

**MINUTES of MEETING of PLANNING, PROTECTIVE SERVICES AND LICENSING COMMITTEE  
held BY MICROSOFT TEAMS on WEDNESDAY, 22 MAY 2024**

**Present:** Councillor Kieron Green (Chair)

Councillor John Armour	Councillor Fiona Howard
Councillor Gordon Blair	Councillor Andrew Kain
Councillor Amanda Hampsey	Councillor Paul Donald Kennedy
Councillor Daniel Hampsey	Councillor Dougie Philand
Councillor Graham Hardie	Councillor Peter Wallace

**Attending:** Shona Barton, Governance Manager  
Matt Mulderrig, Development Policy and Housing Manager  
Peter Bain, Development Manager  
Sandra Davies, Major Applications Team Leader  
Kirsty Sweeney, Area Team Leader – Helensburgh and Lomond/Bute and Cowal  
Arlene Knox, Senior Planning Officer  
Shelley Gould, Senior Planning Officer  
Emma Shaw, Planning Officer

The Chair ruled, and the Committee agreed, to vary the order of business and take Agenda item 11 (**Simplified Planning Zones: Proposed Closure of Project**), Agenda item 12 (**Scottish Government Consultation: Masterplan Consent Area Regulations**) and Agenda item 13 (**Masterplan Consent Area Statement**) after Agenda item 3 (**Minutes**) in order to facilitate the Officer attending at another meeting.

**1. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Jan Brown, Audrey Forrest, Mark Irvine and Liz McCabe.

**2. DECLARATIONS OF INTEREST**

Councillor Douglas Philand declared a non-financial interest in planning application reference 23/00185/PP as he was a close personal friend of the leaseholder of the land. He left the meeting and took no part in the consideration of this application which is dealt with at item 7 of this Minute.

**3. MINUTES**

- a) The Minute of the Planning, Protective Services and Licensing Committee held on 7 February and 19 March 2024 was approved as a correct record.
- b) The Minute of the Planning, Protective Services and Licensing Committee held on 20 March 2024 at 11.00 am was approved as a correct record.
- c) The Minute of the Planning, Protective Services and Licensing Committee held on 20 March 2024 at 2.00 pm was approved as a correct record.
- d) The Minute of the Planning, Protective Services and Licensing Committee held on 26 March 2024 at 10.00 am was approved as a correct record.

- e) The Minute of the Planning, Protective Services and Licensing Committee held on 26 March 2024 at 11.00 am was approved as a correct record.
- f) The Minute of the Planning, Protective Services and Licensing Committee held on 26 March 2024 at 2.00 pm was approved as a correct record.

\* **4. SIMPLIFIED PLANNING ZONES: PROPOSED CLOSURE OF PROJECT**

A report advising of the proposed closure of the Scottish Government Simplified Planning Zones (SPZ) Pilot Project, which was being progressed jointly by Development Policy (Planning and Regulatory Services) and Housing (Community and Culture) in association with a private development on behalf of the Scottish Government, was considered.

Argyll and Bute proposed a project for the pilot that consisted of a remote rural island location (Mull) with a green field site in private control and a Main Town (Lochgilphead) location on a brown field site in Council ownership. Due to a range of issues it has become unfeasible to progress the project to a successful conclusion.

**Decision**

The Committee agreed to:

1. note and consider the information in the report;
2. recommend to the Policy and Resources Committee, the closure of the project with the return of unspent monies to the Scottish Government; and
3. continue to support the development of the sites through the normal planning process, utilising information gained during the project where possible.

(Reference: Report by Executive Director with responsibility for Development and Economic Growth dated 7 February 2024, submitted)

**5. SCOTTISH GOVERNMENT CONSULTATION: MASTERPLAN CONSENT AREA REGULATIONS**

The Planning (Scotland) Act 2019 introduced Masterplan Consent Areas (MCAs) as a new upfront consenting mechanism for development proposals. As well as planning consent an MCA can also potentially grant Roads Construction Consent, Conservation Area Consent and Listing Building Consent.

A report advising of the Scottish Government Masterplan Consent Areas – draft regulations consultation and seeking approval for the proposed response to the consultation was considered.

**Decision**

The Committee agreed to:

1. note this report and the implications of the proposed regulations; and
2. approve the response on this consultation to the Scottish Government in Appendix 1 of the report.

(Reference: Report by Executive Director with responsibility for Development and Economic Growth dated 8 May 2024, submitted)

## **6. MASTERPLAN CONSENT AREA STATEMENT**

The Planning (Scotland) Act 2019 introduced Masterplan Consent Areas (MCAs) as a new upfront consenting mechanism for development proposals.

A separate report is with this PPSL that addresses the proposed response to the Scottish Government consultation on the proposed Masterplan Consent Area Regulations.

A report advising that The 2019 Act introduces a duty on planning authorities to periodically (at least once in each 5 year period) consider the desirability of making an MCA scheme for a part or parts of their district and to publish a statement of how they have fulfilled this duty was considered.

### **Decision**

The Committee agreed to approve the publication of the statement set out in Appendix 1 of this report relating to the duty to consider the desirability of making an MCA scheme.

(Reference: Report by Executive Director with responsibility for Development and Economic Growth dated 8 May 2024, submitted)

Having declared an interest in the following item Councillor Dougie Philand left the meeting at this point.

## **7. 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 Planning Officer spoke to the terms of the report and to supplementary report number 1 which advised of late representations and an amendment to condition 15. She also advised of further contact from the tenant farmer requesting that a discretionary hearing be held. The proposal is seeking to secure planning permission for the conversion of, and extension to, an existing barn to form a dwellinghouse, and the installation of a septic tank and the formation of a vehicular access.

The proposal has elicited 22 objections which relate largely to the conversion of the existing barn to form a dwelling house and the resultant loss of its existing use for agricultural purposes. The loss of the agricultural use of the existing barn is not, in itself, a material planning consideration as it is a privately owned building that is not afforded any protection status. The Applicant has, at the insistence of the planning authority, addressed this concern through the provision of a replacement agricultural building as detailed within planning application reference 24/00259/PNAGRI. Replacement of the barn would be secured through condition that it be installed before works started on redevelopment of the barn. It is not considered that a pre-determination hearing would add value to the decision making process.

The proposal is considered to be consistent with the relevant provisions of the Development Plan and National Planning Framework 4 and it was recommended that planning permission be granted subject to the conditions and reasons detailed in supplementary report number 1.

## **Decision**

The Committee agreed to continue consideration of this application to the meeting of the PPSL Committee on 19 June 2024 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.

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

Councillor Dougie Philand returned to the meeting at this point.

### **8. THE SCOTTISH GOVERNMENT: SECTION 36 CONSULTATION FOR ERECTION OF 13 TURBINES EACH UP TO A MAXIMUM OF 180 METRES IN HEIGHT TO BLADE TIP: LAND APPROXIMATELY 6KM NORTH WEST OF INVERARAY AND 4.5KM EAST OF DALAVICH (REF: 23/00795/S36)**

The Senior Planning Officer spoke to the terms of the report. Consideration was given to a recommended response to the Scottish Government's Energy Consents Unit and Deployment Unit consultation on the Section 36 Application for the erection of 13 turbines each up to a maximum of 180 metres in height to blade tip at land approximately 6 km north west of Inveraray and 4.5 km east of Dalavich.

The site is located on the plateau between Loch Awe to the north west and Loch Fyne to the south east and within the Kames River, Allt Blarghour, River Aray and Douglas Water catchments.

This report reviews the policy considerations which are applicable to this proposal and the planning merits of the development, the views of bodies consulted by the Scottish Government along with other consultations undertaken by the Council, and third party opinion expressed to the Scottish Government.

It was recommended that the ECU be notified that Argyll and Bute Council does not object to the proposed development and to recommend the ECU to consider mitigation and conditions as detailed in the report of handling.

## **Decision**

The Committee agreed that the ECU be notified accordingly that Argyll and Bute Council objects to the proposed development unless the following mitigation recommended by the Council's Landscape Consultant is undertaken to the satisfaction of the Planning Authority:

### **Mitigation**

That consideration should be given to the mitigation suggested by the Council's Landscape Consultant as follows:

- The well-wooded nature of the Loch Awe area restricts open views across and along the loch but where these views do occur, they are particularly valuable for their scenic qualities. The loch shores near Dalavich comprise one of these important open areas

as does the road between Loch Awe and Loch Avich and the shores and waters of Loch Avich. **The proposal appears poorly designed from these areas and it is strongly recommended that the layout of turbines is reviewed by the applicant from Viewpoints 2, 5 and 11 with the overlapping of Turbines 2, 8 and 10 resolved and Turbine 13 omitted as this appears dislocated from the main group of turbines and significantly increases the horizontal extent of the proposal in these views.**

- In addition, significant adverse effects on the Dun na Cuaiche folly within the Inveraray Castle GDL are acknowledged likely to arise in the LVIA (Viewpoint 4). This is an important viewpoint, and the cluttered appearance of the proposal contributes to significant adverse effects on views. **It is therefore strongly recommended that the layout of turbines is reviewed by the applicant from Viewpoint 4 with the discordant overlapping of Turbines 2 and 8 resolved and the prominence of Turbines 1 and 2 reduced by adjusting their location and/or lowering their height.**
- In addition, the cumulative effects of visible aviation lighting on landscape character and on views is also a concern and while there will be fewer people affected at night, it is considered important to retain the character of dark skies within Argyll & Bute, particularly given the number of wind energy proposals across the region with similar lighting. **It is therefore strongly recommended that radar activated lighting should be installed at the earliest opportunity as this would substantially reduce the duration and impact of night-time lighting.**

**The Council would also make the following comments in respect to conditions, ornithology and trunk road matters**

### **Conditions**

The inclusion of all conditions recommended by consultees in any consent granted by the ECU.

### **Ornithology and Trunk Road Matters**

**That the ECU should note that it has not been possible for Argyll & Bute Council to reach a conclusion on the acceptability of this proposal in respect to Ornithology or Trunk Road matters. This is because these matters have not been resolved and discussions are ongoing between the Applicant, the ECU, NatureScot, RSPB Scotland and Transport Scotland.**

**In respect to the outstanding Ornithological matters, Argyll & Bute Council would defer to the expert advice of NatureScot and the RSPB Scotland.**

**In respect to the outstanding Trunk Road matters, Argyll & Bute Council would defer to the expert advice of Transport Scotland.**

(Reference: Report by Head of Development and Economic Growth dated 9 May 2024, submitted)

The Chair ruled, and the Committee agreed, to adjourn the meeting at 1.00 pm for a short comfort break.

The Committee reconvened at 1.10 pm with all those Members present as per the sederunt with the exception of Councillors Armour, Kennedy and Philand.

**9. MRS JOANNA PEACH: ERECTION OF DWELLINGHOUSE AND FORMATION OF NEW VEHICULAR ACCESS: LAND BETWEEN LAGARIE LODGE AND LAGARIE HOUSE, TORWOODHILL ROAD, RHU (REF: 23/01502/PP)**

The Area Team Leader spoke to the terms of the report and to supplementary report number 1, which advised of a further submission by an existing objector. She also advised of a typographical error at section Q of the report of handling, which indicated that the proposed development was not consistent with the Development Plan. She confirmed that it should have stated that the proposed development was consistent with the Development Plan.

The proposed development relates to the erection of a 4 bed detached dwellinghouse and formation of a new vehicular access.

The site is located within the settlement area of Rhu and lies within the Rhu Conservation Area and the residential property adjacent to the West “Lagarie House” which is a Category 2B” listed building and within the vicinity of the Category “A” listed “Ardencaple Hotel”. The site is also covered by a Tree Preservation Order (TPO).

The proposal is considered to be consistent with the relevant provisions of the Development Plan 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**

**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 05.08.2023; , 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	1 of 15	A	22.08.2023
Existing Site Plan	2 of 15	A	22.08.2023
Existing Site Cross Section and Photos - Sheet 1 of 2	3 of 15	-	01.08.2023
Existing Site	4 of 15	-	01.08.2023

Cross Section and Photos - Sheet 2 of 2			
Proposed Site Plan	5 of 15	B	29.02.2024
Proposed Site Cross Sections	6 of 15	-	01.08.2023
Proposed Site Cross Section, Access Wall Elevation and Layout Plan	7 of 15	A	23.08.2023
Proposed Sightline Plan	8 of 15	D	22.08.2023
Proposed Elevations and Sections	9 of 15	-	01.08.2023
Proposed Floor/Roof Plans	10 of 15	-	01.08.2023
Planning Design and Access Statement	11 of 15	-	01.08.2023
Tree Survey Report	12 of 15	A	28.02.2024
Bat Scoping Survey Report	13 of 15	-	28.02.2024
Sustainability checklist	14 of 15	-	12.03.2024
Sustainable buildings checklist	15 of 15	-	12.03.2024

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

2. **Sustainable Urban Drainage** – Notwithstanding Condition 1, details of a sustainable urban drainage system compliant with the guidance set out in CIRIA’s SuDS Manual C753 must be submitted to and approved in writing by the planning authority prior to construction. The surface water drainage shall be operational prior to the development being brought into use and shall be maintained as such thereafter.

Reason: To ensure adequate surface water drainage is implemented to prevent flooding elsewhere.

3. **Landscape and Biodiversity Enhancement** - Notwithstanding Condition 1, No development shall take place until full details of both hard and soft landscape works to be carried out at the site have been submitted to and approved in writing by the local planning authority. The approved hard landscaping works shall be carried out prior to first occupation of the development and the soft landscaping works within the first planting season following first occupation of the development. The details submitted shall include:

- proposed finished site levels or contours;
- hard surfacing materials;
- details of the number, size and location of the trees, shrubs and plants to be retained and planted together with a planting specification – these shall include compensatory planting for the trees already identified as to be removed as part of the development;
- details of measures to enhance biodiversity within the site;
- location and design, including materials, of walls, fences and gates;
- programme for completion and subsequent on-going maintenance.

Any trees or shrubs dying, removed, being severely damaged or becoming seriously diseased within five years of planting shall be replaced with trees or shrubs of such size and species as may be agreed with the Local Planning Authority.

Reason: In the interests of biodiversity and the natural environment.

4. **External Materials** - Notwithstanding Condition 1, Prior to work starting on site samples of the proposed materials to be used for the external finishes of the development hereby granted consent shall be submitted to and approved in writing by the Planning Authority prior to any work starting on site.

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

5. **Sustainable Design** – Notwithstanding Condition 1, Prior to the commencement of development, details of the on-site micro renewable energy to provide heat or electricity to the property and details of the use of the final materials – including details of any re-cycled materials or local sourced materials and their embodied energy for each materials, shall first be submitted and approved in writing by the Local Planning Authority. Thereafter the approved micro renewables and materials must be used in the development hereby approved.

Reason: In order to ensure compliance with LDP2 Policy 09 and to ensure the building is being as energy efficient as possible in order to respond to climate change.

6. **Electric Vehicle Charging** – Notwithstanding Condition 1, Prior to the commencement of development, details of the provision of electric vehicle charge points shall first be submitted and approved in writing by the Local Planning Authority. Thereafter the electric vehicle charge points must be available for use in the development hereby approved.

Reason: In order to ensure compliance with LDP2 Policy 34.

7. **Quality homes** – Notwithstanding Condition 1, 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.



8. **Trees** – Notwithstanding Condition 1, All retained trees on site shall be protected at all times during construction in accordance with the British Standard; BS 5837:2012 (Trees in relation to design, demolition and construction – Recommendations).

Reason: The landscape features to be protected are important to the appearance and character of the site and the surrounding area and are required to successfully integrate the proposal with its surroundings.

9. **Potential sources of nuisance** – Notwithstanding Condition 1, Prior to work starting on site identification and assessment of all potential sources of nuisance, including noise/ vibration, dust, and any temporary lighting provided, which may cause disturbance to nearby residents during the demolition / construction process should be undertaken by the applicant and submitted to and approved by the Planning Authority. This should include consideration of intended hours of operation, movement of vehicles, use of plant and storage of equipment and materials on site.

For all potential sources of nuisance the applicant will be required to provide a management plan with details of suitable control measures to be put in place so as to ensure that construction does not cause loss of amenity to local residents and/or statutory nuisance.

Reason: In order to avoid sources of nuisance in the interest of amenity.

10. **Scottish Water** – Notwithstanding Condition 1, Prior to the commencement of development the developer shall submit written evidence to the Planning Authority that an agreement with Scottish Water is in place for the connection of the proposed development to the public water supply and waste water sewage network.

Reason: In the interests of public health and to ensure the availability of an adequate water supply to serve the proposed development.

11. **Parking and Turning** – 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.

Reason: In the interest of road safety.

**12. 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 SD 08/005 Rev. B (as laid out on approved drawings L(9)2D and L(9)4B) and visibility splays of 2.4m metres to point X by 75.0 metres to point Y from the centre line of the proposed access. The access shall be surfaced with a bound material in accordance with the stated Standard Detail Drawing. 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.

**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.

13. **Bird and Red Squirrel Survey** - Notwithstanding Condition 1, Prior to work starting on site a pre-commencement survey for the presence of birds and red squirrels on site; shall be carried out by an appropriately qualified person at the optimum time of year and submitted to and approved by the Planning Authority. In circumstances where species of interest are identified as being present, or at risk from construction works, the survey shall further provide suggested avoidance and or mitigation measures, including timing constraints, to address such presence or risk. The development shall be implemented in accordance with the measures identified in the duly approved scheme.

Reason: In order to establish that the circumstances of the site have not changed significantly between approval and implementation of the development for the purpose of protecting natural heritage assets in the interest of nature conservation.

(Reference: Report by Head of Development and Economic Growth dated 7 May 2024 and supplementary report number 1, submitted)

**10. MRS JOANNA PEACH: FORMATION OF NEW VEHICULAR ACCESS THROUGH THE EXISTING STONE WALL: LAND BETWEEN LAGARIE LODGE AND LAGARIE HOUSE, TORWOODHILL ROAD, RHU (REF: 23/01503/LIB)**

The Area Team Leader spoke to the terms of the report and to supplementary report number 1, which advised of a further submission by an existing objector and of an amendment to the order of the recommended planning conditions and reasons.

Listed Building Consent is sought for the alterations to form a new vehicular access through an existing stone wall. The proposal lies within the Rhu Conservation Area and the residential property adjacent to the West "Lagarie House" is a Category "B" listed building. Additionally, within the vicinity is the Category "A" listed "Ardencaple Hotel". The existing stone wall is deemed to be Category "B" listed by way of curtilage in relation to "Lagarie House".

Having regard to all material considerations it is considered that the proposal is acceptable and it was recommended that Listed Building Consent be granted subject to the conditions and reasons detailed in supplementary report number 1.

**Decision**

The Committee agreed to grant Listed Building Consent subject to the following conditions and reasons:

1. The development shall be implemented in accordance with the details specified on the application form dated 28/07/2023; supporting information and, the approved drawings listed in the table below.

Plan Title.	Plan Ref. No.	Version	Date Received
Location Plan	1 of 8	-	01.08.2023
Existing Site Plan	2 of 8	-	01.08.2023
Existing Site Cross Section and Photographs	3 of 8	-	01.08.2023
Proposed Site Plan	4 of 8	C	22.08.2023
Proposed Site Cross Sections	5 of 8	-	01.08.2023
Proposed Site Cross Section Access Wall Elevation and Layout Plan	6 of 8	-	01.08.2023
Proposed Sightline Plan	7 of 8	C	01.08.2023
Supporting Statement	8 of 8	-	01.08.2023

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

2. The works permitted to which this consent relates must be begun within three years from the date of this permission.

Reason: to comply with Section 16 of the Planning (Listed Buildings and Conservation Areas)(Scotland) Act 1997.

3. Notwithstanding the effect of condition 1; Samples of the replacement stone to be used for the of the development hereby granted consent shall be submitted to and approved in writing by the Planning Authority prior to any work starting on site.

Reason: To ensure that the materials to be used on the external surfaces of the listed wall complement and match the existing wall.

4. Notwithstanding the effect of condition 1; any replacement stone shall match the detailing including joint thickness of the existing listed stone wall.

Reason: To ensure that the materials to be used on the external surfaces of the listed wall complement and match the existing wall.

5. Notwithstanding the effect of condition 1; should any gateposts be formed additional details of these shall be submitted to and approved in writing by the Planning Authority prior to any work starting on site.

Reason: To ensure that the materials to be used on the external surfaces of the listed wall complement and match the existing wall.

(Reference: Report by Head of Development and Economic Growth dated 7 May 2024 and supplementary report number 1, submitted)

**11. THE SCOTTISH GOVERNMENT ON BEHALF OF ENERGIEKONTOR UK LTD: ELECTRICITY ACT SECTION 36 CONSULTATION RELEVANT TO BREACKERIE WIND FARM: LAND APPROXIMATELY 8KM SOUTH WEST OF CAMPBELTOWN (REF: 23/02230/S36)**

The Senior Planning Officer spoke to the terms of the report and to supplementary report number 1, which advised of the Applicant raising matters of clarification in relation to the proposed conditions and their response to NatureScot.

Consideration was given to a recommended response to the Scottish Government's Energy Consents Unit and Deployment Unit consultation on the Section 36 Application for the construction, 35 year commissioning and subsequent decommissioning, of up to 13 wind turbines with a tip height of up to 200m.

Spanning approximately 1273 hectares, the site is situated at the southern end of the Kintyre peninsula within an area of active commercial coniferous forestry.

This report reviews the policy considerations which are applicable to this proposal and the planning merits of the development, the views of bodies consulted by the Scottish Government along with other consultations undertaken by the Council, and third party opinion expressed to the Scottish Government.

It was recommended that the ECU be notified that Argyll and Bute Council does not object to the proposed development subject to the inclusion of conditions recommended by consultees being included in any consent and subject to further conditions and legal agreements as discussed with the Applicant to mitigate the specific impacts of the Breackerie Wind Farm proposal as detailed in the supplementary report number 1.

During discussion of this application a short adjournment was taken at 2.43 pm to allow Councillor Blair to seek advice on preparing a competent Motion.

The Committee reconvened at 3.10 pm.

### **Decision**

The Committee agreed that the ECU be notified that Argyll and Bute Council objects to the proposed development for the following reasons:

1. Given its proposed location on the terminal section of Kintyre, set apart from the main spine of the peninsula, the development would be seen as an outlier from the established pattern of windfarm development in Kintyre which is contained within the interior uplands of the Kintyre spine and associated with the woodland hinterland.
2. The Development will have a significant impact on landscape character and visual impact contrary to Policy 30 and Policy 71 of LDP2 and will also be contrary to NPF4 Policy 11 e (ii). The development will have a significant effect on highly sensitive coastal and smaller scale landscapes. This is contrary to the guidance in the Landscape Wind Energy Capacity Study 2017 (LWECS) which identifies no opportunities to accommodate large turbines in this area of landscape character.

(Reference: Report by Head of Development and Economic Growth dated 9 May 2024 and supplementary report 1 dated 21 May 2024, submitted)

Councillors John Armour and Dougie Philand returned to the meeting during consideration of the foregoing item.

**12. MINISTRY OF DEFENCE C/O DEFENCE INFRASTRUCTURE ORGANISATION (DIO): PROPOSAL OF APPLICATION NOTICE FOR THE ERECTION OF 639 SINGLE ACCOMMODATION UNITS (SLU) FOR MILITARY PERSONNEL WITH ASSOCIATED SERVICE ACCESS ROAD AND ENGINEERING/INFRASTRUCTURE WORKS: HM NAVAL BASE CLYDE, FASLANE, HELENSBURGH (REF: 24/00580/PAN)**

The Senior Planning Officer spoke to the terms of the report. The proposed site is located within the H M Clyde Naval Base, located 2km south west of Garelochhead. The proposed site has been partially cleared and is surrounded by the built up area of the Naval Base which fronts onto the Gare Loch to the west. In terms of the adopted Local Development Plan 2 (2024), the site is located within the Garelochhead Settlement Area and borders the Helensburgh/Lomond Countryside Area to the east.

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 expressed disappointment that accommodation for naval personnel was being built on the base and not nearer to the town centre which would support local services and businesses.

(Reference: Report by Head of Development and Economic Growth dated 9 May 2024, submitted)

**13. LAGGAN PROPERTIES/BAIRDS MALT: PROPOSAL OF APPLICATION NOTICE FOR HARVESTING OF PEAT MOSS FOR USE IN MALT WHISKY PRODUCTION AND RESTORATION OF PREVIOUSLY DRAINED SITES: LAND AT LAGGAN MOSS, BOWMORE, ISLE OF ISLAY (REF: 24/00661/PAN)**

The Senior Planning Officer spoke to the terms of the report. The proposed peat extraction area of Laggan Moss comprises 110ha blanket bog which has historically been used for peat harvesting. The proposal site, as identified in the submitted plans, comprises approximately 12ha of open peat moss land at Laggan Moss, Bowmore. The site is located approximately 3km south west of Bowmore and is served by a single access road that leads from 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 a Countryside Zone. The entire site 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 provided no feedback to the Applicant.

(Reference: Report by Head of Development and Economic Growth dated 9 May 2024, submitted)

## **14. UPDATE ON RECENT SCOTTISH MINISTERS SECTION 36 NARACHAN WIND FARM DECISION**

A report summarising the decision made by Scottish Ministers to refuse Section 36 consent and deemed planning permission for Narachan Wind Farm was before the Committee for information.

### **Decision**

The Committee noted the contents of the report.

(Reference: Report by Head of Development and Economic Growth dated 29 April 2024, submitted)

## **15. UPDATE ON RECENT SCOTTISH GOVERNMENT PLANNING APPEAL DECISION**

A report summarising a recent decision by the Scottish Ministers in respect of an appeal against refusal of planning application reference 22/00678/PP which was dismissed, was before the Committee for information.

### **Decision**

The Committee noted the contents of the report.

(Reference: Report by Head of Development and Economic Growth dated 22 May 2024, submitted)

## **16. PRIVATE HIRE CARS AND TAXIS LICENSED IN ARGYLL & BUTE**

A report providing an update on the number of private hire cars and taxis across the licensing authority's area was before the Committee for information.

## **Decision**

The Committee noted the number of private hire cars and taxis across the licensing authority's area as detailed at Appendix 1 and 2 of the report.

(Reference: Report by Executive Director with responsibility for Legal and Regulatory Support dated 25 March 2024, submitted)

The Committee resolved in terms of Section 50(A)(4) of the Local Government (Scotland) Act 1973 to exclude the press and public for the following 2 items of business on the grounds that they were likely to involve the disclosure of exempt information as defined in Paragraph 13 respectively of Part 1 of Schedule 7A to the Local Government (Scotland) Act 1973.

### **17. REQUEST FOR TREE PRESERVATION ORDER**

Consideration was given to a report requesting the serving of a Tree Preservation Order.

#### **Decision**

The Committee agreed the recommendations in the report.

(Reference: Report by Executive Director with responsibility for Development and Economic Growth dated 22 May 2024, submitted)

### **18. CONFIRMING A TREE PRESERVATION ORDER**

Consideration was given to a report requesting confirmation of a Tree Preservation Order.

#### **Decision**

The Committee agreed the recommendations in the report.

(Reference: Report by Executive Director with responsibility for Development and Economic Growth dated 22 May 2024, submitted)