

**MINUTES of MEETING of PLANNING, PROTECTIVE SERVICES AND LICENSING COMMITTEE
held in the NORTH CONNEL VILLAGE HALL, NORTH CONNEL, ARGYLL
on MONDAY, 25 MARCH 2013**

Present: Councillor Sandy Taylor (Chair)

Councillor Robin Currie	Councillor Donald MacMillan
Councillor Mary-Jean Devon	Councillor Alex McNaughton
Councillor George Freeman	Councillor James McQueen
Councillor Fred Hall	Councillor Richard Trail
Councillor Alistair MacDougall	

Attending: Charles Reppke, Head of Governance and Law
Stephen Fair, Area Team Leader,
Walter Wyllie, Planning Officer
Craig Bennison, Applicant's Legal Representative
Paul Devine, Applicant's Registered Site Agent
Tony Mitchell-Jones, Objector
Iain MacLean, Objector

1. APOLOGIES FOR ABSENCE

Apologies for absence were intimated from Councillors Gordon Blair, Rory Colville, Iain MacDonald and Robert G MacIntyre.

2. DECLARATIONS OF INTEREST

None declared.

**3. MELFORT CARE LIMITED: SITE FOR THE ERECTION OF 24 FLATS:
OSSIAN'S RETIREMENT HOME, NORTH CONNEL, PA37 1QZ**

The Chair welcomed everyone to the meeting and introductions were made.

Charles Reppke, Head of Governance and Law, outlined the hearing procedure and invited anyone who wished to speak at the meeting to identify themselves.

The Chair advised that one of the objectors had contacted him by telephone to advise that it was his intention to attend and speak at this hearing today, however, he was travelling up from Kintyre and due to the adverse weather in that area at the weekend he would be late in arriving at the hearing. The Chair advised that on this occasion, due to the unforeseen circumstances regarding the weather in Kintyre, he was minded to allow the objector to take part in the hearing even if he arrived late as it was not possible to delay the start of the hearing until he arrived. He asked Members if they would agree to the objector being able to take part if he arrived while the hearing was still ongoing and they all agreed that the objector should be afforded the opportunity to speak. The Chair then asked the Applicant's Agent if they had any objection to the objector being able to take part in the hearing. Mr Bennison advised that as long as he was able to address any issues raised by the objector during his summation he was happy for the objector to be allowed to speak. The Committee agreed that if

the objector arrived during the course of the hearing he would be allowed to present his case.

The Chair then invited the Planning Officer to set out his recommendations.

PLANNING

Stephen Fair presented the case on behalf of the Head of Planning and Regulatory Services. He advised that this application for planning permission in principle was submitted by Melfort Care for the erection of 24 flats on the site of the former Ossians Retirement Home, North Connel. He advised that as this was an application for planning permission in principle there was no requirement for detailed plans to be submitted, however, indicative plans have been submitted to assist in the assessment of the proposal. The application site is occupied by a large vacant building which was previously used as a care home and comprises a 2 storey frontage and a single storey rear projection. He referred to site plans showing the site outlined in red and an area of land also owned by the Applicant highlighted in blue. He advised that the initial proposal comprised 27 units and that this has since been reduced to 24 units with the indicative layout showing a flatted development. He advised that access to the site would utilise an existing track which would be upgraded to an adoptable standard. He advised that in terms of the Local Plan the site lies within an area of settlement. He referred to a number of photographs showing that the site lies alongside Falls View apartments and showing the existing access track which would be upgraded. He advised that 15 letters of objection were received from 11 different sources and concerns were also expressed by Ardchattan Community Council. He advised that since the report of handling was prepared one party has queried his categorisation as an objector. He was invited to attend the hearing today to clarify if he was neutral or an objector and the Planning Officer noted that he was not in attendance today to speak. Mr Fair advised that it was not clear whether this person was an objector or not and that he was currently listed as an objector as he had raised concerns. Mr Fair also referred to a separate challenge that has made to the Council regarding its ability to hold a hearing and a separate response will be made to this challenge. He advised that under Section 38A, sub paragraph 4 of the Town and Country Planning (Scotland) Act 1997 as amended by the 2006 Act, the Council have the right to hold a discretionary pre-determination hearing when it sees fit in respect of any planning application brought before them for consideration. Referring to this proposal, he advised that the site lies within the 'Settlement Zone' for North Connel which is identified in the Local Plan as one of the 'Small Towns and Villages'. The proposal constitutes an acceptable form of 'medium scale' redevelopment within the 'Settlement Zone' for North Connel within which there is a general presumption in favour of residential development. He advised that the proposal satisfies Policies STRAT DC 1 and LP HOU 1 and LP HOU 2 of the Development Plan. He referred to section J of the report of handling which gave a full appraisal of the proposed development. He also referred to the planning history of the site and highlighted the different concerns raised by the objectors which were summarised in the report of handling. He advised that Ardchattan Community Council, one of the statutory consultees, had raised concerns about the lack of detail in the application which had made it difficult to assess. They also had concerns regarding water and drainage, road safety and the intended occupancy of the buildings. In respect of the other consultees, he advised that Roads had no objection subject to conditions; the Biodiversity Officer had no

objection subject to a condition and had advised that it would be fitting to carry out a bat survey during the detailed stage. He advised that the Access Officer had no objection and SEPA had no objection subject to conditions. He advised that no other statutory consultee had raised any objection to the proposal. He advised that the Applicant had voluntarily reduced the scheme from 27 to 24 units which in part addressed some of the concerns of the third parties. He recommended approval of this planning permission in principle subject to a number of conditions as detailed in the report of handling.

APPLICANT

Craig Bennison the legal representative of Melfort Care introduced himself and advised that he was accompanied by Paul Devine, the registered site agent, who would be able to answer any technical questions. He referred to this application being for planning permission in principle and that Members should not be interested in how the development will look, how it will be rendered, or how it will be finished as this was irrelevant at this stage. He advised that the key test was one of acceptability and whether or not it met the criteria of development plan policies in particular STRAT DC 1, LP HOU 1 and LP HOU 2. He advised that if the development meets those policies then it should be granted. He advised that Members and the public will have a further opportunity to comment on this development when an application for planning permission is submitted. In respect of the issue of acceptability he referred to section R of the report of handling and advised that the experts who are the paid professionals have advised that the proposal satisfies a number of policies. He advised that within the report there are listed all the policies which were considered during assessment of this application which leads to the conclusion of the Planning Officers that this proposal is an acceptable form of development. He advised that development of 24 units within that area is compatible with the surrounding area. He referred to the 11 original objections which were considered and addressed in some detail. He advised that statutory consultees were invited to comment and that they have either raised no objection or no objection that would satisfy a refusal. He advised that as well as all the policies considered by the Planning Officer which are listed at section J of the report of handling, material considerations including the Argyll and Bute Sustainable Design Guidance (2006) and Scottish Planning Policy (2010) were also taken account of when determining this application which led to them reaching the conclusion that this application should be granted. Mr Bennison also referred to the supplementary planning report dated 21 February 2013 which detailed further late objections from one of the original objectors. He asked why the objector had not raised these issues in his original submission and that it would have been easy for the Planning Officer to disregard this late submission. However they had given due consideration, weight and respect to the objector. He advised that in terms of the first objection there was no requirement for land owned by the Applicant outwith the application site to be identified in this case. In terms of the second objection regarding ownership, he advised that years ago permission was granted for the demolition of an existing care home and erection of a new care home and at that time no issue was raised about the ownership of the land then. He also advised that ownership of land was not a material planning consideration. He advised that at no point in respect of this proposal has the objector made representations to the land registry, land court or Court of Session regarding ownership rights. He advised that this land is owned fully by the Applicant company and the position of ownership is in the title deeds held by the

Applicant company which should give the Members due comfort. He referred to the site visit which Members would have attended and advised that as it stands the current building on the site is a monstrosity and a blight on the landscape. He advised that ownership of the site will remain with Melfort Care whether this application is granted or not. He advised that the proposal meets the criteria of policies STRAT DC 1, LP HOU 1 and LP HOU 2 and there were no other material planning considerations at this point that would warrant refusal of this application. In conclusion he advised that there have been no sustainable objections. He advised that the scale of the proposed development is compatible with surrounding development and will cause no unacceptable detrimental amenity, privacy, access or servicing issues within the immediate surrounding area. He advised that there was no question that the planning permission in principle does not meet the requirements of the development plan and that the proposal will make a positive contribution to the community and on this basis asked that planning permission in principle be granted.

OBJECTOR

Tony Mitchell-Jones advised that he lived west of the application site. He advised that a number of his neighbours were unable to attend today and that he would be representing their views also. He advised that he had no objection to development of this site in principle. He advised that at the moment it was an eyesore and that he would like to see it developed in an appropriate way. He advised that the scale and density of the proposal was somewhat out of character with the area. He advised that North Connel was two settlements divided by the A828. He advised that North Connel in the East was an area of predominantly detached houses with a few semi detached houses and two apartment blocks. He advised that there was nothing larger than blocks containing 4 units. He advised that the proposed block of 24 units would be completely out of character with the area. He advised that even taking into consideration the west side of North Connel there would still be an imbalance. He advised that the west side has single homes and some terraces and nothing larger except the hotel. He referred to the history of the site and he referred to the site being a brownfield site. He advised that policy STRAT DC 1 had been referred to several times. He advised that within the Small Towns and Villages up to 6 – 30 units may be supported in the right circumstances and that there was a degree of discretion. He advised that the east side of North Connel was more akin to a minor settlement where medium scale development would not be supported and that the proposed development was not compatible with the spirit of the Local Plan. He referred to the draft Local Plan which was proposing the re-categorising of settlements. He advised that if a new Local Plan was likely to be adopted this year it was perverse to approve this development, because the detailed application will likely fall to be assessed under the new Local Plan, under which it would not be permitted. Given the scale of the proposed development and what will be permitted in the forthcoming new Local Plan he asked that the Committee refuse this application due to over development.

MEMBERS' QUESTIONS

Councillor Hall sought and received clarity on the issue regarding ownership of land.

Councillor Trail referred to the development not satisfying the future Local Plan

and sought clarity on this.

Stephen Fair advised that the draft Local Plan was currently out for consultation and was not yet finalised. He confirmed that at this time the proposals in the new Local Plan were not material planning considerations. He advised that the application for planning permission in principle was submitted before the draft Local Plan went out for consultation. He further advised that the Planning Authority was not allowed to give any weight to the draft Local Plan at this stage. The earliest opportunity would be at the conclusion of the consultation period and only if particular provisions had attracted no objections whatsoever.

Councillor Devon referred to pre 2009 when there was a Housing Allocation allowed for 24 units and asked if this was correct.

Stephen Fair advised that he had not reviewed earlier versions of the Local Plan and that this was before his time. He confirmed that the current Local Plan identified the site as suitable for medium scale development between 6 – 30 units and that this proposal was considered compatible with the Local Plan.

At this point Iain MacLean joined the meeting having previously advised that he wished to speak in support of his objection but would be delayed in attending the hearing.

It was agreed to suspend further questions from Members until Mr MacLean had been given the opportunity to present his case.

OBJECTOR

Mr MacLean referred back to 1941 when the site was part of an aerodrome complex and was largely industrial. He advised that it was now going to be a very large 24 flatted development which, in his opinion, would not be in keeping with this part of the world or any other rural setting in Argyll. He advised that he had owned the site at one time and to his mind this was over development in a rural setting. He advised that it was more of a ribbon type development in this area. He asked the Members to consider if the development could be broken down into smaller units to look like big houses but acknowledged that this may mean a fresh application having to be submitted. He advised that earlier proposals including 3 houses on the site frontage would be more in keeping with the area. He referred to the site having consent for a nursing home that would not be built. He asked Members to consider if they lived near the site what do they think would fit and what would they like to see there.

MEMBERS' QUESTIONS (CONTINUED)

Councillor Currie sought clarification on how many parking places would be required for this development.

Stephen Fair advised that in the indicative plan 44 parking places were annotated and that parking details would be dealt with at the detailed planning permission stage. The number of spaces would be calculated at the rates stated in the recommended condition 8.

Councillor Currie referred to the current Local Plan and the proposed new Local

Plan and sought clarification on whether not the proposed new Local Plan could be taken into consideration as reference had been made to it at a recent PPSL Committee meeting.

Charles Reppke advised that the Council's position was that the draft Local Plan was currently out for consultation and was not a material planning consideration but was something for Members to be aware of in respect of any changes coming forward and that is why it had been mentioned at other meeting.

Councillor Freeman asked the Planning Officer to confirm that land ownership was not a planning matter but a civil matter and Stephen Fair advised that this was correct.

Councillor Freeman asked for confirmation on whether or not Ardchattan Community Council were objecting to the proposal as they had stated that there was insufficient detail in the proposal for them to comment.

Stephen Fair advised that the Community Council were classed as objecting as they had raised various concerns. He advised that typically in respect of third parties concerns raised are taken as objections. In this case, as the Community Council are listed as a consultee, it was not necessary to say whether they are an objector or not, as is the case with third party contributors.

Councillor Freeman sought clarity on the other concerns raised by the Community Council.

Stephen Fair referred to road safety being a concern which, he advised, would be fair to consider as an objection and that this and other concerns raised could be considered at a later stage.

Councillor Freeman asked if any discussions had been had with RSLs in respect of affordable housing.

Mr Bennison advised that he was not aware that any discussions had taken place as the Applicant did not want to build hopes up. However, he advised that affordable housing would be a central part of this proposal.

Councillor Currie referred to the number of conditions to be attached to any consent and sought clarification on whether or not the next stage of this application would be dealt by Officers as the details of affordable housing and car parking was an important part of this proposal.

Charles Reppke advised that in the normal course of events a submission of details pursuant to an outline permission would be dealt with by Officers unless it hit the threshold criterion for Committee in which case it would come back to the PPSL Committee or the Committee could request that the application come back to them for consideration.

SUM UP

Planning

Stephen Fair advised that the application before Members was for planning

permission in principle for the development of 24 flats which fits with the adopted Development Plan policies and is compatible with other nearby developments. He advised that the points raised by objectors and the statutory consultees have been addressed in full in the report of handling and there will be the opportunity for further comments to be made during assessment at the detailed stage. He recommended that planning permission in principle be granted subject to the conditions detailed in the report of handling.

Applicant

Mr Bennison advised that any worries regarding future plans should be completely disregarded as to do so would mean the Members would be acting ultra vires. He referred to pre 2009 when it was approved to have housing on this site and asked Members to exercise similar discretion as was then. He asked Members not to get caught up on the detail as this would be dealt with at a later stage. He advised that this was an application for planning permission in principle and the key test was acceptability to Local Plan and Development Plan policies. He referred to the positive contribution this development could make to the community and that it would take away an eyesore. He advised that neither Mr Mitchell-Jones nor Mr MacLean were objecting to development of the site just what is developed. He advised that there was nothing barring the Committee from granting planning permission in principle with conditions as they see fit.

Objectors

Mr Mitchell-Jones advised that he recognised that the draft Local Plan was not a material planning consideration but had raised the issue to highlight that the Development Plan was developing. He advised that it was not true that there were no objections to development on this site. He advised that if planning permission in principle is granted it would be difficult to go back on the scale of development at the detailed stage and asked Members to take that into consideration. He advised that it was the role of the Planning Officer to consider the application dispassionately but Members can put on a human face and consider what is desirable or not. He asked Members to consider whether or not a 24 flatted development in an area of predominantly single houses was desirable. He advised that Members have a role to help local residents to have an environment they like.

Mr MacLean referred to how the site was being developed and advised that it was a monstrosity at present as it had become that way and that this monstrosity would be replaced by a bigger monstrosity. He referred to planning permission in principle and advised that principle was the important word. He advised that the principle will be for 24 units and that 24 will be the bottom line which will be very difficult to take back at the detailed stage. He asked could the development not be broken down into smaller units or be for sheltered housing which would be in keeping with the history of the site and remained in demand in the area

The Chair asked all parties whether they had received a fair hearing and this was confirmed.

DEBATE

Councillor Freeman advised that the site visit had been very helpful and that no

one would agree otherwise that it was currently an eyesore and that re-development of this site was desirable. He advised there was no objection from the Community Council and none of the local Councillors had objected. He advised that at the appropriate time he would be going with the Planning recommendation on condition that it comes back to the PPSL Committee at the detailed stage to give assurance to everyone.

Councillor Taylor advised that Members could ask for the application to come back to the PPSL at the detailed stage but this request could not be added as a condition attached to the consent.

Councillor Devon referred to concerns about the number of units, the siting of the development and whether or not it was appropriate for the settlement area and advised that Members, at this stage, were required to determine the principle of development and that the Council want to encourage development but protect the environment. She recognised the concerns raised and advised that she would also like to see the detailed proposal come before the Committee.

Councillor Trail advised that he thought the scale of the building fitted in well with the rest of the village. He advised that the actual care home being demolished was almost dwarfed by 2 blocks of flats adjacent to it and that another block of flats would fit in well there.

Councillor McNaughton advised that he agreed with his colleagues and that what he saw there this morning was an eyesore which needed development and that he was happy to support the planning recommendation.

Councillor McQueen also advised that he was happy to support the planning recommendation.

Councillor Currie advised that Members have got to put to one side what is there already. He advised that planning permission in principle for 24 units was a big development for North Connel which is a crofting community and what looked good to him were the 2 large houses to the right of the site. He advised that Mr MacLean had indicated that no one would object to the number of units if they were split into units similar to what was on the right hand side of the site. He advised that to talk about 24 flats at the detailed stage would be horrendous however there was nothing in policy terms that could enable him to refuse this application.

Councillor Hall concurred with what Councillor Currie said and advised that it was unfortunate that there was no legal reason why planning permission in principle could not be granted as a block of 24 flats was out of keeping with the area in his opinion.

DECISION

1. It was unanimously agreed to grant planning permission in principle subject to the following conditions and reasons:-
 1. Except as amended to accord with the conditions attached to this planning permission in principle, this permission is granted in accordance with the details specified on the application form dated 27th August 2012

and the approved drawing reference numbers listed below:

- Plan 1 of 3 (Drawing No. 132-200-003) (Location Plan at a scale of 1:2500)
- Plan 2 of 3 (Drawing No. 132-200-001) (Location Plan at a scale of 1:1250)
- Plan 3 of 3 (Drawing No. 132-200-005 Rev D) (Indicative Site Plan as Proposed at a scale of 1:250)

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

2. No development shall commence on-site or is hereby authorised until the following information has been submitted by way of an application(s) for the approval of matters specified in conditions or planning permission, and then approved in writing by the Planning Authority:
 - a) a statement addressing the Action Checklist for developing proposals contained within the Argyll and Bute Council Sustainable Design Guidance 2 (2006);
 - b) a detailed method statement for the demolition of the existing building on the site;
 - c) a detailed site layout plan at a scale of 1:500 illustrating the proposed 24 flats, which shall be generally compatible with the indicative plan 3 of 3 hereby approved;
 - d) the proposed access details, internal site road layout, rationalisation and closure of any existing road access no longer required, on-site vehicular parking and associated vehicular turning, water supply, foul drainage and surface water run-off drainage arrangements;
 - e) details of any existing paths that cross the site, along with measures to ensure that any path connections are retained and enhanced through the development of the site;
 - f) details of the proposed finished ground floor levels of the development relative to an identifiable fixed datum located outwith the application site, along with details of the existing and proposed site levels shown in the form of sectional drawings/contour plans/site level survey;
 - g) proposed elevations and floor plans of the proposed 24 flats which shall illustrate a building:
 - to a maximum of 2 storeys and no higher than that shown on the indicative details accompanying the application;
 - predominantly finished in wet dash roughcast, smooth masonry render, natural stone, or a mixture of these finishes;
 - a roof covering of natural slate or good quality slate substitute;
 - windows with a strong vertical emphasis;
 - a roof pitch of not less than 35° and not greater than 42°; and
 - buildings which are positioned generally in the position shown in the approved indicative site plan 3 of 3 attached hereto.

Reason: In the interests of visual amenity and in order to maintain the character of the area and integrate the proposal with its surroundings.

3. No development shall commence on-site or is hereby authorised until full details of the proposed means of affordable housing provision (as defined below) has been submitted to and has been approved in writing by the Planning Authority. This shall comprise either, a commuted sum payable to the Planning Authority in advance of construction being commenced, or alternatively, a scheme for on-site provision.

In the event of the latter the required scheme shall:

- (a) provide a minimum of 25% of the approved residential units as affordable homes;
- (b) identify those residential units which are to be utilised as affordable homes;
- (c) establish the timing of the provision of affordable homes relative to the phasing of the development; and
- (d) 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).

In the event of a scheme being submitted and approved by the Planning Authority for the provision of affordable homes on site, the development shall be implemented and occupied thereafter in accordance with the duly approved scheme.

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); and
- 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.

For the purpose of this condition a 'commuted sum' is a one-off payment, calculated by the District Valuer, for the purposes of contributing towards the cost of off-site provision of affordable homes, in lieu of any affordability component being provided on-site as part of the development.

Reason: To accord with the provisions of Policy LP HOU 2 of the 'Argyll and Bute Local Plan' 2009 and the Council approved Development Plan Policy Guidance – Affordable Housing.

4. Any application for the approval of matters specified in conditions or planning permission in respect of the flatted development hereby approved, shall include details of a scheme for the provision and ongoing maintenance of communal open space comprising a minimum provision of 12m² per unit (total 288m²) of informal open space plus 6m² per unit (total 144m²) of equipped play space within the site. Prior to occupation of any of the flatted units hereby approved, the duly approved scheme shall be completed and made available for use, and the approved maintenance arrangements shall have been invoked. Thereafter the open space and play equipment shall be maintained in strict accordance with the approved details in perpetuity.

Reason: To accord with the provisions of Policy LP HOU 4 of the 'Argyll and Bute Local Plan' 2009.

5. Unless otherwise first agreed in writing by the Planning Authority, the development hereby approved shall be connected to the public sewer system for foul drainage disposal from the site. Only in the event that such connection is proven to be uneconomically viable to the satisfaction of the Planning Authority in consultation with SEPA, and this is confirmed in writing by the Planning Authority, shall the development be served by a private drainage system. All details required to assess the economic viability of a public sewer connection and all detailed foul drainage disposal arrangements that are proposed must be submitted as part of the application for approval of matters specified in conditions. All approved foul drainage details shall be fully implemented on site prior to the initial occupation of any of the residential units hereby approved.

Reason: To ensure that there is a satisfactory foul drainage system in place for the development, in the interests of health and amenity and environmental protection, to accord with Policy LP ENV 12 of the 'Argyll and Bute Local Plan' 2009, and to adhere to the stated position of the Scottish Environment Protection Agency.

6. As part of the application for approval of matters specified in conditions, details of a Sustainable Urban Drainage System (SUDS) compliant method of surface water drainage shall be submitted to the Planning Authority. Such details shall include a drainage layout plan which shall include any mitigation measures required to address surface water run-off from the development site. The development shall be completed in strict accordance with the approved details prior to the initial occupation of any of the residential units hereby approved.

Reason: To ensure that there is a satisfactory drainage system in place for the development, in the interests of health and amenity and environmental protection and to accord with Policies LP ENV 12 and LP SERV 2 of the 'Argyll and Bute Local Plan' 2009.

7. The access serving the development hereby approved 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 to the satisfaction of the Planning Authority in consultation with the Roads Authority, complete with

visibility splays measuring 42.0 metres x 2.4 metres in each direction formed from the centre line of the proposed access. Prior to any works commencing on-site these visibility splays shall be cleared of all obstructions measuring over 1.0 metre in height above the level of the adjoining C25 Bonawe public road and thereafter maintained to the satisfaction of the Planning Authority. No obstructions measuring over 1.0 metre in height will be permitted within 2.0 metres from the channel line of the C25 Bonawe public road.

The Road must be a minimum of 5.5 metres in width, incorporate a 2.0 metre wide pedestrian footpath along the western edge and a 1.5 metre wide verge along the eastern edge.

The Road shall be constructed to at least base course level prior to any building works commencing on the flats hereby approved in principle and the final wearing surface shall be applied prior to first occupation of any of the residential units hereby approved in principle.

Reason: In the interests of road safety and to ensure the proposed development is served by a suitably specified safe means of vehicular access for the size of development proposed, to accord with Policy LP TRAN 4 of the 'Argyll and Bute Local Plan' 2009.

8. Any application for the approval of matters specified in conditions in respect of the details of the development hereby approved must include a minimum provision of 1.5 parking spaces per 1 bedroom unit, 2 parking spaces per 2-3 bedroom unit, 3 parking spaces per 4 or more bedroom units. Associated on-site turning arrangements must be detailed in accordance with Fig 5.24 of 'Argyll and Bute Council's Guidelines for Development'. Prior to occupation of any of the flatted dwelling units hereby approved, the duly approved on-site parking and turning arrangements shall be completed and made available for use and shall be so retained thereafter for the parking and manoeuvring of vehicles in perpetuity.

Reason: In the interests of road safety and to accord with Policy LP TRAN 6 of the 'Argyll and Bute Local Plan' 2009.

9. Any application for the approval of matters specified in conditions or planning permission shall include a Landscape Design and Planting Plan which shall contain the following details:
 - (a) location and design, including materials of any walls, fences and gates;
 - (b) surface treatment of means of access and hard standing areas;
 - (c) soft and hard landscaping works, including the location, type and size of existing native species around the site perimeter to be retained including their height and spread of branches and their location within the site accurately plotted (any trees around the perimeter which over-hang onto the site shall also be included) and proposed trees to be planted within the site in terms of number, species, location, and height at time of planting. All trees which it is proposed to fell or

- remove shall be clearly identified; and
- (d) a programme for completion and subsequent on-going maintenance for a period of at least 10 years.

All the hard and soft landscaping works shall be carried out in accordance with the scheme approved in writing by the Planning Authority in consultation with the Local Biodiversity Officer. Any trees or plants which within a period of 10 years from the completion of the development die, or for whatever reason are removed or damaged shall be replaced in the next planting season with others of the same size and species, unless otherwise agreed in writing with the Planning Authority.

Reason: In the interests of biodiversity, visual amenity, to help integrate the proposed dwelling units with their surroundings and to satisfy Policies STRAT DC 7, STRAT DC 8, LP ENV 2, LP ENV 6 and LP ENV 7 of the development plan.

10. Notwithstanding the provisions of Class 4A of the Town and Country (General Permitted Development) (Scotland) Amendment Order 2011, no new windows or doors may be installed at any of the flats hereby approved in principle unless otherwise first agreed in writing by the Planning Authority.

Reason: To ensure that no adverse impacts on privacy arise from such developments that can otherwise proceed without explicit planning permission.

11. In order to eliminate the potential for light nuisance and glare beyond the boundary of the site, all external lighting provided for the site shall be of the minimum required and shall be so positioned, controlled and shrouded so as to prevent spillage of the light and glare beyond the site boundary. Guidance issued by the Institution of Lighting Engineers shall be followed in this respect.

Reason: To ensure that no adverse impacts on privacy arise from such developments that can otherwise proceed without explicit planning permission.

2. Agreed to request that the approval of the detailed conditions be brought back to the PPSL Committee for consideration if submitted.

(Reference: Report by Head of Planning and Regulatory Services dated 5 February 2013 and Supplementary Planning Report No 1 dated 21 February 2013, submitted)