

**MINUTES of MEETING of PLANNING, PROTECTIVE SERVICES AND LICENSING
COMMITTEE held BY MICROSOFT TEAMS on WEDNESDAY, 19 JUNE 2024**

Present: Councillor Kieron Green (Chair)

Councillor John Armour	Councillor Fiona Howard
Councillor Gordon Blair	Councillor Mark Irvine
Councillor Jan Brown	Councillor Andrew Kain
Councillor Daniel Hampsey	Councillor Paul Donald Kennedy
Councillor Graham Hardie	Councillor Peter Wallace

Attending: Stuart McLean, Committee Manager
Tim Williams, Area Team Leader
Tiwaah Antwi, Planning Officer
Norman Shewan, Planning Officer
Fiona Scott, Planning Officer
Shelley Gould, Senior Planning Officer
Alan Morrison, Regulatory Services Manager

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Audrey Forrest, Amanda Hampsey, Liz McCabe and Dougie Philand.

2. DECLARATIONS OF INTEREST

Councillor Fiona Howard declared a non-financial interest in item 6 of the agenda having previously objected to the application before she became a member of the Committee. She advised that she would leave the meeting during the consideration of this item of business.

Councillor Paul Kennedy declared a non-financial interest in item 6 of the agenda as he was acquainted with the applicant. He advised that he would leave the meeting during the consideration of this item of business.

3. MINUTES

- a) The Minute of the Planning, Protective Services and Licensing Committee held on 22 May 2024 at 11.00 am was approved as a correct record.
- b) The Minute of the Planning, Protective Services and Licensing Committee held on 22 May 2024 at 2.00 pm was approved as a correct record.
- c) The Minute of the Planning, Protective Services and Licensing Committee held on 28 May 2024 at 10.00 am was approved as a correct record.
- d) The Minute of the Planning, Protective Services and Licensing Committee held on 28 May 2024 at 11.00 am was approved as a correct record.

4. TORLOISK ESTATE: CONVERSION AND EXTENSION OF STONE BARN TO FORM DWELLINGHOUSE, INSTALLATION OF SEPTIC TANK AND FORMATION OF VEHICULAR ACCESS: LAND WEST OF LAGGANULVA FARM, ULVA FERRY, ISLE OF MULL (REF: 23/00185/PP)

The Area Team Leader spoke to the terms of supplementary report number 2. This application was presented to the PPSL Committee on 22 May 2024. The Committee agreed to continue consideration of the application to this meeting and to request from Planning Officers information on what the impact this proposed development would have on access to, and operation of, the remaining agricultural land in terms of Policy 83 of LDP2 – Safeguarding Agricultural and Croft Land.

Planning Officers have sought further information from both the Applicant and the tenant farmer and a request was made to continue consideration of this application to the PPSL Committee meeting on 21 August 2024 to allow additional time for the requested information to be prepared.

Decision

The Committee agreed to continue consideration of the application to the meeting of the PPSL Committee on 21 August 2024 to allow for the requested information to be prepared.

(Reference: Report by Head of Development and Economic Growth dated 8 May 2024, supplementary report number 1 dated 21 May 2024 and supplementary report number 2 dated 10 June 2024, submitted)

5. MR J HERROD: ERECTION OF DWELLINGHOUSE AND DETACHED GARAGE, UPGRADE OF EXISTING ACCESS AND INSTALLATION OF SEPTIC TANK WITH ASSOCIATED INFILTRATION SYSTEM: LEANANMOR, MUASDALE (REF: 23/01358/PP)

The Planning Officer spoke to the terms of the report. This proposal seeks detailed planning permission for the erection of a 1½ storey dwellinghouse and a single storey detached garage with the minor settlement of Muasdale.

The proposal has been subject to representation from 10 individuals raising concern on a variety of matters that include impacts upon road safety, public access, impact on landscape/visual amenity and impact on biodiversity. There have been no objections received from any statutory or non-statutory consultees.

The site has previously benefitted from planning permission in principle for the erection of a dwellinghouse, however, these permissions pre-dates the current Development Plan and has been allowed to lapse unimplemented.

Notwithstanding the concerns raised by third parties, the proposal is considered to be consistent with the relevant provisions of the Development Plan (NPF4 and LDP2) and it was recommended that planning permission be granted subject to the conditions and reasons detailed in the report of handling.

Decision

The Committee agreed to grant planning permission subject to the following conditions and reasons:

Standard Time Limit Condition (as defined by Regulation)

Standard Condition on Soil Management During Construction

Additional Conditions

PP - Approved Details & Standard Notes – Non EIA Development

1. The development shall be implemented in accordance with the details specified on the application form dated 12.07.2023, supporting information and, the approved drawings listed in the table below 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.

Plan Title.	Plan Ref. No.	Version	Date Received
Location Plan	Herrod 23/100-01	Rev A.	13.07.2023
Site Plan	Herrod 23/100-02	Rev B.	07.02.2024
Floor Plans and Elevations of Dwellinghouse	Herrod 23/100-03	Rev A.	13.07.2023
Floor Plans and Elevations of Detached Garage	Herrod 23/100-04	Rev A.	13.07.2024

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

2. PP – Timescale to be Agreed for Completion

No development shall commence until details of the proposed timescale for completion of the approved development have been submitted to and approved by the Planning Authority. Thereafter, the development shall be implemented in accordance with the duly approved timescale for completion unless an alternative timescale for completion is otherwise agreed in writing with the Planning Authority.

Reason: In order to comply with the requirements of NPF4 Policy 16F.

3. PP – Access, Parking and Turning As Shown

The parking and turning area shall be laid out and surfaced in accordance with the details shown on the approved plans prior to the development first being occupied and shall thereafter be maintained clear of obstruction for the parking and manoeuvring of vehicles. Notwithstanding the details on the approved plans, the access arrangements shall be implemented to accord with the following requirements with the submission of further information for approval as specified:

1. Prior to the occupation of the development, the existing access on the A83 Trunk Road shall be upgraded, generally in accordance with Herrod drawing No. 23/100-02 Revision B dated 30.09.2023, to the satisfaction of the planning authority, after consultation with Transport Scotland.

2. The first 5 metres from the edge of the A83 trunk road shall be surfaced in a bituminous surface and measures shall be adopted to ensure that all drainage from the site does not discharge onto the trunk road.
3. Prior to the commencement of development, details of the fencing / barrier proposals along the trunk road boundary shall be submitted to, and approved by, the planning authority, after consultation with Transport Scotland and thereafter implemented prior to commencement of operation. The fencing / barrier proposals shall be located such that they can be erected and maintained from within the development without requiring access to the trunk road.

Reasons: In the interest of road safety; to ensure that the standard of access layout complies with the current standards and that the safety of traffic on the trunk road is not diminished; to ensure that drivers of vehicles leaving the site are enabled to see and be seen by vehicles on the trunk road carriageway and join the traffic stream safely; to ensure that material from the site is not deposited on the trunk road to the detriment of road safety; to ensure that the efficiency of the existing drainage network is not affected; to minimise the risk to pedestrians and animals gaining uncontrolled access to the trunk road with consequential risk of accidents.

4. No built development should take place below existing ground level of 3.76mAOD.

Reason: In order to prevent unacceptable flood risk to people and property. To ensure a precautionary approach to flood risk and to ensure the longevity and future resilience of the development of the site to climate change and sea level rise by promoting flood risk avoidance as set out in Policy 22 of NPF4.

5. **PP – Submission of Details of Materials**

Notwithstanding the effect of Condition 1, no development shall commence until written details of the type and colour of materials to be used in the construction of external walls, roofs, windows and doors have been submitted to and approved in writing by the Planning Authority. The development shall thereafter be completed using the approved materials or such alternatives as may be agreed in writing with the Planning Authority.

Reason: In order to integrate the development into its surroundings.

6. **PP – Full Landscaping Scheme**

No development shall commence until a scheme of boundary treatment, surface treatment and landscaping has been submitted to and approved in writing by the Planning Authority. The scheme shall 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 biodiversity statement demonstrating how the proposal will contribute to conservation/restoration/enhancement of biodiversity, and how these benefits will be maintained for the lifetime of the development;

- vi) A programme for the timing, method of implementation, completion and subsequent on-going maintenance.

In the interests of biodiversity retention/enhancement, the proposed landscape scheme should include consideration of the retention of the existing hedgerow along the eastern and southern boundaries of the site in so far as this may be practicable to comply with the requirements of condition 3. Which requires the formation of visibility splays and agreement of boundary treatment along the edge of the A83(T) with Transport Scotland.

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.

The biodiversity statement should refer to [Developing with Nature guidance | NatureScot](#) as appropriate.

Reason: To assist with the integration of the proposal with its surroundings in the interest of amenity, and to comply with the requirements of NPF4 Policy 3.

7. PP – Surface Water Drainage – No further detail required

Notwithstanding the provisions of Condition 1, the development shall incorporate a surface water drainage system which is consistent with the principles of Sustainable urban Drainage Systems (SuDS) compliant with the guidance set out in CIRIA's SuDS Manual C753. The requisite surface water drainage shall be operational prior to the development being brought into use and shall be maintained as such thereafter.

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

(Reference: Report by Head of Development and Economic Growth dated 6 June 2024, submitted)

Having declared an interest in the following item of business, Councillors Fiona Howard and Paul Kennedy left the meeting at this point.

6. MR JOE LAFFERTY: ERECTION OF DWELLINGHOUSE AND FORMATION OF VEHICULAR ACCESS: GARDEN GROUND OF 47 CAMPBELL STREET, HELENSBURGH (REF: 23/02259/PP)

The Planning Officer spoke to the terms of the report. The application is for a single 3-bed dwelling in the private rear garden of a large, detached 2 storey sandstone villa within Upper Helensburgh Conservation Area and the established settlement area of Helensburgh.

A total of 16 objections and 4 representations have been received. It is considered that the proposed development is in accordance with all the relevant provisions of NPF4 and

the Argyll and Bute Local Development Plan 2 and that all the material land-use planning issues arising are not unduly complex. As such it is not considered that a hearing would add value to the determination process.

It was recommended that planning permission be granted subject to the conditions and reasons detailed in the report.

Decision

The Committee agreed to grant planning permission subject to the following conditions and reasons:

Standard Time Limit Condition (as defined by Regulation)

Standard Condition on Soil Management During Construction

Additional Conditions

1. PP - Approved Details & Standard Notes – Non EIA Development

The development shall be implemented in accordance with the details specified on the application form dated 23rd November.2023, supporting information and, the approved drawings listed in the table below 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.

Plan Title.	Plan Ref. No.	Version	Date Received
Location Plan	2954/100	Revision A	28.11.2023
Existing Site Topography showing Retained and Removed Trees	2954/101	Revision B	12.02.2024
Elevations, Site Plan, Floor Plans and Section	2954/110	Revision A	07.03.2024

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

2. PP – Timescale to be Agreed for Completion

No development shall commence until details of the proposed timescale for completion of the approved development have been submitted to and approved by the Planning Authority. Such details shall include a phasing scheme for the implementation of the development in stages 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.

Thereafter, the development shall be implemented in accordance with the duly approved timescale and phasing scheme unless an alternative timescale or an amendment to the agreed sequence/timing of development is subsequently agreed in writing by the Planning Authority.

Reason: To ensure the development is implemented on a progressive basis having regard to infrastructure and servicing requirements and in order to comply with the requirements of NPF4 Policy 16F.

3. PP - Junction with public road:

Notwithstanding the provisions of Condition 1, the proposed access shall be formed in accordance with the Council's Roads Standard Detail Drawing 08/002B with the exception of the width of the driveway which is specified below; and in accordance with the following requirements:

- i. visibility splays of 2.4 metres to point X by 24 metres to point Y from the centre line of the proposed access measured from the rear of the grass verge/line of the front face of the existing boundary wall;
- ii. a pedestrian visibility splay of 2.4 metres to point X by 2.4 metres to point Y from the centre line of the proposed access;
- iii. minimum driveway access width of 3.7 metres for the first 10 metres;
- iv. the first 5.0 metres of the access shall be surfaced with a bound material, such as bitumen macadam or concrete, or any alternative material that has been submitted to and approved in writing by the planning authority in consultation with the road authority, prior to the final wearing surface being laid.
- v. the proposed private access shall be graded, where possible, and designed to incorporate surface water run-off from the access that drains within the application site in order to prevent water and debris run-off onto the public road.

Prior to work starting on site the access hereby approved shall be formed to at least base course standard and the visibility splays shall be cleared of all obstructions such that nothing shall disrupt visibility from a point 1.05 metres above the access at point X to a point 0.6 metres above the public road carriageway at point Y.

The final wearing surface on the access shall be completed prior to the development first being brought into use and the visibility splays shall be maintained clear of all obstructions thereafter.

Reason: In the interests of road safety.

4. PP - Parking and Turning As Shown

The parking and turning area shall be laid out and surfaced in accordance with the details shown on the approved plans unless an alternative layout for parking and turning is approved in writing by the Planning Authority in consultation with Area Roads prior to the commencement of development.

The approved scheme shall be completed in accordance with the approved details prior to the development first being occupied and shall thereafter be maintained clear of obstruction for the parking and manoeuvring of vehicles.

Reason: In the interest of road safety.

5. PP - Electric Vehicle Charging – Residential with off street parking

Prior to the commencement of the development (or such other timescale as may be agreed in writing with the Planning Authority), a scheme detailing the provision of a minimum 7kw electric vehicle charging point shall be submitted to and approved in writing by the Planning Authority. Where charging cannot be provided then the appropriate ducting to future proof the property must be installed.

The approved charging point, or where relevant, the approved cable ducting shall be installed in full prior to the first occupation of the development, and thereafter retained in perpetuity unless otherwise agreed in writing by the planning authority

Reason: to comply with the provisions of NPF4 Policy 13 Sustainable Transport and LDP2 Policy 34 – Electric Vehicle Charging.

6. PP – Submission of Details / Samples

Notwithstanding the effect of Condition 1, no development shall commence until full details and/or material samples, where specified (below) have been submitted to and approved in writing by the Planning Authority. The details/samples shall include the following:

- i.samples of the natural stone to be used in the development and written details of the size and coursing and, means of pointing of all stone work:
- ii.manufacturers specifications for the natural roof slates and all rainwater goods:
- iii.details of the surface finish/colour for the fascias and window/door frames: and,
- iv.details of the coping for the skews, unless this is proposed to be natural stone subject to the provisions of 4 (i) above:
- v.details for the hard surfacing of the parking/turning area and paving for paths and terraces.

The development shall thereafter be completed using the approved specifications or such alternatives as may be agreed in writing with the Planning Authority.

Reason: In order to integrate the development into its historic context and to ensure that the proposed development will preserve enhance or support the character and appearance of the conservation area.

7. PP – Submission of Further Details for the Proposed Gateway/Gate

Notwithstanding the effect of Condition 1, no development shall commence until full details of the proposed new gateway, including the new gate piers, and the proposed gates are submitted to and approved in writing by the planning authority.

Thereafter the development shall be completed in accordance with the approved details or such alternatives as may be agreed in writing with the Planning Authority.

Reason: In order to integrate the development into its surroundings, to preserve the character and integrity of this historic stone boundary wall and to ensure that the development preserves, or where possible enhances the character and appearance of the conservation area.

8. PP – Tree Retention and Protection

No development shall commence until a scheme for the retention and safeguarding of trees during construction has been submitted to and approved by the Planning Authority. The scheme shall comprise:

- i. Details of all trees to be removed and the location and canopy spread of trees to be retained as part of the development;
- ii. A programme of measures for the protection of trees during construction works which shall include fencing at least one metre beyond the canopy spread of each tree in accordance with BS 5837:2012 "Trees in Relation to Construction".

Tree protection measures shall be implemented for the full duration of construction works in accordance with the duly approved scheme. No trees shall be lopped, topped or felled other than in accordance with the details of the approved scheme unless otherwise approved in writing by the Planning Authority.

Reason: In order to retain trees as part of the development in the interests of preserving/enhancing the character and appearance of the conservation area and the amenity and nature conservation.

9. **PP – Full Landscaping Scheme**

No development shall commence until a scheme of boundary treatment, surface treatment and landscaping has been submitted to and approved in writing by the Planning Authority. The scheme shall comprise a planting plan and schedule which shall include details of: Amended March 2023 to include additional biodiversity element for NPF4 condition 3C

- (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 biodiversity statement demonstrating how the proposal will contribute to conservation/restoration/enhancement of biodiversity, and how these benefits will be maintained for the lifetime of the development;
- (vi) 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. The biodiversity statement should refer to Developing with Nature guidance | NatureScot as appropriate.

Reason: To assist with the integration of the proposal with its surroundings in the interest of preserving or enhancing the character and appearance of the conservation area and contributing to biodiversity.

10.PP – Submission of Finished Floor Levels

No development shall commence until details of the proposed finished ground floor level of the development relative to an identifiable fixed datum located outwith the application site have been submitted to and approved in writing by the Planning Authority. The development shall be implemented in accordance with the approved details.

Reason: In order to secure an acceptable relationship between the development and its surroundings.

11.PP – Surface Water Drainage – Further detail required

Notwithstanding the provisions of Condition 1, no development shall commence until full details of the intended means of surface water drainage to serve the development have been submitted to and approved in writing by the Planning Authority.

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 maintained as such thereafter.

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

12.PP – Restriction of Engineering/Construction Activity by Time

Notwithstanding the provisions of Condition 1, no engineering and/or construction activity, including the unloading of vehicles shall be take place on the site outwith the hours of 08:00 till 18:00 on weekdays; 09:00 – 13:00 on Saturdays. No engineering and/or construction activity shall be carried out at any time during Sundays and Bank Holidays.

Reason: In order to protect the amenity of the area.

13.PP – Construction Management Plan - Protection of Grass Verges

Notwithstanding the provisions of condition 1, no development shall commence until a Construction Management Plan has been submitted to and approved in writing by the Planning Authority. The Management Plan should clearly indicate all grass verges on the west side of Campbell Street and the south side of Barclay Drive adjacent to the application site and provide details of how these grass verges (with the exception of the proposed private access as identified on the approved drawings), are to be protected from construction-related damage including, but not exclusively to vehicular movements; storage of spoil and/or materials.

Thereafter, the construction phase shall be carried out in full accordance with the approved plan and the grass verges adjacent to the application site, with the exception of the private driveway identified on the approved drawings, retained in their present condition in perpetuity.

In the event of any accidental damage to the aforesaid grass verges to Campbell Street and/or Barclay Drive, the applicant/developer shall re-instate the grass and soil to the condition of the verges prior to commencement of development.

Reason: In order to retain the grass verges in the interests of preserving local visual amenity and the character and appearance of this part of the conservation area.

(Report by Head of Development and Economic Growth dated 6 June 2024, submitted)

Councillors Fiona Howard and Paul Kennedy re-joined the meeting at this point.

7. CRERAN HOMES LTD: ERECTION OF 6 DWELLINGHOUSES AND INSTALLATION OF 2 SEPTIC TANKS: LAND SOUTH EAST OF INVERBHREACH COTTAGES, BARCALDINE (REF: 23/02409/PP)

The Planning Officer spoke to the terms of the report. The application is seeking to secure planning permission for the erection of 6 dwellinghouses, the formation of a private access track and the installation of 2 septic tanks and soakaways. The principle of residential development on this site has been established by the adopted LDP2 which identifies the site as a Housing Allocation (H4017) allocated for development with 50 units with a 25% affordability requirement.

A total of 18 objections and one representation has been received.

The proposed small scale housing development is considered to be consistent with the provisions of the adopted National Planning Framework 4 and Local Development Plan 2 with the issues raised by third parties not considered to raise material considerations of sufficient significance to withhold planning permission.

It was recommended that planning permission be granted subject to the conditions and reasons detailed in the report.

Decision

The Committee agreed to grant planning permission subject to the following conditions and reasons:

Standard Time Limit Condition (as defined by Regulation)

Standard Condition on Soil Management During Construction

Additional Conditions

1. PP - Approved Details & Standard Notes – Non EIA Development

The development shall be implemented in accordance with the details specified on the application form dated 15/12/23, supporting information and, the approved drawings listed in the table below 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.

Plan Title.	Plan Ref. No.	Version	Date Received
Pre-Development Surface Water Run Off Layout	0460-C-0004	P01	08/04/24
Post-Development Surface Water	0460-C-0005	P01	08/04/24

Run Off Layout			
Proposed Below Ground Drainage Layout	0460-C-0032	P03	08/05/24
Location Plan	5021-02-301	B	19/12/23
Site Plan	5021-02-302	B	19/12/23
GF Plan HT01	5021-03-301	B	19/12/23
GF Plan HT01H	5021-03-301H	B	19/12/23
FF Plan HT01	5021-03-302	B	19/12/23
FF Plan HT01 Handed	5021-03-302H	B	19/12/23
GF Plan HT03	5021-03-305	B	19/12/23
GF Plan HT03 Handed	5021-03-305H	B	19/12/23
FF Plan HT03	5021-03-306	B	19/12/23
FF Plan HT03 Handed	5021-03-306H	B	19/12/23
Elevations HT01	5021-04-301	B	19/12/23
Elevations HT01 Handed	5021-04-301H	B	19/12/23
Colour Options HT01	5021-04-302	B	19/12/23
Elevations HT03	5021-04-305	B	19/12/23
Elevations HT03 Handed	5021-04-305H	B	19/12/23
Colour Options HT03	5021-04-306	B	19/12/23
Site Sections 01	5021-05-301	B	19/12/23
Site Sections 02	5021-05-302	B	19/12/23
Drainage, SUDS and Surface Water Management Plan – 49 Pages			21/03/24
Flood Risk Assessment – 39 Pages			12/02/24
Greenfield Run Off			08/04/24
Percolation Tests – 4 Pages			08/05/24
Supporting Statement – 15 Pages			18/12/23
Surface Water Network (Land Drainage) – 13 Pages			08/04/24
Surface Water Network (Soakaway) – 5 Pages			08/04/24
TN06 – Sustainability Checklist – 7 Pages			18/12/23
TN07 – Sustainable Buildings Checklist – 4 Pages			18/12/23

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

Note to Applicant

Regard should be had to Scottish Water and the Oban and District Access Panel comments in relation to the proposed development, details of which are available to view via the Public Access section of the Council's website.

2. PP – Vehicular Access

No development shall commence until plans and particulars of the means of vehicular access to serve the development have been submitted to and approved by the Planning Authority in consultation with the Roads Authority. Such details shall incorporate:

- i. Upgrade of the existing access at its junction with the B845 comprising a kerb radius of 6 metres and provision of a 2 metre footway at the north west side of the access road;
- ii. Visibility splays measuring 2.4 metres to point X by 75 metres to point Y from the centre line of the junction;
- iii. Details of speed calming measures (speed cushions) within the development road at locations to be agreed with the Roads Authority;
- iv. Details of a passing place approximately midway on the private access road serving Plots 3-04, 3-05 and 3-06;
- v. Details of a 2 metre level service strip for pedestrian refuge along the extent of the new private access roads;
- vi. Details of a turning head to Figure 18 of The National Development Guide at the end of the private access road serving Plots 3-04, 3-05 and 3-06;
- vii. Details of a bin storage area at a point next to the private access road serving Plots 3-01 and 3-02.

Prior to work starting on site, the approved scheme of works in respect of junction upgrade shall be formed to at least base course standard and the visibility splays shall be cleared of all obstructions such that nothing shall disrupt visibility from a point 1.05 metres above the junction at point X to a point 0.6 metres above the public road carriageway at point Y. The final wearing surface on the access shall be completed prior to the development first being brought into use and the visibility splays shall be maintained clear of all obstructions thereafter.

The approved speed calming measures, passing place, service strips, turning head and bin storage area shall be implemented in full prior to the development first being occupied to the satisfaction of the Roads Authority.

Reason: In the interests of road safety.

Note to Applicant

- A Road Opening Permit under the Roads (Scotland) Act 1984 must be obtained from the Council's Roads Engineers prior to the formation/alteration of a junction with the public road.
- The access shall be constructed and drained to ensure that no surface water is discharged onto the public road.
- No walls, fences, hedges etc. will be permitted within 2 metres from the channel line of the public road.

3. PP - Sustainable Drainage System

The surface water drainage system for the development shall be undertaken in accordance with the Drainage, Suds and Surface Water Management Plan dated March 2024 and the associated drawings set out in Condition 1 above and shall be operational before the first occupation of the first dwellinghouse to be completed.

Note to Applicant:

Regard should be had to the consultation comments from JBA Consulting Ltd in relation to the proposed development, details of which are available to view via the Public Access section of the Council's website.

4. **PP – Landscaping Scheme and Biodiversity Enhancement Measures**

No development shall commence until a scheme of boundary treatment, surface treatment and landscaping has been submitted to and approved in writing by the Planning Authority. The scheme shall comprise a planting plan and schedule which shall include details of:

- vii) Existing and proposed ground levels in relation to an identified fixed datum;
- viii) Existing landscaping features and vegetation to be retained;
- ix) Location design and materials of proposed walls, fences and gates;
- x) Proposed soft and hard landscaping works including the location, species and size of every tree/shrub to be planted;
- xi) A programme for the timing, method of implementation, completion and subsequent on-going maintenance;
- xii) A biodiversity statement demonstrating how the proposal will contribute to conservation/restoration/enhancement of biodiversity, and how these benefits will be maintained for the lifetime of the development.

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.

All physical biodiversity enhancement measures (bird nesting boxes, 'swift bricks', wildlife ponds, bat and insect boxes, hedgehog homes etc.) shall be implemented in full before the development hereby approved is first brought into use.

All biodiversity enhancement measures consisting of new or enhanced planting shall be undertaken either in accordance with the approved scheme of implementation or within the next available planting season following the development first being brought into use.

The biodiversity statement should refer to Developing with Nature guidance | NatureScot as appropriate.

Reason: To assist with the integration of the proposal with its surroundings in the interest of amenity and in order to comply with the requirements of NPF4 Policy 3.

5. **PP – Finishing Materials**

Notwithstanding the effect of Condition 1, no development shall commence until written details of the proposed external finishing materials to be used in the construction of the proposed dwellinghouses have been submitted to and approved in writing by the Planning Authority. The development shall thereafter be completed using the approved materials or such alternatives as may be agreed in writing with the Planning Authority.

Reason: In order to integrate the development into its surroundings.

6. **PP - Electric Vehicle Charging – Residential with off street parking**

Prior to the commencement of the development (or such other timescale as may be agreed in writing with the Planning Authority), a scheme detailing the provision of a minimum 7kw electric vehicle charging point shall be submitted to and approved in writing by the Planning Authority. Where charging cannot be provided then the appropriate ducting to future proof the property must be installed.

The approved charging point, or where relevant, the approved cable ducting shall be installed in full prior to the first occupation of the development, and thereafter retained in perpetuity unless otherwise agreed in writing by the planning authority

Reason: to comply with the provisions of NPF4 Policy 13 Sustainable Transport and LDP2 Policy 34 – Electric Vehicle Charging.

(Reference: Report by Head of Development and Economic Growth dated 4 June 2024, submitted)

8. **CHIVAS BROTHERS LTD: PROPOSAL OF APPLICATION NOTICE FOR PROPOSED WHISKY DISTILLERY TOGETHER WITH VISITOR FACILITIES, WATER ABSTRACTION, LONG SEA OUTFALL, ROAD IMPROVEMENT WORKS AND ALL ASSOCIATED INFRASTRUCTURE: LAND AT GARTBRECK FARM, MOSS ROAD, BOWMORE, ISLE OF ISLAY (REF: 24/00796/PAN)**

The Senior Planning Officer spoke to the terms of the report. The proposal site relates to a former dairy farm located at Gartbreck on an area of otherwise undeveloped coastline approximately 3 km south west of Bowmore. The site is served by a single access road that leads off the A846 Port Ellen to Bowmore road and also serves the Bowmore Waste Water Treatment works and the Bowmore landfill and waste reclamation site.

The site is located within the Countryside Zone and also lies within both Laggan Bay and Peninsula designated Site of Special Scientific Interest (SSSI) and Special Protection Area (SPA).

The report sets out the information submitted to date as part of the Proposal of Application Notice (PAN) and summarises the policy considerations, against which any future planning application will be considered as well as potential material considerations and key issues based upon the information received to date.

It was recommended that Members note the content of the report and submissions and provide such feedback as they consider appropriate in respect of the PAN to allow these

matters to be considered by the Applicant in finalising any future planning application submission.

Decision

The Committee noted the content of the report and requested that the following matters be given consideration in finalising any future planning application submission –

1. the impact of another distillery on the island as a whole and the cumulative impact of the distilleries already on the island;
2. any additional infrastructural requirements to support another distillery on the island;
3. the commercial opportunities and economic benefits that may arise from the proposed development; and
4. a view from local Members given the issues with housing and transport on the island.

(Reference: Report by Head of Development and Economic Growth dated 6 June 2024, submitted)

9. BUILDING STANDARDS PERFORMANCE REPORT 2023-24

A report updating the Committee on progress which has been made to deliver the Building Standards Balanced Scorecard 2023/25, highlighting achievements and performance in 2023-2024 and identifying additional priorities for the forthcoming year, was considered.

Decision

The Committee agreed to note and welcome the positive performance by Building Standards in 2023/24.

(Reference: Report by Executive Director with responsibility for Development and Economic Growth dated 13 May 2024, submitted)