

**MINUTES of MEETING of PLANNING, PROTECTIVE SERVICES AND LICENSING COMMITTEE
held in the COUNCIL CHAMBER, KILMORY, LOCHGILPHEAD
on WEDNESDAY, 23 JANUARY 2013**

Present: Councillor Sandy Taylor (Chair)

Councillor Rory Colville	Councillor Alistair MacDougall
Councillor Robin Currie	Councillor Robert G MacIntyre
Councillor Mary-Jean Devon	Councillor Donald MacMillan
Councillor George Freeman	Councillor Alex McNaughton
Councillor Fred Hall	Councillor James McQueen
Councillor David Kinniburgh	Councillor Richard Trail

Attending: Patricia O'Neill, Central Governance Manager
Angus Gilmour, Head of Planning and Regulatory Services
Richard Kerr, Principal Planning Officer
Alan Morrison, Regulatory Services Manager
Sheila MacFadyen, Senior Solicitor

1. APOLOGIES FOR ABSENCE

An apology for absence was intimated from Councillor Gordon Blair.

2. DECLARATIONS OF INTEREST

Councillor Rory Colville declared a non financial interest in respect of the planning application Islay Estates Company (ref: 12/002239/PPP) as he is a Board Member of ACHA. He left the room and took no part in the discussion of this application which is dealt with at item 7 of this Minute.

3. MINUTES

- (a) The Minutes of the Planning, Protective Services and Licensing Committee of 19 December 2012 at 12 noon were approved as a correct record.
- (b) The Minutes of the Planning, Protective Services and Licensing Committee of 19 December 2012 at 2.00 pm were approved as a correct record.
- (c) The Minutes of the Planning, Protective Services and Licensing Committee of 19 December 2012 at 2.20 pm were approved as a correct record.
- (d) The Minutes of the Planning, Protective Services and Licensing Committee of 19 December 2012 at 3.00 pm were approved as a correct record.

Prior to the consideration of the rest of the business the Chair advised that item 9 (Enforcement Report Ref: 10/00357/ENOTH2) had been withdrawn from the Agenda as there was no longer a requirement for this report.

4. CIVIC GOVERNMENT (SCOTLAND) ACT 1982: TAXI FARE SCALE REVIEW

In terms of Section 17 of the Civic Government (Scotland) Act 1982, the local authority requires to fix maximum fees and other charges in connection with the hire of taxis operating in their area and to review the scales for taxi fares and other charges on a regular basis. A report was before them in which they were invited to consider the representations received in response to a consultation carried out regarding the review of the fares and to decide on what course of action to take

Motion

To agree to propose that there be no change to the current fare structure and charges and to review the position in 6 months time if representations in respect of this proposal are received.

Moved by Councillor George Freeman, seconded by Councillor Rory Colville

Amendment

To agree to propose to increase the current fares and amend the current fare structure as proposed by Dunoon Operators as follows:-

Tariff 1 from £2.70 to £2.80 for the first 860 yards then 20p for each additional 176 yards.

Tariff 2 from £3.20 to £3.40 for the first 860 yards then 20p for each additional 149 yards.

Tariff 3 from £3.70 to £4.00 for the first 860 yards then 20p for each additional 105 yards.

Moved by Councillor Alex McNaughton, seconded by Councillor James McQueen.

The Motion was carried by 10 votes to 2 and the Committee resolved accordingly.

Consideration was then given to whether or not a further survey on unmet demand should be carried out following the last survey which was carried out in 2003 by the Fraser of Allander Institute.

Motion

To agree not to carry out a further survey at this time and to wait until the outcome of a consultation to be carried by the Scottish Government is known.

Moved by Councillor Fred Hall, seconded by Councillor Rory Colville.

Amendment

To agree that a survey on unmet demand be carried out.

Moved by Councillor Alex McNaughton, seconded by Councillor Richard Trail.

The Amendment was carried by 11 votes to 2 and the Committee resolved accordingly.

Decision

1. Congratulated Officers for the work involved in bringing this report to the meeting;
2. Agreed to propose that there be no change to the current fare structure and charges and to review the position in 6 months time if representations in respect of this proposal are received;
3. Agreed that there should be no zoning of fares within Argyll and Bute;
4. Authorised the Head of Governance and Law to advertise the proposed no change to the tariffs and invite any responses within one month of the advertisement and report back to Members at the PPSL Committee on 20 March 2013;
5. Agreed that should no objections or representations be received in relation to the proposal, to delegate authority to the Head of Governance and Law in consultation with the Chair of the PPSL Committee to conclude with the review without the requirement for the Committee to consider a further report of the review; and
6. Agreed that a survey on unmet demand be carried out and authorised the Head of Governance and Law to seek tenders for this survey.

(Reference: Report by Head of Governance and Law, submitted)

5. REGULATORY SERVICES BALANCED SCORECARD 2012 - 2014

A report presenting a Balanced Scorecard which has been developed for Regulatory Services was considered.

Decision

Noted the contents of the report and endorsed the Regulatory Services Balanced Scorecard for 2012/2014, recognising the work and priorities of the service.

(Reference: Report by Regulatory Services Manager dated December 2012 and Regulatory Services Balanced Scorecard 2012/2014, submitted)

6. GENESIS ENERGY LTD: ERECTION OF WIND TURBINE (60M TO HUB, 84M TO BLADE TIP), WITH ASSOCIATED SUBSTATION, CRANE PAD AND TEMPORARY HARDSTANDING AND THE UPGRADING OF 550M OF EXISTING FORESTRY TRACK: LAND NORTH EAST OF REDESDALE HOUSE, SKIPNESS HOUSE, TARBERT (REF: 11/00937/PP)

The Principal Planning Officer spoke to the terms of the report advising that this proposal seeks the construction of a single wind turbine with a hub height 60m

and rotor diameter of 48m (84m to blade tip), with associated substation, crane pad and temporary hardstanding and the upgrading of 550m of existing forestry track. The turbine, part of the internal access track, crane hardstanding, electrical control building and temporary construction compound are all to be located within 'Sensitive Countryside' as designated by the Local Plan Proposals Maps. Reference was also made to supplementary planning report number 1 advising Members on further information which has been received since completion of the original report circulated with the agenda papers. There have been objections raised by 49 individuals, 1 letter of support and 1 general representation. The proposal is considered contrary to: Scottish Planning Policy; Scottish Government's Specific Advice Sheet on Onshore Wind Farms; Policies Strat SI 1, STRAT RE 1, and STRAT DC 5 of the Argyll and Bute Structure Plan (2002); and Policies LP ENV 1, LP ENV 19 and LP REN 1 of the Argyll and Bute Local Plan (2009). Notwithstanding the contribution that this proposal could make towards combating climate change, development giving rise to inappropriate environmental consequences cannot be viewed as being sustainable; consequently, the proposal is recommended for refusal.

Decision

Agreed to refuse planning permission for the following reasons:-

1. The proposed turbine is located near a group of summits on an outlying series of low hills which form the upper end of the Kintyre peninsula and which are slightly set apart from the main plateau, within the 'Upland Forest Moor Mosaic' Landscape Character Type (ref 'Argyll & Bute Landscape Wind Energy Capacity Study (LWECS) – Final main report and appendix March 2012' - SNH/Argyll & Bute Council), and the proposal will influence a number of adjacent more sensitive coastal Landscape Character Types including: 'Rocky Mosaic' and 'Coastal Parallel Ridges'.

At 84 metres in height, the turbine would be at an elevation of c230m AOD to give a total height to blade tip of 314 AOD. Development on this scale would introduce large scale development on the skyline which would be likely to alter the perception of landform scale and impinge on the setting of the summits and which would also intrude into coastal panoramas to both the west and east, including offshore locations. The proposal constitutes an outlier from the established pattern of existing wind turbine development within the Kintyre peninsula, where it would not share the locational advantages of consented locations which do not exert such a degree of influence over the appreciation of the coast and those landscapes which are characterised by the contrast between the land and the sea. Scattered development elsewhere along the length of the peninsula is likely to have a wider impact on landscape character and scenic quality than consolidating the existing focus for development by intruding, as in this case, upon the landscape setting of West Loch Tarbert for example.

The remainder of the spine is therefore sensitive in landscape terms to further development given that the ends of the peninsula are visually important as focal points in views up and down the coast and along the Sounds which increases their sensitivity. The proposal would therefore adversely affect the character, key views and qualities of this local landscape contrary to the advice given by the 'Argyll and Bute Wind Energy Capacity

Study', which seeks to steer new turbine development involving Larger Typologies (80 – 130m) away from the more complex irregular small hills found on the outer edge of the Kintyre Peninsula, so as to avoid intrusion on the setting and views from the adjacent settled and small scale 'Rocky Mosaic'. The presence of an isolated turbine on this scale would therefore give rise to disproportionate cumulative landscape impacts contrary to Local Plan Policy LP REN 1.

The foregoing environmental considerations are of such magnitude that they cannot be reasonably offset by the projected direct or indirect benefits which a development of this scale would make to the achievement of climate change related commitments.

Having due regard to the above, it is considered that this proposal would have a significant adverse impact on Landscape Character and contribute to the cumulative impact of wind turbine development in Kintyre. It is therefore inconsistent with the provisions of the Scottish Planning Policy and Scottish Government's Specific Advice Sheet on Onshore Wind Farms; Policies STRAT SI 1: Sustainable Development; STRAT DC 5: Development in Sensitive Countryside, Policy STRAT DC 8: Landscape & Development Control; Policy STRAT RE 1: Wind Farm/Wind Turbine Development of the 'Argyll & Bute Structure Plan' (approved 2009) and Policies LP ENV 10: Development Impact on Areas of Panoramic Quality; LP REN 1: Commercial Wind Farm and Wind Turbine Development of the 'Argyll & Bute Local Plan' (adopted 2009); and the 'Argyll & Bute Landscape Wind Energy Capacity Study' (LWECS) – Final main report and appendix March 2012.

2. The proposal would have relatively high visibility, compared to other wind farm development on the peninsula, which benefits from the effects of the elevated topography of the spine of Kintyre which successfully restricts views of approved turbines from habitation, transport routes and more sensitive and scenic coastal locations. It would also break the skyline of Kintyre, spreading the extent of development on the skyline to the northern end of the peninsula which currently benefits from an absence of large scale turbine development.

This proposal will result in an unacceptable level of visual impact due to its vertical scale; blade rotation and the fact that from certain sensitive receptors it will be skylined; out of scale with the landscape; and, will introduce an element which is uncharacteristic with the attributes of the landscape to be developed. This will result in a noticeable change to the visual character, composition and quality of views as experienced by the people associated with the sensitive receptors including: properties in close proximity; settlements; such as Whitehouse, the B8001 and National Cycle Route 73, the Kintyre Way, locations on the south coast of Knapdale along the B8024 and National Cycle Route 78, and parts of the North Arran NSA. It is considered that due to the absence of other structures of this magnitude in the immediate locality this development would be conspicuous and distinct and would dominate and control these views.

The proposal would therefore represent an unwelcome intrusion in available views from coastal locations and other locations of scenic importance to the detriment of the character and tourism potential of the area.

The foregoing environmental considerations are of such magnitude that they cannot be reasonably offset by the projected direct and indirect benefits which a development of this scale would make to the achievement of climate change related commitments.

Having due regard to the above, it is considered that the proposal would have a significant adverse visual impact contrary to the provisions of the Scottish Planning Policy and Scottish Government's Specific Advice Sheet on Onshore Wind Farms; Policies STRAT SI 1: Sustainable Development; STRAT DC 5: Development in Sensitive Countryside; Policy STRAT DC 8: Landscape & Development Control; Policy STRAT RE 1: Wind Farm/Wind Turbine Development of the 'Argyll & Bute Structure Plan' (approved 2009) and Policy LP REN 1: Commercial Wind Farm and Wind Turbine Development of the 'Argyll & Bute Local Plan' (adopted 2009).

(Reference: Report by Head of Planning and Regulatory Services dated 9 January 2013 and Supplementary Planning Report No 1 dated 21 January 2013, submitted)

Having declared an interest Councillor Colville left the room and took no part in the discussion of the following item.

7. ISLAY ESTATES COMPANY: SITE FOR PROPOSED BUSINESS UNITS AND 20 AFFORDABLE RESIDENTIAL PROPERTIES: LAND WEST OF BONDED STORES, STANALANE, BOWMORE, ISLAY (REF: 12/02239/PPP)

The Head of Planning and Regulatory Services spoke to the terms of the report advising that this application seeks planning permission in principle for a mixed use development comprising 20 affordable homes, 600 sqm of Class 4 Business Units on a 1.08 ha site located on the south-western edge of the Bowmore 'settlement' area. The proposal is also for improvement of the existing vehicular access route from the A846. Whilst the proposed development is of a type and scale which would ordinarily be supported within the 'settlement' area, the proposal includes for an element of residential development to be located within designated Business and Industry BI-AL 10/1, and consequently the development is not consistent with the approved Development Plan. It is considered, however, that the proposal should be considered favourably as a 'minor departure' to the Development Plan for the reasons and justification given at sections P and S of the report of handing.

Decision

Agreed that planning permission in principle be granted as a 'minor departure' to development plan policy subject to the following conditions and reasons:-

1. Plans and particulars of the matters specified in conditions 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, and 17 below shall be submitted by way of application(s) for Approval of Matters Specified in Conditions in accordance with the timescales and other limitations in Section 59 of the Town and Country Planning (Scotland) Act 1997 as amended. Thereafter the development shall be completed wholly in accordance with the approved details.

Reason: To accord with Section 59 of the Town and Country Planning (Scotland) Act 1997 as amended.

2. The development shall be implemented in accordance with the details specified on the application form dated 10th October 2012, supporting information and, the approved drawing refs. 1/2 – 2/2. Furthermore, the details of all further applications submitted pursuant to Condition 1 above shall be consistent with the recommendations set out in the 'Development Brief' and 'Bowmore South West: Design Code Principles' dated October 2012 and submitted in support of the application for planning permission in principle.

Reason: To accord with Regulation 28 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2008.

3. Pursuant to Condition 1 – no development shall commence until a phasing scheme for the implementation of the development in stages has been submitted to and approved by the Planning Authority. Such details shall ensure that all infrastructure provision in relation to the Class 4 Business development is delivered concurrently or in advance of that of the affordable housing development and shall include a plan differentiating each distinct phase of the development and a schedule detailing the sequence in which development is to be implemented.

The development shall be implemented in accordance with the approved phasing scheme unless an amendment to the agreed sequence/timing of development is subsequently agreed in writing by the Planning Authority.

Reason: To ensure development is implemented on a progressive basis having regard to infrastructure and servicing requirements, and to underpin the justification for approving the development as a minor departure from the Development Plan.

4. Pursuant to Condition 1 – no development shall commence until an Archaeological Mitigation Strategy has been submitted to and approved by the Planning Authority in accordance with a brief which has been the subject of prior agreement with the West of Scotland Archaeology Service.

The Archaeological Mitigation Strategy shall be prepared by a suitably qualified person and shall provide that all significant archaeological remains are preserved in situ with provision for the recording and recovery of archaeological resources within the development site.

Thereafter the development shall be implemented in accordance with the duly approved Archaeological Mitigation Strategy unless otherwise approved in writing by the Planning Authority in consultation with the West of Scotland Archaeology Service.

Reason: In order to protect archaeological resources.

5. Pursuant to Condition 1 – no development shall commence until a Drainage Impact Assessment, which includes a scheme for management of surface

water within the development site, has been submitted to and approved by the Planning Authority in consultation with the Council's Roads and Amenity Services and the Council's Flood Alleviation Manager.

The duly approved scheme shall be implemented in full concurrently with the development that it is intended to serve and shall be operational prior to the occupation of the development and shall be maintained as such thereafter.

Reason: To ensure the provision of an adequate surface water drainage system and to prevent flooding.

6. Pursuant to Condition 1. – no development shall commence until details of the offsite road improvements to substandard approach roads have been submitted to and approved by the Planning Authority. Such details shall incorporate:
 - i) Improvement of the junction of the UC19 / A846 to a standard agreed with the Council's Roads and Amenity Services;
 - ii) Upgrading of UC19 Ardlarach Moss Road between the new development and the UC19/A846 junction to a minimum width of 5.5m with 2.0m wide verges.

The improvement of the junction of the identified section of the UC19 and its junction with the A846 shall be completed in accordance with the duly approved details in advance of any works commencing within the development site.

Reason: In the interests of road safety and to ensure the timely provision of substandard public approach road commensurate to the scale of the overall development.

7. Pursuant to Condition 1. – no development shall commence within the southern part of the application site identified for affordable housing development on the approved plans until details of the proposed service road and connection with the existing public road have been submitted to and approved by the Planning Authority. Such details shall incorporate:
 - i) A vehicular access layout providing a Road over which the public has a right of access in terms of the Roads (Scotland) Act 1984;
 - ii) Junctions with the existing public road formed with visibility splays of 103.0 metres by 2.4 metres formed from the centre line of the junction;
 - iii) Junctions within the new residential development to be formed with visibility splays of 42.0 metres by 2.4 metres formed from the centre line of the junction;
 - iv) Provision of footpath linkage to the existing public footpath network;
 - v) A turning head for the public service vehicle;
 - vi) Details of the location, size, specification of grit bins to be provided by the developer within the development and a specification for a concrete hardstanding for their siting.

The junction with the existing public highway shall be fully formed, including surfacing of the bellmouth and visibility splays created prior to the commencement of works on site and maintained clear of obstruction in

excess of 1.0 metre in height thereafter.

All access roads and footways granted consent shall be constructed to at least base course level prior to any work starting on the erection of the buildings which they are intended to serve and the final wearing surface of the roads and footways shall be applied concurrently with the construction of the final building.

Grit bins shall be provided concurrently with the first occupation of the development unless an alternative time period for their provision is agreed in writing with the Planning Authority.

Reason: In the interests of road safety and to ensure the timely provision of a service road commensurate to the scale of the overall development and having regard to the status of the proposed access as a residential service road.

8. Pursuant to Condition 1 – no development shall be commenced in respect of any individual building within the southern part of the application site identified for affordable housing development on the approved plans until plans and particulars of the means of vehicular access and parking/turning arrangements to serve that building have been submitted to and approved by the Planning Authority. Such details shall incorporate:
 - i) Means of vehicular access to that building from the service road in accordance with the Council's Standard Roads Drawing SD 08/005 Rev a. with visibility splays measuring 25.0 metres by 2.4 metres from the centre line of the junction;
 - ii) The provision of parking and turning in accordance with the requirements of policy LP TRAN 6 and Appendix C of the Argyll and Bute Local Plan 2009;
 - iii) The provision of bin storage at a location suitable for collection by a public service vehicle.

The approved means of vehicular access to the building shall be implemented in full prior to the commencement of construction which the access is intended to serve with the visibility splays formed clear of all obstructions over 1.0 metre in height above the level of the adjoining carrieway and maintained as such thereafter.

The approved parking and turning layout to serve the building shall be implemented in full prior to that building first being occupied and shall thereafter be maintained clear of obstruction for the parking and manoeuvring of vehicles.

The approved bin storage area(s) shall be implemented in full prior to that building first being occupied and shall be retained thereafter.

Reason: In the interests of road safety.

9. Pursuant to condition 1. - no development shall commence within the northern portion of the application site identified for Class 4 Business Use on the approved plans until details of the proposed private access and

connection with the existing public road have been submitted to and approved by the Planning Authority. Such details shall incorporate:

- i) A junction with the existing public road formed in accordance with the Council's Standard Roads Drawing SD 08/001 Rev a with visibility splays of 103.0 metres by 2.4 metres formed from the centre line of the junction;
- ii) A vehicular access layout including specification of construction, final surfacing, width, passing provision, drainage and means of turning which shall include provision for an articulated lorry within the development;
- iii) The provision of parking and turning in accordance with the requirements of policy LP TRAN 6 and Appendix C of the Argyll and Bute Local Plan 2009.

Access, parking and turning areas shall be constructed to at least base course level prior to any work starting on the erection of the buildings which they are intended to serve and the final wearing surface of these elements shall be applied concurrently with the construction of the final building.

The junction with the existing public highway shall be fully formed including surfacing of the bellmouth and visibility splays created prior to the commencement of works on site and maintained clear of obstruction in excess of 1.0 metre in height thereafter.

The approved parking and turning layout to serve the building shall be implemented in full prior to that building first being occupied and shall thereafter be maintained clear of obstruction for the parking and manoeuvring of vehicles.

Reason: In the interests of road safety and to ensure the timely provision of a service road commensurate to the scale of the overall development and having regard to the status of the proposed access as a residential service road.

10. Pursuant to Condition 1. - no development shall commence within the southern part of the application site identified for affordable housing development on the approved plans until a scheme for the provision of affordable housing (as defined below) has been submitted to and approved by the Planning Authority. The scheme shall:

- a) Provide that a 100% of the approved dwellings are affordable homes;
- b) Establish the arrangements to ensure the affordability of the affordable homes for both initial and subsequent occupiers (including any discount rate applicable in terms of (ii) below);

For the purposes of this condition 'affordable homes' are defined as being either:

- i) Social housing (rented or shared ownership or shared equity) managed by a registered social landlord (a body registered under part 3 chapter 1 of the Housing (Scotland) Act 2001, or any equivalent provision in the event of the revocation and re-enactment thereof, with or without modification);
- ii) Discounted low cost sale housing (subject to a burden under the Title

Conditions (Scotland) Act 2003), or any equivalent provision in the event of the revocation and re-enactment thereof, with or without modification).

- iii) Housing for sale or rent without subsidy, which is designed to be affordable and to meet the housing needs of the majority of those households identified as in housing need in the Local Housing Strategy or Housing Market Study i.e. one or two person households on average income, with conditions attached to their missives to prevent further extension, thereby helping to ensure that they are likely to remain affordable to subsequent purchasers.

The development shall be implemented and occupied thereafter in accordance with the duly approved scheme for affordable housing.

Reason: To accord with the provisions of the development plan in respect of affordable housing provision, and to underpin the justification for approving the development as a minor departure from the Development Plan.

11. Pursuant to Condition 1 – no development shall commence within the southern part of the application site identified for affordable housing development on the approved plans until a scheme of boundary treatment, surface treatment and landscaping in relation to the residential element of the development has been submitted to and approved by the Planning Authority. The scheme shall accord with the recommendations set out in the ‘Development Brief’ submitted with the application and will comprise a planting plan and schedule which shall include details of:

- i) Existing and proposed ground levels in relation to an identified fixed datum;
- ii) Existing landscaping features and vegetation to be retained;
- iii) Location design and materials of proposed walls, fences and gates;
- iv) Proposed soft and hard landscaping works including the location, species and size of every tree/shrub to be planted;
- v) A programme for the timing, method of implementation, completion and subsequent on-going maintenance.

All of the hard and soft landscaping works shall be carried out in accordance with the approved scheme unless otherwise approved in writing by the Planning Authority.

Any trees/shrubs which within a period of five years from the completion of the approved landscaping scheme fail to become established, die, become seriously diseased, or are removed or damaged shall be replaced in the following planting season with equivalent numbers, sizes and species as those originally required to be planted unless otherwise approved in writing by the Planning Authority.

Reason: To assist with the integration of the proposal with its surroundings in the interest of amenity.

12. Pursuant to Condition 1 – no development shall commence within the southern part of the application site identified for affordable housing development on the approved plans until details for the provision and maintenance of proposed areas of communal open space and equipped play

area(s) within the development have been submitted to and approved by the Planning Authority. The details shall comprise:

- i) A plan showing the location and extent of communal open space and equipped play areas;
- ii) Provision to satisfy the minimum standards set out in the Development Plan; 6sqm of equipped play space and 12sqm of informal open space per dwelling unit;
- iii) Specification of play equipment to be installed, including surface treatments and any means of enclosure, designed in accordance with the provisions of BS5696 (Play Equipment Intended for Permanent Installation Outdoors);
- iv) Proposals for the timing of the implementation of the play area(s) in relation to the phasing of the development;
- v) A maintenance schedule for communal open spaces and equipped play areas in accordance with the provisions of BS5696 including details of on-going inspection, recording and procedures for detailing with defects.

The communal open space and equipped play area(s) shall be provided in accordance with the duly approved details and shall be retained and maintained to the specified standards thereafter.

Reason: In order to secure provision of communal open space and equipped play areas within the development in accordance with the minimum standards set out in the Development Plan.

13. Pursuant to Condition 1 – no development shall commence within the northern part of the application site identified for Class 4 Business development on the approved plans until a scheme of boundary treatment, surface treatment and landscaping in relation to the Class 4 Business element of the development has been submitted to and approved by the Planning Authority. The scheme shall accord with the recommendations set out in the ‘Development Brief’ submitted with the application and will comprise a planting plan and schedule which shall include details of:

- i) Existing and proposed ground levels in relation to an identified fixed datum;
- ii) Existing landscaping features and vegetation to be retained;
- iii) Location design and materials of proposed walls, fences and gates;
- iv) Proposed soft and hard landscaping works including the location, species and size of every tree/shrub to be planted;
- v) A programme for the timing, method of implementation, completion and subsequent on-going maintenance.

All of the hard and soft landscaping works shall be carried out in accordance with the approved scheme unless otherwise approved in writing by the Planning Authority.

Any trees/shrubs which within a period of five years from the completion of the approved landscaping scheme fail to become established, die, become seriously diseased, or are removed or damaged shall be replaced in the following planting season with equivalent numbers, sizes and species as those originally required to be planted unless otherwise approved in writing

by the Planning Authority.

Reason: To assist with the integration of the proposal with its surroundings in the interest of amenity.

14. Pursuant to Condition 1 – no development shall commence within the southern part of the application site identified for affordable housing development on the approved plans; until plans and particulars of the site layout, design and external finishes of the affordable housing development have been submitted to and approved by the Planning Authority. These details shall incorporate:
- i) A statement addressing the Action Checklist for developing design contained within the Argyll and Bute Sustainable Design Guide 2006;
 - ii) A residential development comprising a maximum of 20 affordable homes of a layout, scale, massing, design and finishes which accord with the recommendations set out in the 'Development Brief' and 'Design Code Principles' dated October 2012;
 - iii) A development layout which precludes the siting of any housing within the HSE defined 'inner safeguarding zone' which relates to the whisky bonds at Moss Road, Bowmore;
 - iv) Details of finished ground floor levels relative to an identifiable fixed datum located outwith the application site.

Reason: To accord with Section 59 of the Town and Country Planning (Scotland) Act 1997 as amended, and in order to integrate the proposed development with its surrounds.

15. Pursuant to Condition 1 – no development shall commence within the northern part of the application site identified for Class 4 Business development on the approved plans until plans and particulars of the site layout, design and external finishes of the Class 4 development have been submitted to and approved by the Planning Authority. These details shall incorporate:
- i) A Class 4 Business development comprising a maximum 600sqm of floorspace within a layout, scale, massing, design and finishes which accord with the recommendations set out in the 'Development Brief' and 'Design Code Principles' dated October 2012;
 - ii) Details of finished ground floor levels relative to an identifiable fixed datum located outwith the application site.

Reason: To accord with Section 59 of the Town and Country Planning (Scotland) Act 1997 as amended, and in order to integrate the proposed development with its surrounds.

16. Pursuant to Condition 1 – no external lighting shall be installed within the northern part of the application site identified for Class 4 Business development on the approved plans until full details of any external lighting installation have been submitted to and approved by the Planning Authority. Such details shall include the location, type, angle of direction and wattage of each light which shall be so positioned and angled to prevent any glare or light spillage outwith the site boundary.

No external lighting shall be installed except in accordance with the duly approved scheme.

Reason: In order to avoid light pollution in the interest of amenity.

17. Pursuant to Condition 1 – the Class 4 Business development hereby approved shall not be brought into use until a Waste Management Plan for the development has been submitted to and approved by the Planning Authority. This shall provide details of the proposed arrangements for the storage, segregation, collection and recycling of waste arising within the site, including the location, access and maintenance for on-site storage facilities. The requirements of the plan shall be implemented during the life of the development other than in the event of any revision thereof being approved in writing by the Planning Authority.

Reason: In order to accord with the principles of sustainable waste management.

(Reference: Report by Head of Planning and Regulatory Services dated 27 December 2012, submitted)

Councillor Colville returned to the meeting.

8. PROPOSED PROGRAMME OF PLANNING TRAINING FOR MEMBERS

Consideration was given to a report regarding a proposal to establish a programme of Member training in respect of planning related subject areas in order to improve knowledge of the planning system, the legislative and policy framework within which it operates, and the procedural aspects of the quasi-judicial decision making process. This will be of particular benefit for Members who have recently joined the Planning, Protective Services and Licensing (PPSL) Committee, will reinforce the knowledge of longer term Members, and will be available to non PPSL Members who wish to avail themselves of a better understanding of the planning process.

Decision

1. Agreed to the establishment of an ongoing programme of planning related training for Members of the PPSL Committee, which should also be open to any other Members not currently involved in planning decision making; and
2. Endorsed the initial subject areas for training and the provisional dates for delivery, on the understanding that the programme may be varied to take account of any additional training requirements Members may wish to identify, along with any other particular training needs identified by Officers as a consequence of matters emerging during the course of the year; and
3. Agreed that as part of this ongoing programme of planning related training provision should be made for training on Area Capacity Evaluations (ACEs).

(Reference: Report by Head of Planning and Regulatory Services dated 27 December 2012, submitted)