

**MINUTES OF THE MEETING OF THE PLANNING, PROTECTIVE SERVICES AND LICENSING
COMMITTEE HELD BY MICROSOFT TEAMS
ON WEDNESDAY, 20 MARCH 2024**

Present: Councillor Kieron Green (Chair)

Councillor John Armour	Councillor Andrew Kain
Councillor Audrey Forrest	Councillor Paul Donald Kennedy
Councillor Graham Hardie	Councillor Dougie Philand
Councillor Mark Irvine	Councillor Peter Wallace

Attending: Fergus Murray, Head of Development and Economic Growth
Shona Barton, Governance Manager
Peter Bain, Development Manager
Sandra Davies, Major Applications Team Leader
David Moore, Senior Planning Officer
Steven Gove, Planning Officer
Stuart Watson, Assistant Network and Standards Manager

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Gordon Blair, Jan Brown, Amanda Hampsey, Daniel Hampsey and Liz McCabe.

2. DECLARATIONS OF INTEREST

There were no declarations of interest intimated.

3. MINUTES

(a) Planning, Protective Services and Licensing Committee held on 16 February 2024 at 9:30 am

The Minute of the Planning, Protective Services and Licensing Committee held on 16 February 2024 at 9.30 am was approved as a correct record.

(b) Planning, Protective Services and Licensing Committee held on 16 February 2024 at 2:00 pm

The Minute of the Planning, Protective Services and Licensing Committee held on 16 February 2024 at 2.00 pm was approved as a correct record.

(c) Planning, Protective Services and Licensing Committee held on 21 February 2024 at 11:00 am

The Minute of the Planning, Protective Services and Licensing Committee held on 21 February 2024 at 11.00 am was before members for approval. It was agreed to amend the minute at item 4, to highlight that Councillor Julie McKenzie was in support of the application and not a neutral representation.

(d) **Planning, Protective Services and Licensing Committee held on 21 February 2024 at 2:30 pm**

The Minute of the Planning, Protective Services and Licensing Committee held on 21 February 2024 at 2.30 pm was approved as a correct record.

(e) **Planning, Protective Services and Licensing Committee held on 21 February 2024 at 3:30 pm**

The Minute of the Planning, Protective Services and Licensing Committee held on 21 February 2024 at 3.30 pm was approved as a correct record.

4. **CALA MANAGEMENT LIMITED: APPROVAL OF MATTERS SPECIFIED IN CONDITIONS 2, 3 6, 7, 8, 9, 11, 12, 13, 15, 16 AND 17 OF CONSENT 18/01444/PP (PPA-130-2071): ERECTION OF RESIDENTIAL DEVELOPMENT WITH ASSOCIATED ACCESS, INFRASTRUCTURE, OPEN SPACE, LANDSCAPING AND MISCELLANEOUS WORKS: LAND NORTH OF CARDROSS PRIMARY SCHOOL, BARRS ROAD, CARDROSS: (REF: 23/00144/AMSC)**

The Senior Planning Officer spoke to the terms of the report. This application seeks approval of matters specified in conditions following a permission in principle granted at appeal by a Reporter relating to a housing site in Cardross. This is effectively a formalised system for discharging conditions referenced as Approval of Matters Subject to Conditions (AMSC).

It was recommended that members approve the submissions and discharge these aspects of the conditional approval.

Decision

The Committee:

1. noted that they were satisfied in relation to conditions 2,3,6,7,8,9,13,15, 16 and 17;
2. agreed to hold a pre-determination hearing on a Hybrid basis to relation to conditions 11 and 12; and
3. agreed to hold a site visit in advance of this hearing with the Council's flooding advisers in attendance.

(Report by Head of Development and Economic Growth dated 4 March 2024, submitted)

5. **MR HARVEY LEE: ALTERATIONS (INCLUDING REMOVAL OF UPVC WINDOWS AND INSTALLATION OF NEW TIMBER SASH AND CASE WINDOWS) AND CHANGE OF USE OF HOTEL TO FORM THREE STUDIOS AND SIX APARTMENTS FOR USE AS SHORT-TERM HOLIDAY LETTING UNITS: BUTE HOUSE GUEST HOUSE, 4 WEST PRINCES STREET, ROTHESAY, ISLE OF BUTE, PA20 9AF: (REF: 23/01007/PP)**

The Planning Officer spoke to the terms of the report. This application is seeking Planning Permission for alterations and the change of use of the former Bute House Hotel/Guest

House located at 4 West Princes Street, Rothesay, Isle of Bute into three studios and six apartments for use as short-term holiday letting units.

It was recommended that Planning Permission be granted as a minor departure to Local Development Plan 2 subject to the conditions, reasons and informative notes set out in the report.

Decision

The Committee agreed to grant planning permission as a minor departure to Local Development Plan 2, and subject to the following conditions and reasons:

Standard Time Limit Condition for Planning Permission (as defined by Regulation)

Standard Condition on Soil Management During Construction

Additional Conditions

1. Unless otherwise directed by any of the conditions below, the development shall be implemented in accordance with the details specified on the application form dated 22nd May 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 (1:1,000)	Plan 1 of 1	-	23.05.2023
Plans as Existing	Drawing No. 001	-	23.05.2023
Sections & Elevations as Existing	Drawing No. 002	-	23.05.2023
Plans as Proposed	Drawing No. 101	-	24.07.2023
Sections & Elevations as Proposed	Drawing No. 102	-	23.05.2023
Window Schedule	Drawing No. 310	-	24.07.2023
Window Details as Proposed Plan, Elevation and Section	Drawing No. 311	-	24.07.2023

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

2. Unless otherwise agreed in writing with the Planning Authority, prior to the first

use of any part of the premises for short-term holiday letting purposes, all of the white uPVC windows identified in red on Drawing No. 002 'Sections & Elevations as Existing' shall be removed and replaced with the timber windows shown in Drawing No. 310 'Window Schedule' and Drawing No. 311 'Window Details as Proposed Plan, Elevation and Section' (as amended by Condition 3 below).

Reason: In order to re-introduce traditional timber fenestration into the building in a timeous manner and to successfully integrate the development with the existing Listed Building and the wider Conservation Area.

3. Notwithstanding the approved plans, and unless otherwise agreed in writing with the Planning Authority, all of the replacement windows hereby approved shall incorporate horn detailing on the exterior of the central meeting rail to match this feature that is present in the existing timber fenestration at the property.

Reason: In order to successfully integrate the development with the existing Listed Building and the wider Conservation Area for the avoidance of doubt.

4. Prior to the commencement of any works to the exterior of the building, full details of the remedial works that are proposed to the external façade; the flashings; and the rainwater goods shall be submitted to and approved in writing by the Planning Authority. Unless otherwise agreed in writing with the Planning Authority, the works shall be undertaken in accordance with the approved details.

Reason: In order to successfully integrate the development with the existing Listed Building and the wider Conservation Area for the avoidance of doubt.

5. A facility for the storage of cycles and the provision of e-bike charging, the details of which shall have been previously submitted to and agreed in writing with the Planning Authority, shall be provided within the application site prior to the first use of any part of the premises for short-term holiday letting purposes. Unless otherwise agreed in writing with the Planning Authority, the approved cycle storage and charging point(s) shall be retained in perpetuity for these dedicated purposes.

Reason: In the interests of facilitating the use of cycles by the occupants of the short-term holiday letting units hereby approved in accordance with the provisions of National Planning Framework 4 Policy 13 'Sustainable Transport'.

6. The short-term let accommodation hereby approved shall not be used as a main (permanent/principle) residences and shall not be occupied by any family, group or individual for a cumulative period of more than three calendar months in any one year. A register showing dates of arrivals and departures shall be maintained at the premises and shall be available at all reasonable times for inspection by the Planning Authority.

Reason: For avoidance of doubt because the development is unsuited to full

time residential occupation and due to it being assessed as tourism use having regard to the relevant provisions of the Development Plan.

Note to Applicant: Specifically the occupation of the premises as a residential use (Class 9) shall require the benefit of a separate planning permission.

(Report by Head of Development and Economic Growth dated 4 March 2024, submitted)

6. PROPOSAL OF APPLICATION NOTICE FOR PROPOSED BATTERY ENERGY STORAGE SYSTEM AND ASSOCIATED INFRASTRUCTURE: LAND ADJACENT TO SSEN TAYNUILT SUBSTATION, TAYNUILT: (REF: 24/00287/PAN)

The Senior Planning Officer spoke to the terms of the report. This report informs the Planning Committee of the submission of a Proposal of Application Notice (PAN). The submission of the PAN accords with the provisions of the Planning etc. (Scotland) Act 2006. The development which is subject to the PAN is of a scale which will be an application to The Planning Authority as the capacity of the battery storage facility at 49.9Mw, will not exceed 50Mw in total capacity. (Above 50Mw would require a Section 36 Application under the Electricity Act to The Scottish Ministers).

The report sets out the information submitted to date as part of the 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 this PAN to allow these matters to be considered by the Applicant's in finalising any future planning application submission.

Decision

The Committee noted the content of the report and submissions and provided the following feedback to the Applicants':

- Given that this site is next to a lot of the key infrastructure in the area we need to be well informed as to what the likelihood of risks are associated with the site, and the implications should there be any issues.

(Report by Head of Development and Economic Growth dated 23 February 2024, submitted)

7. DEVELOPMENT MANAGEMENT PERFORMANCE UPDATE - FQ3 2023/24

A report providing an update on the performance of the Development Management Service for the reporting period FQ3 2023/24 was considered.

Decision

The Committee agreed to note the content of the report.

(Reference: Report by Executive Director with responsibility for Development and Infrastructure, dated 8 March 2024, submitted)

8. PROPOSED PROGRAMME OF PLANNING TRAINING FOR MEMBERS

Over the past 11 years a series of short training sessions or occasionally workshops/site visits have been delivered for all elected Members with an aim to improve knowledge of the planning system on a wide range of issues.

A report seeking endorsement of the training programme from April 2024 to March 2025 was before the Committee for consideration.

Decision

The Committee:

1. agreed to continuing an ongoing programme of planning related training for Members of the PPSL Committee, and that it should be open to any other Members not currently involved in planning decision-making; and
2. endorsed the initial subject areas for training and the provisional dates for delivery, on the understanding that the programme may be varied to take account of any additional training requirements Members may wish to identify, along with any other particular training needs identified by officers as a consequence of matters emerging during the course of the year.

(Reference: Report by Head of Development and Economic Growth dated 28 February 2024, submitted)