Plan policies STRAT DC 9 and LP ENV 17.

Condition 6: Requirement for upgrade of connection with the public highway specified by the Area Roads Manager. Requirement is consistent with provisions of Local Plan policies LP BUS 2 and LP TRAN 4.

Condition 7: Requirement for provision of onsite parking and turning commensurate to scale/nature of development as specified by the Area Roads Manager. Requirement is consistent with provisions of Local Plan Policies LP BUS 2 and LP TRAN 6.

### Notes to the Applicant:

1<sup>st</sup> Note – Standard note providing advice relating to the time period for implementation of the permission.

2<sup>nd</sup> Note – Standard note advising of requirement to notify the planning authority in advance of works commencing.

3<sup>rd</sup> Note – Standard note advising of requirement to notify the planning authority upon completion of the development.

4<sup>th</sup> Note – Standard note advising of a requirement for a road opening permit and drainage as requested by the Area Roads Manager.