

Public Document Pack

Argyll and Bute Council
Comhairle Earra Ghaidheal agus Bhoid

Corporate Services
Director: Nigel Stewart



Dalriada House, Lochnell Street, Lochgilphead, Argyll, PA31 8ST
Tel: 01546 602177 Fax: 01546 604530

25 April 2005

NOTICE OF MEETING

A meeting of the **MID ARGYLL KINTYRE & ISLAY AREA COMMITTEE** will be held in the **CYBER CAFE, PORT ELLEN, ISLAY**, on **WEDNESDAY, 4 MAY 2005** at **12:00 NOON**, which you are requested to attend.

Nigel Stewart
Director of Corporate Services

BUSINESS

1. **APOLOGIES**
2. **DECLARATIONS OF INTEREST**
3. **MINUTES OF MEETING OF 4 APRIL 2004** (Pages 1 - 8)
4. **MINUTES OF SITE INSPECTION DATED 7 APRIL 2005** (Pages 9 - 14)
5. **EMPLOYABILITY TEAM PRESENTATION** (Pages 15 - 18)
6. **PUBLIC QUESTION TIME**
7. **PLANNING APPLICATIONS** (Pages 19 - 50)
8. **DELEGATED DECISIONS** (Pages 51 - 66)
9. **CAPITAL RECEIPTS** (Pages 67 - 68)
10. **GRANTS TO VOLUNTARY ORGANISATIONS** (Pages 69 - 70)

EXEMPT SECTION

The Committee will be asked to pass a resolution in terms of Section 50(A)(4) of the Local Government (Scotland) Act 1973 to exclude the public for items of business with an “E” on the grounds that it is likely to involve the disclosure of exempt information as defined in the appropriate paragraph of Part I of Schedule 7a to the Local Government (Scotland) Act 1973.

The appropriate paragraph is:-

Paragraph 13 Information which, if disclosed to the public, would reveal that the authority proposes –

(a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or

(b) to make an order or direction under any enactment.

E1 11. ENFORCEMENT 04/00167/ENFOTH (Pages 71 - 76)

MID ARGYLL, KINTYRE & ISLAY AREA COMMITTEE

Councillor Rory Colville	Councillor Robin Currie	Councillor John Findlay (Vice-Chair)
Councillor Alison Hay	Councillor Donald Kelly	Councillor Donald MacMillan
Councillor John McAlpine	Councillor Alastair McKinlay (Chair)	Councillor Bruce Robertson

Contact:

**MINUTES of MEETING of MID ARGYLL KINTYRE & ISLAY AREA COMMITTEE held in the
COUNCIL CHAMBERS, KILMORY.
on MONDAY, 4 APRIL 2005**

Present: Councillor Alastair McKinlay (Chair)

Councillor Rory Colville	Councillor Robin Currie
Councillor John Findlay	Councillor Donald Kelly
Councillor John McAlpine	Councillor Donnie MacMillan
Councillor Bruce Robertson	

Attending: Deirdre Forsyth, Area Corporate Services Manager
Donnie McLeod, Roads and Amenity Services Manager
Richard Kerr, Senior Development Control Officer
Yvonne Willan, Area Housing Manager
Felicity Kelly, Community Education
Catherine Dobbie, Integration Manager
Patrick Mackie, Area Environmental Health Manager
Arthur McCulloch, Supervisory Engineer
Tim Williams, Enforcement Officer
Pamela Hamilton, Asset Manager Scottish Water

1. URGENT ITEMS

The Chairman ruled, and the Committee agreed, in terms of Section 50B(4)(b) of the Local Government (Scotland) Act 1973 in terms of Standing Order 3.2.2, that item 6.4 Enforcement Report, Tayvallich, and item 18 Application to the Provost Greenlees Trust, which were not specified in the Agenda, should be considered as a matter of urgency because of the need for the decisions to be taken before the next meeting.

2. APOLOGIES

Apologies for absence were received from Councillor Hay.

3. DECLARATIONS OF INTEREST

There were no declarations of interest.

4. MINUTES OF MEETING OF 2 MARCH 2005

The minutes of 2 March 2005 were approved.

5. PUBLIC QUESTION TIME

There were no questions from the public.

6. PLANNING APPLICATIONS

The Committee considered and dealt with the applications for planning permission as detailed below.

1. **04/02032/DET**

Scottish Water. Detailed Planning Permission. Landscaped surface treatment vehicular access and hardstanding associated with permitted sewer overflow/pumping station, Quarry Green, Kilkerran Road, Campbeltown.

Decision

To continue this application to a future date to be agreed.

2. **04/01922/DET**

A. McLean & Son. Detailed Planning Permission. Demolition of existing farmhouse, outbuildings and commercial/agricultural buildings and erection of 11 dwellinghouses, Bellfield Farm, High Askomil, Campbeltown.

Decision

That planning permission be granted subject to;

- i) the standard condition and reason
- ii) the conditions and reasons set out in the report by Head of Planning dated 10 March 2005

3. **04/02184/VARCON**

Dunlossit Trustees Ltd. Variation of Planning Condition. Variation of Condition 6 relative to Mineral Consent ref. 02/01782/MIN – seeking permission to retain temporary haul road on a permanent basis, Ballygrant Quarry, Ballygrant, Isle of Islay.

Decision

The conditions attached to Minerals Consent ref. 02/01782/MIN be varied to allow for the retention of a section of temporary haul road on a permanent basis for use in the permitted quarry operations at the site, subject to the condition and reason contained in the report by Head of Planning dated 11 March 2005, and subject to this additional condition regarding landscaping:-

“Prior to 30 June 2005, a scheme for the landscaping of the area between the haul road and the eastern boundary of the site shall be submitted for the written approval of the Council as Planning Authority, the purpose of which shall be to establish mature vegetation in order to afford improved screening of the quarry from adjoining property and the public road. The scheme shall indicate the location, numbers, species and sizes of trees and shrubs to be planted. The duly approved scheme shall be implemented in the first planting season following its approval by the Council.

In the event that the planting fails to become established, or trees or shrubs die or become seriously diseased or are removed, they shall be replaced in the following planting season with equivalent numbers and species as those originally required to be planted”.

4. 05/00045/ENFOTH

New Dwelling allegedly being built in incorrect position relative to approved planning permission details (Application Ref: 04/00840/DET), land adjacent ‘Creag Fasgadh’, Tayvallich.

Decision

It was agreed to hold a formal site inspection with full determination powers at 10:00 am on Thursday 7 April 2005 in Tayvallich Village Hall, at which time the non material amendment application would be formally determined and the investigation of any enforcement liability concluded.

7. DELEGATED DECISIONS

The Committee noted the decisions issued by the Director of Development Services dated 17 March 2005.

8. MINUTES OF MID ARGYLL PARTNERSHIP DATED 21 FEBRUARY 2005

The Minutes of Mid Argyll Partnership dated 21 February 2005 were noted.

9. PIERS, HARBOURS AND FERRIES

It was reported that the draft report was still to be finalised.

Decision

When report is available, it will be included for discussion on the appropriate Area Committee agenda.

10. BRUICHLADDICH PIER REPORT

It was reported that tenders will be returned on 12 April 2005.

Decision

That a further report will be made to the Area Committee when tenders have been checked.

11. FUSIONS STRATEGIC PLAN 2005/2006

Fusions will focus on bringing together workers delivering children’s services across Argyll & Bute. The purpose of this is to develop an integrated approach that provides high quality services to children, young people and their families.

The Area Integration Managers aim to act as catalysts and facilitators empowering and developing others to contribute to a real change in the way in which Children's Services are provided in Argyll & Bute. This team is multi-disciplinary with varied experience across the sectors. Various questions were put by Members.

Decision

1. Catherine Dobbie was congratulated on the excellent progress the project has made.
2. It was agreed to recommend to the Strategic Policy Committee that funding be allocated to continue the Fusions project after April 2006.

12. LEISURE DEVELOPMENT GRANT

The report described the allocation of a small grant which was unspent by the group to whom it was previously granted.

Decision

The grant of £245 paid to Inveraray and District Piping Association was approved.

(Reference – Report by Director of Community Services dated 4 April 2005)

13. ISLAY AND JURA SKIPS

It was reported that these skips had been funded for 3 years with an EU funding package which ceased on 31 March 2005.

Re-Jig are exploring funding for the continuation of skips on Islay.

Decision

1. To continue to provide skips on Jura.
2. To investigate the possibility of continuing to provide skips on Islay in conjunction with Re-Jig.

14. ROADS CAPITAL AND REVENUE FUNDING FOR 2005/06

Members were informed of the proposed works to be undertaken during the financial year 2005 – 2006.

Decision

Members discussed and noted the contents of the report.

(Reference – Report by Head of Road and Amenity Services dated 4 April 2005)

15. PUBLIC WATER SUPPLIES ON ISLAY

The report explained the difficulties arising from the lack of availability of public water supplies on Islay. Pamela Hamilton, the local ASSET Manager, explained the background to Scottish Water's difficulties because of lack of funding. She agreed that there were problems with leakages but again funding was not available to prevent these.

Decision

The Area Committee agreed to recommend that the Council pursue in the strongest possible terms with the Scottish Water Industry Commissioner and the Scottish Water Customer Panel the following matters;

1. Funding is required in order to enable development in the following areas which are currently constrained by lack of water availability. These are, Port Ellen, where houses have been built which are unable to be occupied because they cannot connect to a water supply, Bowmore, Ballygrant, Craignish and Campbeltown.
2. That funding be provided as a matter of urgency to deal with leakages which may enable these constraints to be removed.
3. That Scottish Water make it clear in their individual responses to applications for planning permission, whether or not a water connection is likely to be available. The current response from Scottish Water is vague although it may require an applicant to contact their development services department. Since a planning application is valid for 5 years and since some of these applications are for houses within existing settlements, it should be made clear that water constraint may prevent the development.

(Reference – Report by Area Corporate Services Manager dated 4 April 2005)

16. AREA STRATEGY AND PRIORITIES

The Mid Argyll, Kintyre and Islay Area Plan and strategy was discussed and updated.

Decision

To amend the 5 strategic priorities as follows;

The following are the 5 area priorities for inclusion in the Capital Programme

1. Irish Ferry – because this project will take up time of officers and therefore require to be budgeted for.
2. Bruichladdich Pier
3. Carradale Harbour
4. Campbeltown Promenade
5. Jura Ferry Replacement

It was noted that the following projects have either have no financial commitment from the Council or have already commenced;

1. Mid Argyll Sports Trust
2. Campbeltown Community Project
3. Campbeltown New Quay
4. Development at Machrihanish

EXEMPT SECTION

The Committee resolved in terms of Section 50A(4) of the Local Government (Scotland) Act 1973, to exclude the public from the following item of business on the grounds that it was likely to involve the disclosure of exempt information as defined in Paragraph 13 of Part 1 of Schedule 7A to the Local Government (Scotland) Act 1973.

17. PROPOSED TREE PRESERVATION ORDER 01/05

It is proposed to make a Provisional Tree Preservation Order with immediate effect on an area of land at Craobh Haven which embraces a few groups of trees, including a significant group covering a steep north facing slope, and one particularly significant oak tree. A planning application is currently under consideration for a single dwelling on this land. A Tree Preservation Order is warranted to safeguard the setting of the site in the interests of amenity, in the event that permission is granted for its development.

Decision

- (i) Recommendation that a provisional Tree Preservation Order be imposed with immediate effect in accordance with Section 160 of the Town and Country Planning (Scotland) Act 1997 on one specific mentioned Common oak (*Quercus robur*) and throughout the defined land protecting areas with Silver Birch (*Betula pendula*), Rowan (*sorbus aucuparia*), Common Oan (*Quercus robur*) and Hazel (*Coryllus avellana*) at and in the immediate vicinity of land known as Plot 10s, Craobh Haven, by Lochgilphead, Argyll.
- (ii) In the event that the provisional Tree Preservation Order is imposed (as above) and no representations are received following the required advertisement period, once the Order has come into effect it should be duly confirmed. Only in the event of any representation being received to the provisional Tree Preservation Order would the matter be referred back to the Area Committee.

(Reference – Report by Head of Planning dated 17 March 2005)

18. APPLICATION TO THE PROVOST GREENLEES TRUST

The Chairman reported that he had received an application from the Soldiers, Sailors, Airmen and Families Association (SAFFA) from the Provost Greenlees Trust.

Decision

1. It was agreed to make a grant of £250 towards this application.
2. It was agreed to recommend to the Council that the delegation to the Area Committee be rescinded, and a new delegation be created in favour of the Members for South Kintyre, Campbeltown Central, and East Central Kintyre.

This page is intentionally left blank

**ARGYLL AND BUTE COUNCIL
DRAFT MINUTE FOR SITE INSPECTION
AT TAYVALLICH
held on THURSDAY 7 APRIL 2005**

Present: Councillor John Findlay (Chair)

Councillor Rory Colville	Councillor John McAlpine
Councillor Donald MacMillan	Councillor Bruce Robertson

Attending: Deirdre Forsyth, Area Corporate Services Manager
Mr Tim Williams, Enforcement Officer

The Applicant Mr Hugh Semple

Supporters Mr A Barbour

Objectors Mrs Carmichael and Mr Donald Carmichael

1. APOLOGIES

Apologies for absence were received from

2. DEVELOPMENT SERVICES

**ENFORCEMENT REPORT: 05/00045/ENFORTH
NEW DWELLING ALLEGEDLY BEING BUILT IN INCORRECT POSITION
RELATIVE TO APPROVED PLANNING PERMISSION DETAILS
(APPLICATION REF: 04/00840/DET)
LAND ADJACENT 'CREAGFASGADH', TAYVALLICH**

The Chairman, Councillor Findlay, welcomed all those present and the procedure was explained. Mr Williams went over the background to the application for a non-material amendment and the Members of the Committee then visited the site.

At the site Mr Williams pointed out that the position of the foundations for the house were in the correct position in relation the site itself but had shown the position of Knap Cottage wrongly in the original application. The new house was 2 metres in front of Knap Cottage but when Knap Cottage was correctly plotted the actual position was 2.7 metres in front of Knap Cottage.

He showed that because of the removal of cliff face and overhanging rock there was a small piece of ground to the rear of the foundations of the house, and Mr Barbour explained that a ramped access would be made into the back door so that on the south side of the house that full extent of the back garden would be required.

The Committee asked various questions on site and then went to Knap Cottage where dimensions were pointed out to them by Mrs Carmichael. From Knap Cottage Mr Williams explained that the window had been correctly plotted on the original plan and that although the ridge height of Knap Cottage had not been shown correctly this did not make any difference to the light coming in to the window as the height of the ridge of the roof of the new house had not altered and therefore its relationship to the window had not changed either. The degree of affect of light is 17 degrees which is under the maximum of 25 degrees suggested by the Building Research Guidelines.

Mrs Carmichael said that she had been concerned about the measurements from the beginning and that she had asked for them to be checked on several occasions and that as a result of her comments, the drawings had been amended.

At this point the Committee agreed to return to the village hall to look at the slides and listen to the presentations. At the village hall Tim Williams showed slides which he said indicated that although there had been mistakes in the application in regard to the position of Knap Cottage, this did not make a material difference to the application. He said that the most important matter was the effect on the light into the side window. He pointed out that protection of a view was not a material planning matter.

The applicant Mr Semple then spoke and explained the history of the building of Creagfasgadh and Knap Cottage. He had originally planned to build the house well forward in order to enable Mrs Carmichael's view to be retained around the back of the house. However several objections, including one from the Community Council, had been received, so the position of the house was moved back and the front line of the house had been agreed on site. He accepted that the ordnance surveys data that had been used had shown Knap Cottage in an inaccurate position but the measurements had been checked before building commenced and had been agreed by the planners and the applicant had been advised that these were correct.

At the meeting, when Mr Williams had attended, Mr Semple said that he had offered to move the house back a bit but that he was asked to construct it as per the drawings. He had been asked to put in a non material amendment because of the fact that the position of Knap Cottage was shown inaccurately on the original plan.

Mrs Carmichael, the objector, then spoke and said that she had lived in the area for seventy years and she said that the main point is that the site was shown differently on the map and when the site inspection had taken place in 2004 it was a garden, and it was agreed that the position of the house had to be correct to the nearest inch. She considered that it was up to the developer to make sure that the plans were correct and to disregard that was unfair.

QUESTIONS BY COUNCILLORS

Councillor Robertson asked about the offer that was made to move the house back. Mr Williams said that offer was made but because he had no involvement in the previous site inspection and so when he saw a condition that required that the exact site was to be pegged out, he advised that it had to be put into the position shown on the plan. Had he known about the background and history he would have taken the matter back for further consideration by the head of service.

Councillor Colville asked if the original planning application had been refused and when this had happened. Mr Semple said that it had been withdrawn. The position of the house then was 3 or 4 metres further forward than it currently is.

Councillor Colville asked Mr Williams to show where the house would have been had it been 2 metres from Knap cottage as correctly shown. Mr Williams was unable to demonstrate this on the slide. Mr Williams went on to say that a view cannot be protected and is not a planning consideration. The only potential impact was the daylight and this was unaltered. The new house was always going to be in front of Knap Cottage and below the ridge of Knap Cottage. The only thing that was incorrect was that Knap Cottage was plotted in the wrong position on the original application.

Councillor Findlay asked Mrs Carmichael what the objection was in planning terms. Mrs Carmichael in response asked why was someone chosen to measure this who knew nothing about the history, because she thought that anyone sent to the site should have known it had been contentious. She said that she would suffer a loss of amenity because another house was built adjacent.

Councillor McAlpine said it was accepted that the view was not a material planning consideration and noted that light was the only issue. He asked if it was possible that as the house goes up there will be more problems. Mr Williams said that there was no indication that anything else was wrong apart from the incorrect plotting of Knap Cottage.

Councillor McAlpine asked who was responsible for the measurements being wrong. Since the applicant would have moved the house back a metre, Planning should have admitted if they were at fault. Mr Williams said it didn't really matter but that in his view it was the developers responsibility to make sure that the drawings were correct.

Councillor McAlpine asked Mr Williams about the day when he went to check the measurements. Mr Williams said that he was only asked to ensure that the positioning of the building was correct in relation to the internal site boundary.

Councillor McAlpine reminded members that Mr MacKay at the site inspection in 2004, had said that it was a very tight site and the house had to be shoehorned in. He noted that there was 4.5 metres behind the house at the north side and 2 metres at the south side. The 2 metres is required for the disabled access to the back door so there is a bit of ground shown at the back and this was not explained at the site inspection. Mr Williams said that since he hadn't been there he was unable to comment on that.

Councillor McAlpine said that the objectors and the applicant were in an unfortunate position, since there had been an error, but the decision still had to be made.

Councillor Colville asked Mr Williams if he was aware that Knap Cottage was not properly shown on the drawings when he visited the site, and he advised he was unaware of that.

SUMMING UP

Mr Williams said that from a professional planning point of view he accepted that Mrs Carmichael was aggrieved and that she had noted that there was a mistake and also he was grateful that the developers had ceased work immediately when this had been pointed out. He said that what had to be looked at was the current situation and would planning permission have been granted had the houses been shown in correct relationship to each other. He considered that it would have been granted because the differences are non material.

The distance from the cliff face requires to be maintained. He did not think that the house could be moved back and the recommendation would have been the same, since the only important matter was the possible loss of light to the secondary window and there is in fact no difference now from the original application. It is difficult to tell whether there will be a loss of view and there may not be, but even if there was a worse view, this cannot be protected.

Mr Semple said who has made the mistake? The ordnance survey wouldn't admit it but at that scale ordnance survey maps are not that precise. If there was an error by the planners it would be an insurance matter. The planner's measurements were used by the developers and it was as a result of this that the misunderstanding took place.

Mrs Carmichael said the new house disadvantages her and referred to a letter received from L & A MacKay, the builders, in which the builders said the conditions were not clear.

Mr Williams said at this point that the planners cannot impose conditions outwith the site and they could not have put conditions on to the site belonging to Mrs Carmichael. Having alerted the developers to the measurements the planners thought that they were correct. Sizes have to be adhered to and if not, checked against the existing house. When he checked it, they appeared not to have moved. Mr Semple said that the conditions referred to in the letter from L & A MacKay related to pre-inspection.

Councillor Colville said that he accepted that there was no argument about daylight; he asked if there was any reference in the planning consent to Knap Cottage being 2 metres back from the front of the new property. Mr Williams said that there was no such condition in the approval, although the relationship is shown on the drawing. He was asked again does the consent say that it should be no more than 2 metres from Knap Cottage, and advised that that was not the position. Planning permission does not say anywhere that the new house shall be no more than 2 metres in front of Knap Cottage.

Councillor Colville asked Mr Semple if he was still offering to move the site back. Mr Semple said that he had come to the conclusion that it could be advantageous to all 3 parties if it was suggested that there was some scope to do this. He had not been able to be there himself and had asked the builders to make the offer. The foundations have now been put in so there was the question of who would pay for a change of position.

At this point Councillor Findlay moved that non material application be approved and Councillor MacMillan seconded the motion.

As an amendment Councillor McAlpine moved that the non material application be refused because the measurements have been confused and the application would not have been granted had they been correct originally.

Councillor Robertson seconded the amendment.

Councillor Colville thought this was a sledgehammer to crack a nut and he suggested that the solution would be, and still would be to move the new building back 0.7 of a metre

DECISION

There voted for the motion 3 and for the amendment 2.

To approve the non material planning application for new dwelling on land adjacent to Creagfasgadh, Tayvallich.

This page is intentionally left blank

THE ROLE OF EMPLOYABILITY WITHIN ARGYLL AND BUTE AND AN UPDATE ON THE PROPOSED MID ARGYLL CONSTRUCTION TRAINING CENTRE.

1.0 A wee reminder.

1.1 Argyll and Bute Employability Team has evolved within the Council since April 1999 when it was set up to deliver the Government's New Deal Environmental Task Force Option of the New Deal Programme. Each year since then, the team's delivery of employment outcome targets has been very good and we now deliver a number of employment and skills training contracts on behalf of Jobcentre Plus. These are contracts for which we have to bid on a year-to-year basis and which provide our core funding. We currently have 34 members of staff on the team.

1.2 In order to enhance the training and the length of work experience our clients can access, we also raise a considerable amount of match funds through European sources and, working in partnership with our colleagues in other council departments and outside agencies to raise funds through environmental trusts, the Big Lottery, Communities Scotland etc. These additional funds help support projects ranging from community capacity building and headstone repair, to construction and transport initiatives. The positive outcomes for local economies arising from these projects include not only the wages and increased spending power of our clients but also the income given to local companies for locally sourced materials and support services. We try hard to keep business within Argyll and Bute.

1.3 The Work of the Employability Team therefore, relates to the Community Planning Themes of 'Improving opportunities for learning, employment and skills' as well as 'Sustaining our communities, culture and environment' and contributes to a number of themes of the Council's Economic Development Strategy. Since its inception in 1999 the Employability Team has assisted over 1200 local unemployed people and contributed to Argyll and Bute community regeneration in terms of environmental enhancements (from owl centres to community centres!), support for local employers and community capacity building.

2.0 Employability activity in your area.

2.1 We currently have 43 clients on our books from within the Mid Argyll, Kintyre and Islay areas. Within the last 12 months, the Employability Team have helped 32(18-24 yrs) plus 25 (25+yrs) individuals into work from this area. This equates to almost 66% of local people joining our programmes in the area that have found employment during their time with us.

2.2 We work very closely with local employers to achieve this and some of the employers we have worked with include:

Campbeltown

Vestas Celtic, McFadyens Contractors, Argyll Property, Robertson Carriers, LGV Driver, Dalintober & Milknowe Tenants and Residents Association, Springbank Distillery, Fyne Homes, DRECO Argyll Bakeries

Islay

Bruichladdich Distillery, Machrie Hotel, IDEA Resource Centre, Stormcats Ltd, Islay Whisky Shop , Calmac , D & A Mac Dougall, Esknish Farm.

Mid- Argyll and Inveraray

Argyll and Bute Council, Argyll Hotel, Ritz Café, Fyne Tackle, Lochgilphead Post Office, Argyll Computers, British Waterways, AFAM Services, Inveraray Motor CO, Lochfyne Hotel

2.3 We are currently trying to work especially closely with local contractors in the Kintyre and Islay towards the provision of construction focussed work experience and industry related training for example, Health and Safety, HAUC certification, Manual Handling, Plant Operator tickets and related vocational training. This is supported through our 2005 European (HITP) funded South Kintyre and Islay Construction Capacity Building Project which aims to enhance local employment chances within the local construction sector and help towards meeting the skills needs of local contractors. Our other HITP funded project covering the area, is our 2005 Argyll and Bute (excluding Helensburgh & Lomond) Service Sector focussed project, which allows us to support clients in waged work placements relevant to the sector for up to 40 weeks.

2.4 For those clients requiring to spend more time with us before being employer ready, we have delivered and continue to implement several special projects throughout the mid Argyll and Kintyre area. These projects not only provide work experience for those of our clients who are most removed from the labour market and could not be immediately placed with employers, but also meet the demands of local communities in respect of access, heritage protection and amenity enhancements. These projects include:

- Whiteshore footpath at Tarbert
- Near completion of the '39 Steps' Ardrisag woodland footpath project in partnership with the Council's Access Team.
- Completion of the Millenium Garden in Ardrisaig for Ardrisaig Community Council
- Completion of structural works in Campbeltown's Beechgrove Community Garden.
- Continuation of the Kintyre Headstones restoration project in partnership with the Council's Operations Department.
- Completion of works to Campbeltown Credit Union building – lowered ceiling, new entrance area, painting.
- Start of works to Kilchenzie Community Area – carpark, picnic space, and playspace.
- On going works to Campbeltown Owl Centre – refurbished exhibition area and shop, fence painting and footpaths, car park area and view point.
- Imminent start to the Mid Argyll aspects of the 'Walk to School' project in partnership with the Council's Transportation Team; includes footpaths at Kilmartin and Inveraray.

2.5 We are also supporting the World of Work project in Campbeltown School, in an effort to provide S3 pupils with work taster sessions, very basic training and a wider understanding of the opportunities available to them in the construction industry.

2.6 As for future projects within the area, we are awaiting the outcome of a bid to the WHELK fund in respect of funds that will help us to implement community environmental projects on Islay where we have also been asked to lead on a further bid to support a Community Admin. Skills Development project. Other exciting and innovative projects under discussion with various partners include:

- Blarbuie woodlands and market garden development.
- Mid Argyll Wheels to Work pilot.
- Kilmory paths project

2.7 Finally, we are about to interview for a Social Economy Development Worker whose role it will be to advise us on existing and new opportunities for our clients within not for profit social firms and the voluntary sector. Finally, we are in the very initial stages of working with a number of partners to run a pilot 'Wheels to Work' project in Mid Argyll.

3.0 Construction Excellence

3.1 Opportunity knocks!

3.1.1 Forthcoming Public Sector investment in Argyll and Bute, for both new build and maintenance works, provides huge opportunities for business and growth within the local construction sector. However, the backdrop of current skills shortages and an ageing workforce highlights the need to work closely with local businesses to ensure they have the capacity and confidence to make the best of these opportunities.

3.2. Local solutions for local issues.

3.2.1 The Employability Team are one of the partners involved in the Construction excellence Initiative. This Initiative began in June 2003 arising from the Community Planning process. The team comprises Fyne Homes Ltd, Argyll and Bute Council, Argyll and Islands Enterprise, CITB Construction Skills, Careers Scotland and an independent construction consultant. The team was set up to look at the issues for the sector arising from the anticipated large increase in construction work throughout the area.

3.2.2 In August 2003 we carried out a mini audit of 100 local contractors, followed by a series of roadshows though September/October 2003 with a follow up in January 2004. Findings included the need for training local contractors in Health and Safety awareness, IT skills and Partnership working in order to be able to make the most of future opportunities. In addition, it was identified that the lack of a locally based training centre was a major obstacle to increasing the number of new apprenticeships within the area; this was restricting the growth potential of existing and new businesses. At present construction training in Argyll is carried out in the Central Belt at colleges such as Clydebank and Reid Kerr. Apprentices have to attend on a block release basis which takes them away both from their employer and their community for long periods at a time This doesn't seem to affect the number of young people wanting to take up apprenticeships, but it is a major concern with employers who might recruit them for the following reasons:

- The amount of time away from the employer during block release
- Travel costs and time

- Limited relationship and contact with the college

3.2.3 This year, Construction Excellence have run well received training courses for local contractors on Health and Safety, IT and Partnership working at venues throughout Argyll and Bute. Plans have also been prepared and costed for a locally based Construction Training Centre to be located in mid Argyll the main objectives of which are:

- Increase the number of local apprenticeships by 26 in the first year.
- Increase the number of local employers offering apprenticeships.
- Make it easier for apprentices to undertake their training without having to leave their communities for long periods of time.
- Enable school children to undertake sector related work taster sessions.
- Create additional income generation activity such as courses for adults and evening classes.
- Construction Excellence will draw on the knowledge and expertise of North Highland College who already have local construction training centre in operation, to establish robust systems and procedures for operation at an early stage.

3.2.4 In July 2004, Argyll and Bute Council were approached with regard to possibly leasing or donating a land site for the college but this approach was turned down with no further offers made from, or approaches made to the council at the time.

3.2.5 A suitable site has since been identified on the AIE business park at Kilmory and in February of this year Fyne Homes Ltd submitted a Stage 1 application to Future Builders Scotland (large pot of Scottish Executive funds aimed at investment in the social economy, entrepreneurship and skills), for the acquisition of the land and the development of a mid Argyll Construction Training Centre.

3.2.6 Fyne Homes will own the site, Argyll College will lease the site and be the key delivery and management partner with input from the industry via CITB Construction Skills. Clients will be the local construction industry, school leavers, referrals from the Employability Team and Jobcentre Plus. The local industry is very supportive of the project with 84% of those who responded indicating that they would be willing to use the facility, most of those who indicate otherwise being based in the south ie. Arran, Rothesay and Helensburgh.

3.2.7 Cost estimates for the land acquisition and resource development amount to just over £900,000. At present the named contributors to the costs are:

- Argyll College
- Argyll and the Islands Enterprise
- Fyne Homes Ltd.

4.0 Building our own

4.1 The proposal for a mid Argyll based Construction Training Centre is innovative for the area and if implemented would provide a resource that could assist Argyll and Bute's young people and local businesses alike to engage with and develop from the many forthcoming opportunities within the construction sector.

CHRISTINE MENHENNET
EMPLOYABILITY MANAGER
14TH APRIL 2005

ARGYLL AND BUTE COUNCIL

TOWN AND COUNTRY PLANNING

APPLICATION TO BE CONSIDERED BY THE MID ARGYLL, KINTYRE & ISLAY
AREA COMMITTEE AT THEIR MEETING ON 4 MAY 2005

1. 04/01386/OUT Mr & Mrs Joachin Brolly. Outline. Residential development. Land at Torran Farm (north of the farm bungalow), Torran, Ford

Recommendation

That Members resolve to be minded to grant planning permission as a 'minor departure' to adopted Development Plan policy, subject to:

- 1) the standard outline conditions and reasons;
- 2) the conditions and reasons set out in the report by Head of Planning dated 18 April, 2005.

2. 05/00058/OUT E.A.G. Turner. Outline Planning Permission. Site for the erection of three single storey dwellinghouses, Land at Upper Killeyan, The Oa, Port Ellen, Isle of Islay.

Recommendation

- 1) That planning permission be granted subject to the standard outline planning conditions and reasons and the conditions and reasons contained in the report by Head of Planning dated 4 May 2005, subject to the prior receipt of confirmation from SEPA of their satisfaction that the applicant has successfully demonstrated that ground conditions are suitable for the foul drainage system for the development to be served by means of a total soakaway, or such other arrangement as may be acceptable to SEPA;
- 2) In the event that the application proves acceptable to SEPA in its current form, the Head of Planning be authorised to issue the decision notice;
- 3) In any other circumstance, the application be remitted to Committee for further consideration.

3. 96/01293/DET

Proposed Variation of Section 50 Agreement
Planning permission 96/01293/DET - Erection of Dwellinghouse -
Coultorsay, Bruichladdich, Isle of Islay.

Recommendation

That consent be given for the original Agreement under Section 50 of the Town and Country Planning (Scotland) Act 1972, as superseded by Section 75 of the Town and Country Planning (Scotland) Act 1997, to be amended as requested by the current landowner, to delete 1.3 acres of land in order to allow the sale of land for which planning permission has previously been granted.

Reference Number: 04/01386/OUT
Applicants Name: Mr. & Mrs. Joachim Brolly
Application Type: Outline
Application Description: Residential development
Location: Land at Torran Farm (north of the farm bungalow),
Torran, Ford

(A) THE APPLICATION

(i) Development Requiring Express Planning Permission:

- 1.3 ha of land to be developed for residential purposes, with all matters of detail reserved for subsequent approval;
- Private sewage treatment plant and full soakaway 225m to the south-east of the area to be developed and drainage connection between the two.

(ii) Other Aspects of the Development:

- Connection to the public water main;
 - Demolition of farm buildings;
 - Submission of illustrative layout indicating 8 dwellings (not for approval at outline stage).
-

(B) RECOMMENDATION

It is recommended that Members resolve to be minded to grant planning permission as a 'minor departure' to adopted Development Plan policy, subject to:

- 1) the standard outline conditions and reasons;
 - 2) the conditions and reasons set out in this report;
-

(C) DETERMINING ISSUES AND MATERIAL CONSIDERATIONS

This is an outline application for residential development, with all matters of detail reserved for subsequent approval, in respect of 1.2 hectares of land in the vicinity of the farmstead at Torran Farm. To enable the development to proceed the farmstead would require to be relocated to an alternative site, which would be the subject of a separate application. Members will recall that there has been a recent history of consents for individual dwellings at Torran and on the farmland to the north, and will also be mindful that three dwellings were recently refused planning permission on the grounds that the sites were inappropriately located, and that more suitable sites in line with emergent local plan policy could be found at Torran itself. There is therefore benefit in favourable consideration being given to co-ordinated development related to other buildings, with ready road access and communal servicing, in favour of isolated sites elsewhere on the farm which do not share these advantages.

The development of the land in question would amount to a 'departure' to adopted local plan policy, which could currently only sustain small scale development at Torran. The development potential of Torran, has however, been recognised in the 'Argyll and Bute Local Plan' (Consultation Draft 2003) which has accorded Torran 'settlement' status, with a settlement boundary well beyond the confines

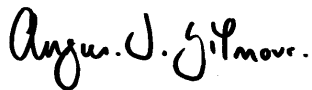
of the existing group of buildings, and with the inclusion of a Potential Development Area designation.

The forthcoming plan addresses the release of additional housing land to serve the future needs of Torran and Ford, but the plan will take some time to reach adoption. Demand can therefore only be met in the interim by small scale development consistent with Policy HO 13 of the Mid Argyll Local Plan; or, as in this case, by consideration being given as to whether it is appropriate to approve development which is larger than 'small scale', by the approval of 'a departure' to existing planning policy.

In this case there is justification for giving favourable consideration to this proposal, which seeks to address the shortfall in supply during this interim period whilst the new local plan proceeds towards adoption. This is on the understanding firstly, that the adopted plan is becoming significantly outdated, secondly, that the relevant aspects of the Draft Plan against which the proposal has been assessed have not been opposed by the public; thirdly, that the provisions of the forthcoming plan are unlikely to be prejudiced; fourthly, that the development does not give rise to unacceptable environmental impact or is subject to infrastructure constraints; and finally, that the planning application has not attracted objection from third parties.

Although approval of the application would constitute a 'departure' from the approved development plan, a PAN 41 hearing would not be required in the absence of third party objections.

There have been no objections from consultees. Historic Scotland and WOSAS have been involved in the safeguarding of the setting of a scheduled standing stone within the site, and are agreed that this can be protected by means of a designated exclusion area to be kept clear of all development, the extent of which can be prescribed by condition.



Angus J Gilmour
Head of Planning

18th April 2005

Author: Derek Hay Tel. 01546 604083

Contact Point : Richard Kerr Tel. 01546 604080

CONDITIONS AND REASONS RELATIVE TO APPLICATION: 04/01386/OUT

4. This consent does not confer any approval for the numbers, locations, or layout of dwellings or plots indicated on the approved plans, which have been submitted for illustrative purposes in order to inform the establishment of an exclusion area around the Torran incised-stone scheduled ancient monument.

Reason: For the avoidance of doubt.

5. Pursuant to Condition 1(a), any application for approval of reserved matters shall have regard to the exclusion area around the Torran incised-stone scheduled ancient monument, delineated by means of the blue line on drawing No. 912/6. No dwelling, nor any curtilage of a dwelling, shall be permitted within this area, which shall remain free of all development associated with this consent.

Reason: In order to safeguard the setting of the scheduled ancient monument.

6. Pursuant to Condition 1(a) any application for approval of reserved matters shall have regard to the provisions of a 'Design Code' which shall be submitted to and approved by the Council as Planning Authority in advance of the approval of any such reserved matter application. This shall provide for an informal, loosely clustered pattern of dwellings generally consistent in density and form with the established development pattern in Torran, which shall maintain clear views of the scheduled Torran incised-standing stone and which shall not interrupt distant views of Loch Awe from positions on the knoll forming the westernmost part of the exclusion area, the levels of which shall remain undisturbed. It shall also specify minimum plot sizes, minimum distances to be maintained between buildings, design principles applicable to the dwellings, external materials to be used, window styles, boundary treatments, and shall have regard to the requirements of condition 7 below.

Reason: To ensure that the development has a character which complements the existing building pattern and the overall landscape characteristics of this area of scenic importance, and to safeguard the setting of the scheduled ancient monument.

7. Any details pursuant to Condition 1(a) above shall include dwellinghouses:

- i) finished in wet dash render or natural stone or a mixture of both;
- ii) with a roof covering of natural slate or good quality slate substitute;
- iii) of no greater than one and a half storeys in height;
- iv) incorporating windows with a strong vertical timber emphasis;
- v) a roof pitch of not less than 37° and not greater than 42°;
- vi) incorporating smooth cement window and/or door bands;
- vii) which are predominantly rectangular shaped with traditional gable ends;
- viii) with finished floor levels specified relative to an off-site datum.

Reason: In the interest of visual amenity and in order to integrate the proposed dwellinghouses with their surroundings.

8. Pursuant to Condition 1(a) above no development (neither engineering works nor building works) shall take place within the application site until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Planning Authority.

Reason: To ensure that any inappropriate ground works are avoided and appropriate steps are taken to carry out archaeological recording in advance of the development.

9. Pursuant to Condition 1(b) above the required landscaping details shall include a scheme of hard and soft landscaping works, specifying:

- i) existing and finished ground levels in relation to an identified fixed datum;
- ii) existing landscaping features and vegetation to be retained;
- iii) location and design, including materials, of walls, fences and gates;
- iv) soft and hard landscaping works, including the location, type and size of each individual tree and/or shrub;
- v)

- vi) a programme for completion and subsequent on-going maintenance.

All the hard and soft landscaping works shall be carried out in accordance with the scheme approved in writing by the Planning Authority. All planting, seeding or turfing as may be comprised in the approved details shall be carried out in the first planting and seeding seasons following the commencement of the development unless otherwise agreed in writing with the Planning Authority.

Any trees or plants which within a period of ten years from the completion of the development die, 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: To ensure the implementation of a satisfactory scheme of landscaping

10. Pursuant to Condition 1(c) the access serving this site 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 in consultation with the Council's Area Roads Manager to the satisfaction of the Council as Planning Authority. The access shall involve a junction to the classified road which shall be laid out and constructed in accordance with the Council's drawing TM205.

Reason: In order to ensure that provision is made for a service "road" commensurate with the scale of the overall development and having regard to the status of the proposed access as a residential service road.

11. Pursuant to Condition 1(d) above any application for approval of reserved matters shall include full details of:
- a. the waste water treatment facility including the dimensions and location of the soakaway system; and
 - b. a surface water drainage system which shall be by means of a separate system treated in accordance with the principles of the 'Sustainable Urban Drainage System Design Manual for Scotland and Northern Ireland' published by CIRIA in March 2000.

Reason: in the interest of public health and amenity.

12. No development shall be commenced until a factoring agreement which provides for the long-term maintenance of the communal sewage treatment works has been devised and submitted for the prior written approval of the Council as Planning Authority. Subsequently, no dwelling shall be occupied until such time as the intended occupier(s) and any successive occupier (s) have /has become a legally binding party to such an agreement.

Reason: In order to provide for the long-term maintenance of the private communal sewage system in the interests of pollution control.

Advice Notes:

1. Attention is drawn to the attached copy letter from Scottish Water dated 10.11.04.
2. In the event that public mains water connections cannot be obtained, and it is necessary to source a private supply from outside of the application boundaries, then it may be necessary to obtain a separate planning permission and advice should be sought from the Planning Authority in this eventuality.
3. Attention is drawn to the two attached copy letters from the Scottish Environment Protection Agency dated 19.08.04 and the 12.01.05.

APPENDIX RELATIVE TO APPLICATION: 04/01386/OUT

A. POLICY OVERVIEW

Mid Argyll Local Plan 1985 (1st Alt. 1989 and 2nd Alt. 1993)

Policy RUR 1: The Council will seek to maintain and where possible to enhance the landscape quality of ...the Loch Awe area of local landscape importance ... and within this area will resist prominent or sporadic development which would have an adverse environmental impact.

Policy RUR 2: Proposals for development in or affecting the Loch Awe area of local landscape significance will require to be justified against the following criteria :

- (a) environmental impact;
- (b) locational / operational need;
- (c) economic benefit; and
- (d) infrastructure and servicing implications.

Policy HO 12: This policy specifies housing allocations for private residential development (*necessary for any development that is not 'small scale' and not otherwise achievable under the other policies of the plan.*) This site is not included within the site specific list accompanying this policy.

Policy HO 13: In countryside (*outwith the inset maps and therefore including this site*) the Council is in favour of single or small scale residential development, providing there are no infrastructure, servicing or environmental constraints. Particular attention will be paid to infill, rounding off and redevelopment opportunities related to existing development and land forms.

Regard will be had to the principles set out in the Government's Planning Advice Note 36 (*since replaced by PAN 72*) and proposals which promote undesirable ribbon development, are out of scale or cumulatively affect the character of an area detrimentally are likely to be resisted.

'Argyll and Bute Local Plan' (Consultation Draft 2003)

Policy STRAT DC 1: Development within the Settlements

Encouragement shall be given, subject to capacity assessments, to development in the settlements as follows:

- A) *Irrelevant to this case*
- B) *Irrelevant to this case*
- C) Within the Minor Settlements (*including Torran*) to small scale development which is compatible with an essentially rural settlement location on appropriate infill, rounding-off, and redevelopment sites; in exceptional cases medium or large scale development may be supported.
- D) Developments which do not accord with this policy are those outwith A), B) and C) above and urban bad neighbour developments which are essentially incompatible with the close configuration of land uses found in settlements eg....developments which result in excessively high development densities, settlement cramming or inappropriate rounding-off on the edge of settlements.
- E) Developments in settlements are also subject to consistency with the other policies of this Structure Plan and in the Local Plan.

Policy PDA 1: (relating to PDA12/73): Development in Potential Development Areas

- A) Development of any part of a potential development area shall demonstrate that it is consistent with and will not prejudice a comprehensive development approach for the whole of the potential development area. This shall take into account: the intentions of the settlement plan covering the area; the effective phasing of development; and the need to make appropriate area wide provision for servicing, access, layout and design.
- B) n/a.

Polcy E 5: Development Impact on Scheduled Ancient Monuments

Protection, conservation, enhancement and positive management of the historic environment is promoted. Development which adversely affects or undermines the historic architectural or cultural qualities of the historic environment will be resisted. This applies specifically to development affecting a scheduled ancient monument or its setting. Development and associated land use outwith the 'scheduled areas' shall preserve and not knowingly damage or undermine the key features of scheduled ancient monuments.

B. OTHER MATERIAL CONSIDERATIONS

(i) Site History

None relevant.

(ii) Consultations

- Area Roads Manager (report dated 05.08.04, and second report dated 31.01.05, following submission of revised indicative plot and road layout) - There is 160m visibility presently available in both directions and no objections are raised subject to conditions which ensure that the principal access to the public road is at 90 degrees to the public road (*as it is at present*), any additional access is 25m from the primary access, and that the construction details of the roads, footpaths and street lighting shall be to the Council's adoptable standards, incorporating traffic calming.
- Development Plans Unit (report dated 07.10.04 and 02.02.05):
 - Development, of the size proposed, when considered against the policies of the Mid Argyll Local Plan would represent a departure from policy, but it is recognised that Policy HO 13 of the adopted plan would support smaller scale development or redevelopment proposals at this location.
 - In the context of the emergent Draft Argyll & Bute Local Plan the site lies within a Potential Development Area (PDA). A development brief for each PDA is to be prepared in due course.
 - Whilst objections were initially received to the Consultative Draft Local Plan overall proposals for Torran, these have since been withdrawn, subject to retaining in a protected open space in front of Torran. This area would not be affected by the current proposals. Accordingly the application can now be determined without it being prejudicial to the local plan process.
- Environmental Health Officer (report dated 02.08.04): no objections.
- Historic Scotland (Ancient Monuments Section) (letters dated 12.08.04 and 03.03.05): Consideration has been given to the setting of the Torran cross-incised stone, which is situated within the application site, and which is a scheduled monument. Whilst no objections have been raised to the principle of development, assurance is sought that the monument will be preserved within an open setting, with landscape and design issues to be addressed at reserved matters stage. (The applicant has met with representatives from Historic Scotland who have prescribed a zone beyond the scheduled area which should be maintained free of built development. This has been addressed in a recommended condition).
- West of Scotland Archaeology Service (letters dated 09.09.04 and 14.02.05): Whilst initial objections were raised to this development because of its proximity to the scheduled stone, the application has subsequently been discussed on site with WOSAS who have agreed with Historic Scotland a designated zone around the "stone" where development would be excluded. They now have no objection to the proposal subject to an appropriate condition to safeguard this area..
- Scottish Environment Protection Agency (SEPA) (letter dated 19.08.04 concerning surface water drainage and a further letter dated 12.01.05 concerning foul drainage) :
 - surface water from the site to be treated in accordance with the principles of the Sustainable Urban Drainage Systems.

- foul drainage: no objections to the proposed waste water treatment facility following on from a report submitted by consultants appointed by the applicant. SEPA state the population equivalent served by the proposed soakaway system would be up to 85 persons and the potential risk to groundwater is deemed to be negligible at this location if the system is well designed and maintained to safeguard the controlled waters (*Loch Awe*). An appropriate condition is recommended.
- Scottish Water (letter dated 10.11.04) : no objections.
- Dunadd Community Council (letter dated 11.08.04) state that the proposal has been discussed with the local Community Councillor who advises that no objections have been received by him. The community feel that if the proposal is to provide affordable housing, as suggested by the applicant, then it is much needed in the area; but they insist on the proviso that the development is in keeping with the house type and topography of the area.

(iii) Publicity

Advertised in terms of Article 9 (Vacant Land). The period for representation expired on 06.08.04

Advertised as a Departure to the Mid Argyll Local Plan Policies RUR 1 & RUR 2, and Policy HO 12. Advertised as a Potential Departure to the Draft Argyll & Bute Local Plan policy PDA 12/73 (*in so far that the proposal does not seek the development of the entire PDA area*) and Policy E5. The period for representation expired on the 03.09.04.

An initial objection from D.C. Morses of Torran Cottage has been withdrawn in writing. No other representations have been received.

C. ASSESSMENT

Torran is a very loosely knit group of properties to the north of Ford, given status in the Draft Argyll & Bute Local Plan as a 'minor settlement'. Apart from the eight properties in the significant building known as 'Torran Mhor', the rest comprise detached single and one and a half storey detached dwellings, well spaced between one another on the northern side of the Dalavich road, overlooking Loch Awe.

The proposal seeks outline consent for the development housing on 1.3 of land principally to the north of the existing Torran Farm bungalow. Whilst not formally part of the application, an indicative drawing indicates that the site could potentially accommodate up to 8 small dwellings in a clustered arrangement around the scheduled Torran standing stone. Access is also presently indicatively shown by an extension of the road serving the agricultural buildings at Torran Farm, which meets the classified road on the bend just in front of the bungalow of Torran Farm itself. (The applicant's intention is to remove the farmstead from its current location adjacent to other dwellings, and to relocate it elsewhere in order to make available development land at Torran. A separate planning application would be required for this). The same plan also indicatively shows the road extending through and beyond the site, in order to access the remainder of the Potential Development Area as identified in the Draft Local Plan.

Because of the size of the site, and the fact that the adopted local plan does not at present accord Torran 'settlement' status, this proposal would represent a significant growth of the loosely knit group of buildings at Torran, which could not be considered consistent with the policies of the Mid Argyll Local Plan. This most relevant policy in Plan for assessment purposes is Policy HO 13, but this can only support small scale development (whereas the application area and indicative number of dwellings cannot be construed as 'small scale'). The proposal needs to be justified under policies RUR 1 and RUR 2 of the same Plan, given the location of the site within the Loch Awe area of local landscape importance.

Policy RUR 2 requires that the application be considered against the following criteria:

Environmental impact – Given the extent of the site in the context of the existing group of buildings at Torran and their landscape setting, it has to be recognised that the proposal would change the scale of this cluster of development fundamentally. Whilst the prospect of this is acknowledged by the proposed designation of Torran as a 'settlement' in the emergent local plan, development of this scale can only be permitted within the framework of the adopted plan if land is specifically allocated for housing purposes, which in this case it is not. Accordingly, the proposal is not consistent with the provisions of the Mid Argyll Local Plan.

The area to be developed currently forms the farmstead which is operated from the adjacent Torran Bungalow. It is contained between buildings fronting the public road and rising hill land to the rear. The farm buildings and associated working areas are not well related in respect of the adjacent residential properties, and there would be benefit in relocating the farmstead to an alternative site on the holding, as suggested by the applicant, in order to reduce conflict between agricultural activities and neighbouring occupiers. If developed for housing, the land would relate well to the existing buildings, and would be contained by these buildings and the surrounding landfarm so as to not be prominent from the public road, nor significant in terms of its impact on the Loch Awe Area of Local Landscape Significance. The site contains a scheduled standing stone, the setting of which it would be important to safeguard from inappropriate encroachment by development. Historic Scotland and WOSAS have accepted that its setting is currently devalued in view of its farmyard location, and that sympathetic development maintaining appropriate spacing could improve this situation. The clustered form of development proposed would produce co-ordinated development well related to other buildings, with ready road access and communal servicing. Development of this nature would also reduce the demand for isolated sites in inappropriate hillside locations which have led to refusals of planning permission elsewhere on Torran Farm in the recent past.

Locational operational need – None advanced in support of this proposal.

Economic benefit – None other than that associated with construction.

Infrastructure and servicing implications – The site can be accessed directly from the public road. In view of the likely number of properties to be developed, access within the site would be expected to be to adoption standard. The Area Roads manager does not object to the proposal. Water supply would be from the public main whilst foul drainage would be by way of a private packaged treatment plant the location of which has already been agreed in principle by SEPA..

The proposal is consistent with the policies and proposals of the 'Argyll and Bute Local Plan' (Consultation Draft 2003). This shows a proposed settlement boundary significantly larger than the existing loose cluster of buildings at Torran, and in addition, to the north and east of the farm bungalow and to north-west of Torran Mhor it defines a Potential Development Area (PDA). Given that this development could be laid out in such a way, by way of a reserved matters application, that it would not preclude the possibility of the rest of the PDA being developed in a co-ordinated manner at some future time, it would be possible to approve this development subject to conditions and approval of a future layout which would have regard to the development potential of the remainder of the PDA.

Accordingly, given that there have not been any objections to the development of this land in the context of the current local plan process, or objections raised to this planning application, it would be open to Members to consider approval of the application at this stage, having regard to emergent policy, the lack of objections, and the age of the current local plan. As such an approval would not be prejudicial to forthcoming plan, I am recommending that the application should indeed be considered favourably as a 'departure' to the adopted local plan.

Assessment of the application has merited careful consideration of its implications for the scheduled stone within the site. Whilst the application is in outline, and has only been accompanied by an illustrative layout, Historic Scotland, the West of Scotland Archaeology Service have been anxious to define an exclusion zone beyond the scheduled area, within which development would be precluded in order to safeguard the setting of the scheduled stone.

Following a meeting on site with the respective parties, such an area has been agreed and delineated on the submitted plans, and this can be safeguarded by condition. This exclusion zone allows an area around the stone to be free from development or garden use, enabling the

setting of the stone, including the presence of a small knoll to the west of the stone, to be preserved. To assist in maintaining this setting, Historic Scotland have noted that it is necessary to be able to view the stone from this knoll, with the Loch Awe being visible as a backcloth from this same vantage point. The parties are agreed that with appropriate siting of each dwelling beyond the exclusion zone, this requirement can be achieved in the consideration of any layout pursuant to the approval of reserved matters.

D. REASONED DEPARTURE FROM THE PROVISIONS OF THE APPROVED DEVELOPMENT PLAN

The proposal relates to the development of land which is subject to Policies HO 13 and RUR 1 & RUR 2 of the adopted Local Plan, which seek to limit development in this locality to small scale which does not give rise to adverse environmental impact. The development site by virtue of its size and the likely number of dwellings which it could accommodate, cannot be considered consistent with these policies.

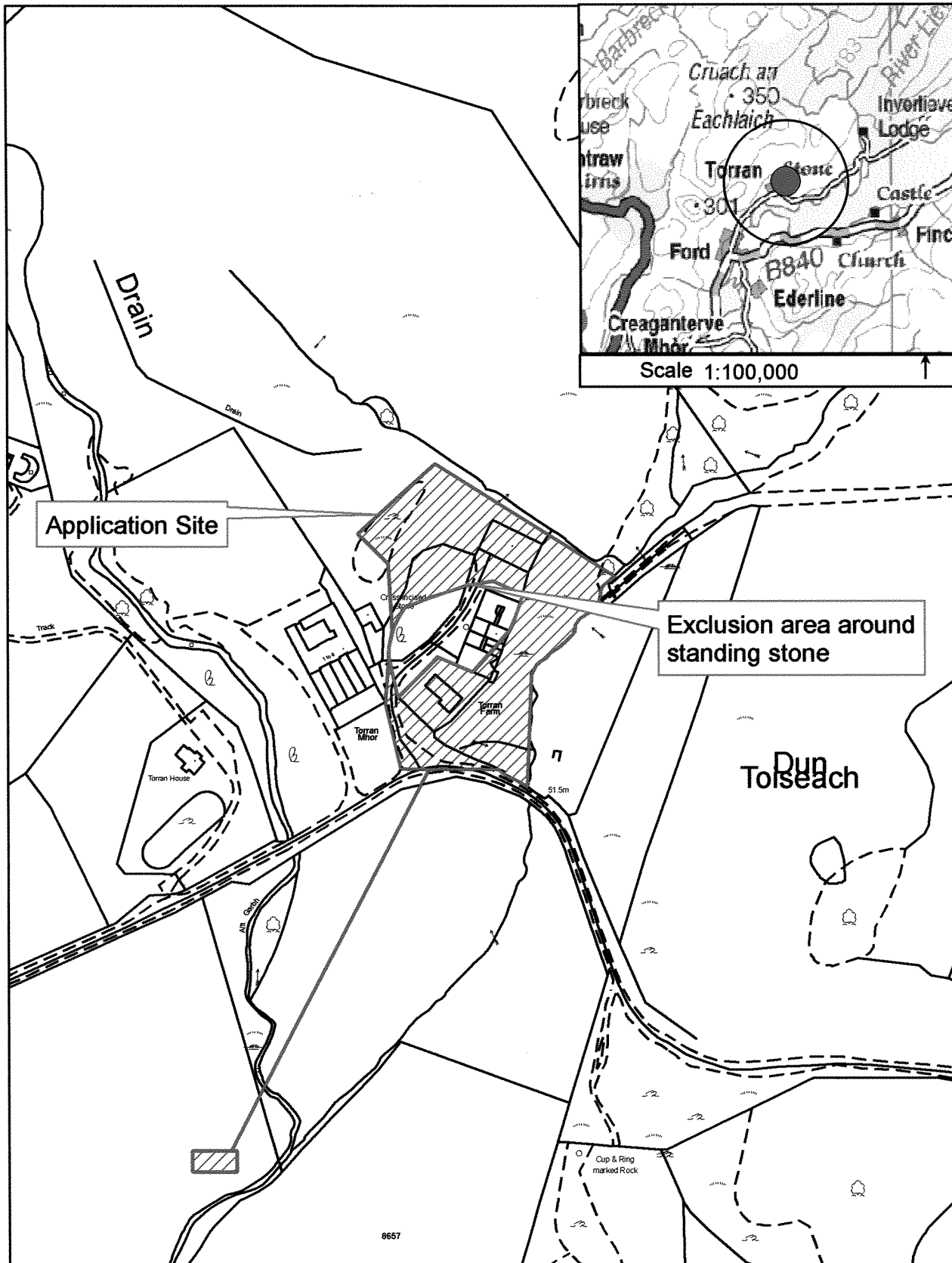
The proposal does accord with the provisions of the draft Argyll and Bute Local Plan (being entirely contained within a proposed new settlement boundary), which has been the subject of initial public consultation, and which has not given rise to objections from the public. In view of the age of the adopted plan, the relevance of emergent policy and the lack of adverse representation to either that policy, or to the application in question, there is justification for considering this proposal favourably in advance of the adoption of the draft local plan.

The continued provision of a supply of housing sites in appropriate locations, in circumstances where adopted local plan allocations under policy HO 12 are becoming exhausted and where further land has yet to be released by the forthcoming 'Argyll and Bute Local Plan', conforms to the advice offered by the government in SPP 3 and PAN 38 in relation to the need for an maintain an ongoing 5 year housing land supply throughout the Council area.

E. CONSIDERATION OF THE NEED FOR A PAN 41 HEARING

In cases where 'departures' are being contemplated to an adopted plan it is necessary to consider whether it is appropriate to hold a PAN 41 Hearing prior to an application being considered favourably. Given that no adverse representations have been made to either this application, or the relevant proposals in the Draft 'Argyll & Bute Local Plan', a PAN 41 Hearing is not necessary in this case.

This page is intentionally left blank



Location Plan relevant to planning application No. 04/01386/OUT



This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. Argyll and Bute Council. License Number 100023368, 2005.

Date 04.04.2005

Drawn by SG



Scale 1:2,500

This page is intentionally left blank

DEVELOPMENT SERVICES
PLANNING APPLICATION REPORT
MID ARGYLL, KINTYRE AND ISLAY

Local Member - Cllr. John Findlay
Date of Validity - 31st January 2005
Committee Date - 4th May 2005

Reference Number: 05/00058/OUT
Applicants Name: E.A.G. Turner
Application Type: Outline Planning Permission
Application Description: Site for the erection of three single storey dwellinghouses
Location: Land at Upper Killeyan, The Oa, Port Ellen, Isle of Islay

(A) THE APPLICATION

(i) Development Requiring Express Planning Permission:

- Site for the erection of 3no. single storey dwellinghouses (details in respect of siting, design and finishes reserved);
- Installation of private foul drainage system(s) (details reserved);

(ii) Other Specified Operations:

- Formation of accesses onto an existing privately maintained public right of way;
 - Connection to a new private water supply
-

(B) RECOMMENDATION

It is recommended that:

- 1) Planning permission be granted subject to the standard outline planning conditions and reasons and the conditions and reasons attached, subject to the prior receipt of confirmation from SEPA of their satisfaction that the applicant has successfully demonstrated that ground conditions are suitable for the foul drainage system for the development to be served by means of a total soakaway, or such other arrangement as may be acceptable to SEPA;
 - 2) In the event that the application proves acceptable to SEPA in its current form, the Head of Planning be authorised to issue the decision notice;
 - 3) In any other circumstance, the application be remitted to Committee for further consideration.
-

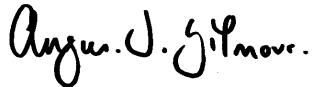
(C) DETERMINING ISSUES AND MATERIAL CONSIDERATIONS

This is an outline application for three dwellings adjacent to a small group of buildings at Upper Killeyan, which are situated towards the western side of The Oa on the approach to the American Monument. Whilst the surrounding area has very limited capacity for development, there is a node of development at Upper Killeyan set within a hollow in the landscape, which provides some opportunity for small scale development, the potential of which is recognised by the designation of a localised 'Rural Opportunity Area' in the emergent local plan.

The surrounding area is frequented by visitors to the nearby RSPB Reserve and the American Monument. It is therefore important that the character of the area is maintained and that any development which is permitted is small in scale and vernacular in design. With the imposition of appropriate conditions to ensure this, it is considered that a small scale cluster of development close to existing buildings would be consistent with both adopted and emergent local plan policy. The application site is on the approach to the existing buildings where it does not share the shortcomings

of land beyond those buildings where important coastal views are opened up to visitors to the area. The presence of additional buildings in the location proposed at Upper Killeyan would therefore only have localised effects over short distances, and would not impinge on the wider area or the nearby designated Oa Regional Scenic Coast.

There are no objections to the proposal from consultees, although SEPA have expressed their wish for the practicality of the foul drainage system to be served by a total soakaway to be demonstrated to their satisfaction by the applicant in advance of planning permission being granted. Two letters of representation have been received, along with a 47 signature petition which appears to have been signed by visitors to the Nature Reserve.



Angus J Gilmour
Head of Planning
18.04.05

Author: Peter Bain – 01546 604082

Contact officer: Richard Kerr – 01546 604080

CONDITIONS AND REASONS RELATIVE TO APPLICATION 05/00058/OUT

4. No development shall be commenced until intervisible passing places a minimum of 160 metres apart have be provided along the existing vehicular access between the application site and the limit of the public road, in accordance with a scheme to be submitted to and approved by the Council as Planning Authority in consultation with the Council's Area Roads Manager.

Reason: In the interests of road safety.

5. Any details pursuant to Condition 1(a) above shall show a dwelling(s) of local traditional design and finish and shall incorporate the following elements:-

- i. The dwellings shall be single storey in height;
- ii. The window openings shall have a strong vertical emphasis;
- iii. The walls shall be finished in a white wet dash render / smooth coursed cement render / natural stone;
- iv. The roof shall be symmetrically pitched to at least 37 degrees and be finished in natural slate or a good quality substitute slate;
- v. The building shall be of a general rectangular shape and gable ended with a maximum footprint, to the external walls, of 100m².
- vi. The buildings shall address the access through the site;
- vii. Any porches (which are encouraged in the design) shall have traditional "peaked" roofs;
- viii. Details of the proposed finished floor level of the dwellings shall be provided relative to an identifiable fixed datum located outwith the application site.

Reason: In the interests of visual amenity, to reflect/retain the vernacular building traditions of the area and the existing settlement pattern.

6. Any details pursuant to condition 1 above shall include details of a scheme of boundary treatment, surface treatment and landscaping works which include for:

- Location and design, including materials, of any walls fences and gates;
- Surface treatment of means of access and hardstanding areas.

None of the dwellinghouses shall be occupied until the approved boundary and surface treatment works have been undertaken in accordance with the approval details.

Reason: To ensure the implementation of a satisfactory scheme of boundary and surface treatment required in order to integrate the proposals with its surroundings.

7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Scotland) Order(s) 1992, (or any Order revoking and re- enacting that Order(s) with or without modifications), nothing in Article 3 of or Schedule 1 to that Order, shall operate so as to permit, within the area subject of this permission, any development referred to in Parts 1 and Classes 1, 2, 3 and 4, and in Part 2 and Classes 7 and 9 of the of the aforementioned Schedule 1, as summarised below:

PART 1: DEVELOPMENT WITHIN THE CURTILAGE OF A DWELLINGHOUSE

Class 1: The enlargement, improvement or other alteration of a dwellinghouse.

Class 2: Any alteration including enlargement to the roof of a dwellinghouse.

Class 3: The provision of any building or enclosure, swimming or other pool required for a purpose incidental to the enjoyment of the dwellinghouse or the maintenance, improvement or other alteration of such a building or enclosure.

Class 4: The provision of a hard surface.

PART 2: MINOR OPERATIONS

Class 7: Gates, fences, walls and other means of enclosures.

Class 9: Stone cleaning and exterior painting of any building work.

No such development shall be carried out at any time within these Parts and Classes without the express grant of planning permission, or written approval being given pursuant to the requirements of condition 6 above, as appropriate.

Reason: To protect the area and the setting of the proposed dwellinghouses, in the interest of visual amenity, from unsympathetic siting and design of developments normally carried out without planning permission; these normally being permitted under Article 3 of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992.

8. Any details pursuant to condition 1 above shall include a full appraisal to the satisfaction of the Council as Planning Authority of the quantity, quality and adequacy of the private water supply to serve the development, and the means to do it shall be carried out by a qualified hydrologist in consultation with the Council's Head of Public Protection and the proposed works in relation to water provision shall first be agreed in writing by the Council as Planning Authority. Furthermore the development itself shall not be occupied until the required works have been provided to the satisfaction of the Planning Authority.

Reason: In the interests of public health and in order to ensure that an adequate private water supply in terms of both quality and quantity can be provided to meet the requirements of the proposed development.

Notes to applicant

- 1 Public rights of way, SA112 and SA110, pass through the development site. The developer should take steps to ensure that these remain unobstructed throughout the development period.
- 2 Contact should be made with the Council's Public Protection Officers on 01546 604780 in respect of the requirements of condition 8.
- 3 Contact should be made with the Council's Roads Engineers on 01496 810203 in respect of the requirements of condition 4.
- 4 Regard should be had to the comments contained in the attached copy letter from SEPA dated 15.4.05.

APPENDIX RELATIVE TO APPLICATION 05/00058/OUT

A. POLICY OVERVIEW

Argyll and Bute Structure Plan 2002

STRAT DC 4 – DEVELOPMENT IN RURAL OPPORTUNITY AREAS

- A) Within Rural Opportunity Areas, encouragement shall be given to small scale developments* on suitable sites which, in terms of siting and design, will visually integrate with the landscape and settlement pattern; this may include small scale development in the open countryside as well as small scale infill, rounding-off, redevelopment and change of use building development.
- B) On individual crofts ...
- C) In special cases a medium or large scale development may be supported ...
- D) Developments which do not accord with this policy are those outwith categories A), B) and C) above and those with incongruous and unacceptable siting and design characteristics, including development resulting in undesirable forms of ribbon development or settlement coalescence.
- E) Developments are also subject to consistency with other policies of the Structure Plan and in the Local Plan.

** to be defined in the Local Plan and in the case of housing, corresponding to developments not exceeding 5 dwelling units.*

STRAT DC 7 – NATURE CONSERVATION AND DEVELOPMENT CONTROL

- A) Development likely to have a significant effect upon a Natura site ...
- B) On sites of national importance, SSSIs and NNRs, ...
- C) Development which impacts upon Local Wildlife Sites or other nature conservation interests, including sites, habitats or species at risk as identified in the Local Biodiversity Action Plan, shall be assessed carefully to determine its acceptability balanced along with national – or local – social or economic considerations.
- D) Enhancement to nature conservation interests will also be encouraged in association with development and land use proposals.

STRAT DC 8 – LANDSCAPE AND DEVELOPMENT CONTROL

- A) Development which, by reason of location, siting, scale, form, design or cumulative impact, damages or undermines the key environmental features of a visually contained or wider landscape or coastscape shall be treated as ‘non-sustainable’ and is contrary to this policy. Outwith the National Park particularly important and vulnerable landscapes in Argyll Bute are those associated with:
 - 1. National Scenic Areas
 - 2. Heritage landscapes and their settings with close links to archaeology and built heritage and/or historic gardens and designed landscapes
 - 3. Landward and coastal areas with semi-wilderness or isolated or panoramic quality.
- B) Protection, conservation and enhancement to landscape will also be encouraged in association with development and land use proposals.

Islay, Jura and Colonsay Local Plan (1st Review and Alteration) 1988

Settlement Strategy STRAT 4

A presumption in favour of single or small scale residential development in the countryside except:

- (i) in locations identified as important for nature, heritage or archaeological conservation;
- (ii) in areas of better quality or “in-bye” agricultural land;
- (iii) in the Bowmore, Bruichladdich, Port Charlotte and Portnahaven/Port Wemyss settlement areas.

Settlement Strategy STRAT 4A

All proposals for single or small scale residential development in the Islands countryside will be examined in terms of infrastructure and servicing implications and in scenic areas and coasts careful consideration will be given to the design, setting and scale of development. In addition in the areas covered by STRAT 4(i) – (iii) proposals will require to be justified against the following criteria: (i) locational/operational need; (ii) economic benefit; (iii) sterilisation of natural resources; (iv) environmental impact; (v) effect on conservation of natural and heritage resources; and (vi) alternative policies and proposals in the local plan.

POL RUR 1

The Council will seek to maintain and, where possible enhance the landscape quality of National and Regional Scenic Areas and Coasts and areas of local landscape significance, and within these areas will resist prominent or sporadic development which would have an adverse environmental impact: (c) Regional Scenic Coasts – (i) The Oa Coast.

POL RUR 2

Proposals for development in or affecting National Scenic Areas, Regional Scenic Areas and Coasts or areas of local landscape significance will require to be justified against the following criteria: (a) environmental impact; (b) locational/operational need; (c) economic benefit; (d) infrastructure and servicing implications.

POL RUR 10

The Council will continue to seek the advice of Scottish Natural Heritage on proposals likely to affect sites of wildlife or scientific interest. While having regard to the special requirements of other land users and to the interests of the community as a whole, the Council will maintain a presumption against those developments and land use changes which would erode or have an adverse effect on resources of wildlife or scientific value, in particular: (a) designated National Nature Reserves and Sites of Special Scientific Interest; (b) undesignated sites of ecological importance identified by Scottish Natural Heritage;

POL HO 7

Where there are existing clusters of development outwith the settlements defined in POL HO 5, the Council will encourage further housing (including infill, “rounding-off” and redevelopment relating to existing development, provided that there are no servicing or infrastructure constraints.

B. OTHER MATERIAL CONSIDERATIONS

(i) Site History

There is no relevant planning history in respect of the site.

(ii) Consultations

- Highlands & Islands Airports Ltd. (received 11.02.05) – No objections.
- ScotWays (14.02.05) – No objections, however it is noted that the National Catalogue of Rights of Way shows two rights of way, SA112 and SA110 passing through the development site which should be protected in the course of development.
- Area Roads Manager (16.02.05) – No objections subject to conditions requiring the formation of intervisible passing places at a maximum distance of 160 metres apart between the development and the start of the public road. *It should be noted that the land required for the provision of additional passing places is outwith the application site but within the ownership of the applicant.*
- West of Scotland Archaeology Service (17.02.05) – No objections.
- Scottish Natural Heritage (03.03.05) – No objections, it is noted that there are natural heritage interests of some importance in the location, which could be affected by the development, however this proposal is not considered to be threatening to those interests. It is further noted that the Argyll and Firth of Clyde Landscape Character Assessment (1996) has defined this area as Moorland Plateau, where the land is valued for its remote and natural qualities. It is noted that the application site is within the locality of a farmstead and lies within a hollow of improved agricultural ground. It is advised that the scale and siting of the houses should be in keeping with the existing traditional pattern of development in the area and the design appropriate to the location.
- RSPB Scotland (14.03.05) – No objections. It is noted that the land in question has been managed since 1999 as part of an RSPB nature reserve for the benefit of choughs and is used by them for feeding at various times of the year. The Oa is an Important Bird Area (IBA) and also meets the criteria required for Special Protection Area (SPA) designation for choughs. Choughs are a schedule 1 species receiving protection under the wildlife and Countryside Act (1981) and are also listed on Annex 1 of the EC Birds Directive. In addition, they are one of the species listed in the Argyll and Bute Local Biodiversity Action Plan. However, the RSPB does not feel that the loss of this particular area under the proposed housing development would have a significant adverse impact on the local chough population.
- Head of Public Protection (18.4.05) – No objection in principle, subject to foul drainage arrangements being clarified at reserved matters stage and subject to a condition regarding the proposed private water supply.
- SEPA (15.4.05) – do not object to the proposal in principle, but wish that the suitability of the site to be served by a total soakaway system be investigated in advance of planning permission being granted. If such an arrangement is impractical due to ground conditions then their position is reserved in respect of any prospective discharge to controlled waters and SEPA would require to be consulted further.

(iii) **Publicity**

The proposal has been advertised under the provisions of Article 9 of the Town and Country Planning (General Development Procedure)(Scotland) Order 1992 for the purposes of neighbour notification (expiry 24th February 2005). Written representation has been received from two parties, Ian & Jean Mitchell, Upper Killeyan Farm, The Oa, Isle of Islay (received 24.01.05, 01.03.05, 17.03.05 and 29.03.05); and Maggie M. Pollard O.B.E, Emerivale Cottage, Port Ellen, Isle of Islay. The various points of representation are summarised below.

It is also noted that a 47 signature petition making representation to the proposed development under the heading “We are here today for the wildlife and spectacular scenery at Upper Killeyan. Please don’t spoil this wonderful place by allowing the proposed development”, has been submitted to the Planning Department, (received 29.03.05).

- The application site is located in the middle of a nature reserve. Upper Killeyan is farmed and managed by the RSPB to protect and nurture wildlife. The erection of three dwellings at this location would have an adverse effect upon nature conservation interests.

Comments: The site an undesignated nature reserve that is managed by the RSPB Scotland. It is noted that neither the RSPB Scotland or SNH have raised objection to the proposal and have confirmed that the development is unlikely to have a significant adverse effect upon nature conservation interests.

- The proposed development straddles the track from the Reserve car park to Upper Killeyan Farmhouse; the track itself forms part of a circular walk to/from the American Monument to the Mull of Oa. The walk is one of Islay's most heavily promoted tourist attractions and draws a significant amount of visitors year round. The development of this particular site would give the appearance that the existing walk passes through private garden ground which is likely to discourage the use of the walk by visitors to the area who are unfamiliar with the route.

Comments: It is noted that the application site straddles an existing public right of way; ScotWays have not raised any objections to the proposal provided that the developer protects and preserves these existing public rights of way.

- The development shall introduce an intrusive, suburban form of development, "neat, two parking space, suburban bungalows" which shall appear incongruous within the essentially rural character of the existing landscape setting.

Comments: The current proposal is an application for outline planning permission and the details shown on the submitted drawings in respect of site layout are indicative only. It is the consideration of the Planning Department that development at this location would require to be of a layout, design and finish which complements the rural setting of the surrounding landscape and reflects the settlement pattern of the area; and planning conditions are recommended accordingly.

- The proposed development shall have an adverse environmental impact in respect of key views of the wider landscape from Upper Killeyan.

Comments: It is the consideration of the Planning Department that the proposed development is to be located adjacent to an existing cluster of development and within a relatively self-contained hollow which would minimise the impact of the development upon the wider landscape setting. This issue is addressed in (iv) Assessment below.

- The access road to the site is unsuitable to accommodate further development.

Comments: The Area Roads Manager has not raised any objections to the proposal subject to the imposition of a planning condition that requires the existing access road to be upgraded through the provision of intervisible passing places on land in the applicant's control.

- There is an existing septic tank, which serves the RSPB 'cottage', and overhead power lines located within the application site.

Comments: These could be avoided or relocated as appropriate once the location of buildings became known in the submission of reserved matters applications.

- The current proposal does not provide details as to the provision of a private water supply to serve the proposed development.

Comments: The private water supply arrangements are subject to a recommended condition.

- RSPB Scotland have a conflict of interests in respect of the current application due to the fact that the Reserve is leased by them from the applicant and therefore their

comments in respect of the current application (received 14.03.05) are likely to be influenced by a requirement to maintain a “reasonable working relationship” with the applicant with the expectation that “too vigorous opposition to his plans might jeopardise their whole operation”.

Comments: The response from the RSPB is a matter of record. The extent to which this may have been influenced by their relationship with the applicant is unknown.

- Ms Pollard lists a number of questions which are stated to be rhetorical and to which she does not require a response. She concludes by stating that the Oa is a valuable resource in its wild and natural state which should not be sacrificed for short-term gain. She considers that affordable housing for local people is best addressed by development in settlements and that development ‘here and there’ should be resisted.

(iv) Assessment

The proposal is an application for outline planning permission for a site for the erection of 3 dwellinghouses in countryside adjoining an existing group of buildings at Upper Killeyan. Local Plan Settlement Strategy STRAT 4 sets out a presumption in favour of single or small scale residential development in the countryside.

It is also noted that in the emerging Argyll and Bute Local Plan, it is proposed that this location be included within a larger ‘Rural Opportunity Area’ within which STRAT DC 4 of the Structure Plan would also encourage small scale developments on suitable sites.

The development proposal is located in proximity to The Oa Regional Scenic Coast and within an undesignated nature conservation site managed by RSPB Scotland. Under the provisions of Local Plan policy POL RUR 2 and Settlement Strategy STRAT 4A the proposal is required to be assessed against the criteria set out below.

Environmental Impact:

The application site is located in the south western corner of the Oa in a locality where existing built development is notably sparse and is generally limited to existing farm clusters and the occasional, isolated cottage; in this respect it is noted that the overall capacity of the wider landscape to accommodate new development which is consistent with the existing settlement pattern is extremely limited.

The limited capacity for further development in the wider landscape is recognised in the emerging Argyll and Bute Local Plan which proposes to identify the majority of the countryside in the vicinity of the application site as either ‘Sensitive’ or ‘Very Sensitive’ countryside within which there would be an initial presumption against further development. In respect of identifying areas within the wider landscape that are likely to have some capacity for further development, the emerging Local Plan proposes to identify less sensitive locations in the immediate vicinity of existing development clusters as ‘Rural Opportunity Areas’ within which a presumption in favour of small scale development would apply.

The application site is located immediately adjacent to an existing cluster of development at Upper Killeyan Farm that consists of a 1½ storey dwellinghouse, assorted farm buildings and farmyard and, a red brick ‘cottage’ building. This existing cluster of development is set within a hollow in the landscape that is largely hidden from view within the wider landscape setting by higher land to the north, east and south west. Beyond the existing cluster of development at Upper Killeyan, the landscape opens up towards the coast and provides panoramic views of the coastscape within the Oa Regional Scenic Coast.

The wider landscape at this location has been categorised as Moorland Plateau in the Argyll and Firth of Clyde Landscape Character Assessment (1996), where land is valued for its remote and natural qualities. It is however noted that the current application site is located within the locality of an existing farm cluster, and is not upon the open moorland plateau, as it lies within a hollow of improved agricultural ground at a lower level than that of the existing farm cluster. Consequently the impact of a single storey development would be limited to the immediate vicinity of the existing buildings at Upper Killeyan and would not have an adverse

impact upon the wider Oa Regional Scenic Coast. It is the consideration of the Planning Department that the development of this particular site, in a sympathetic manner, could be viewed as a rounding-off of the existing built form in a manner which is consistent with the existing settlement pattern of the area, and which would not have an adverse environmental impact on the wider landscape setting.

It is however noted that the application site forms a 'gateway' to a scenic, circular walk around the Reserve and to the American Monument. In this respect it is noted that the layout and design of any development at this location should not reduce the attraction of this important right of way for visitors. To this end it will be important that the development design and layout is rural in nature and appears subsidiary to that of the existing farm cluster and that conditions are imposed to secure this.

Locational/Operational Need:

The applicant has not made any claim of locational or operational need in respect of the current application.

Economic Benefit:

None other than that associated with construction.

Infrastructure and Servicing Implications:

Access to the site shall be via an existing private way that presently serves Upper Killeyan Farm and the Reserve, and is also part of a public right of way that extends beyond the application site to a circular walk within the Reserve and up to the American Monument. The Area Roads Manager has not raised any objection to the proposed development on road safety grounds subject to the provision of additional passing places between the application site and the end of the public road.

Water is to be by connection to a new private water supply, the details of which shall be subject to approval by condition.

Foul drainage is to be to a new private system (details reserved). SEPA have indicated their acceptance of the development being served by a septic tank or tanks on the assumption that the sub-soil on the site is adequate to enable the development to be served by a total soakaway. However, SEPA have asked that the applicant should demonstrate that this is the case prior to planning permission being granted. If this does not prove practicable and discharge to controlled waters is proposed then SEPA reserve their position until proposed drainage arrangements are known in detail.

Effect on Conservation of Natural and Heritage Resources:

The application site is located within an undesignated nature conservation site that is managed by the RSPB Scotland. Scottish Natural Heritage has provided the following assessment in respect of the likely impact of the proposal upon the nature conservation interests present:

Chough – Area is in use by chough. However, the area of land is comparatively small and other areas of suitable land are present in the vicinity. Electricity cables are also present in the area. No significant effect. Potential disturbance of surrounding area also of no significance.

Hen Harrier – The surrounding area is used extensively by hen harrier. Disturbance at the site already relatively high as the proposed site is within short distance from farm stabling and related activities. Large amounts of suitable habitat surround site. No significant effect.

Greenland geese (both species) – area is known as a roosting and feeding area for geese. However, the main feeding site is far enough away not to cause significant disturbance. Proposed site also surrounded by large areas of suitable habitat. No significant effect.

Corncrake – habitat inappropriate for species, no significant effect. Habitat suitable in the vicinity but no corncrake has been located there in recent years.

Marsh fritillary butterfly – habitat in appropriate for species, no significant effect.

Annex I Habitat – Potential site improved grassland/stubble. No significant effect.

European Species – Otters use the nearby coast extensively and the small streams running inland. Otter holts are located on the coast.

Area also used by Peregrine Falcons, Merlin and Barn Owls, however the area of proposed development is surrounded by large expanses of suitable habitat.

Sterilisation of Natural Resources:

The proposal shall not sterilise any known natural resource.

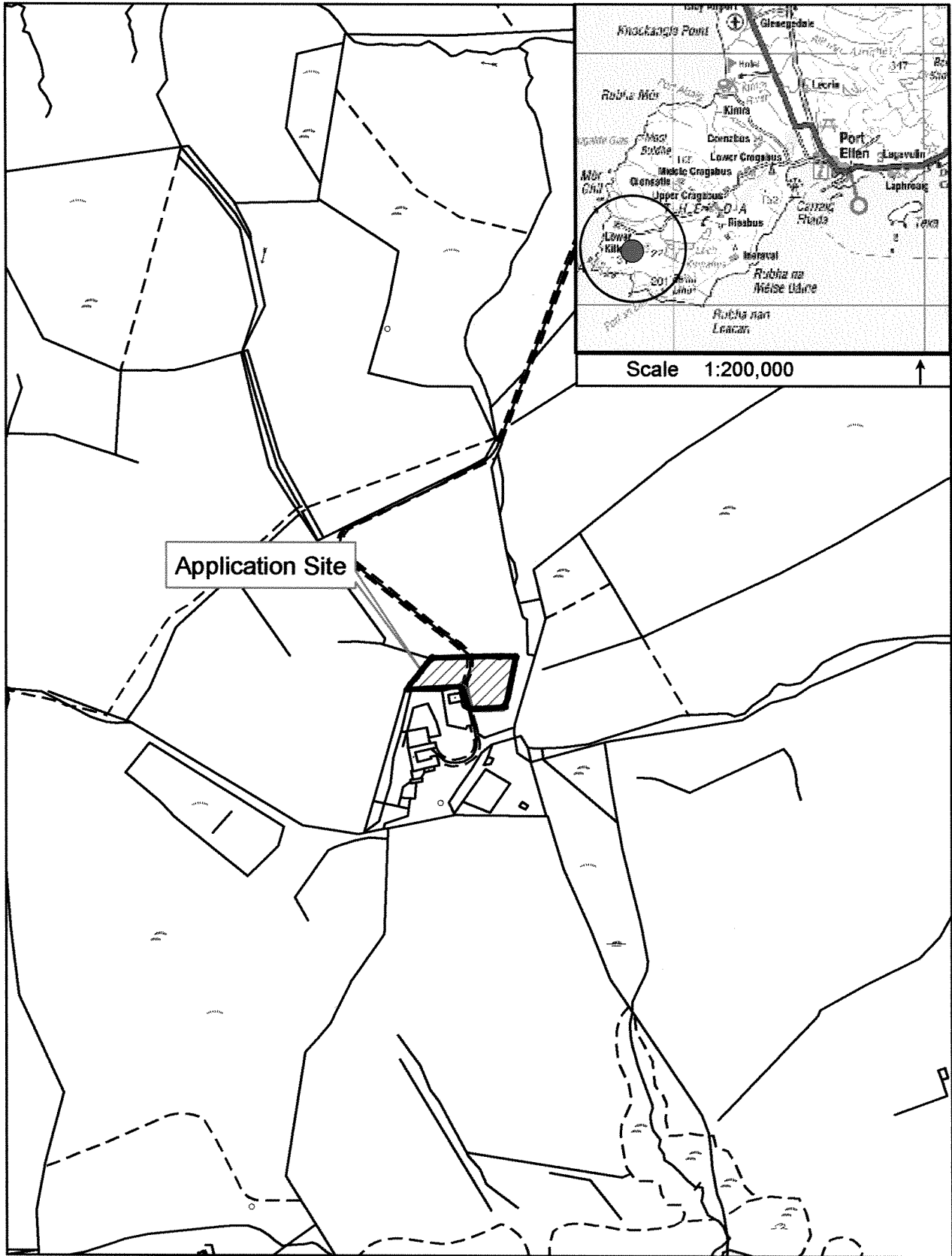
Alternative Policies and Proposals in the Local Plan:

There are no relevant alternative policies or proposals in the Local Plan in respect of the current proposal.

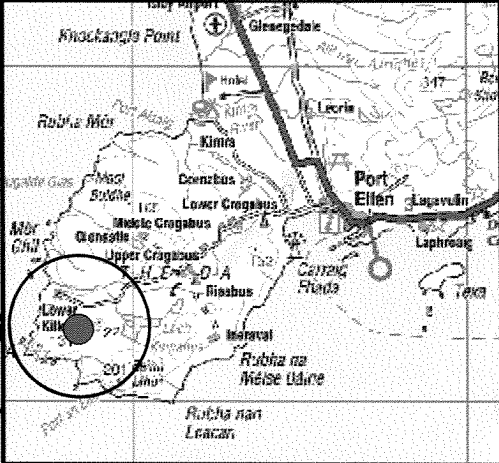
C. CONSIDERATION OF THE NEED FOR AN INFORMAL HEARING

The application has been the subject of two representations by local residents along with a petition signed by visitors to the nature reserve. Of those signing the petition, six are islanders with the remaining 41 being visitors from elsewhere, who would be unlikely to attend a hearing if one were to be held. Given that the Committee meeting is to be held on Islay there would be an opportunity for a site familiarisation to be held in advance of the consideration of this application, which would enable an assessment to be made at first hand as to the likely impact of the development of this land upon the nature reserve and its attractiveness to visitors. Subject to such a site familiarisation being carried out it is not considered that an informal hearing would be essential in this case.

This page is intentionally left blank



Application Site



Scale 1:200,000



Location Plan relevant to Application No 05/00058/OUT



This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. Argyll and Bute Council. License Number 100023368, 2005.

Date 18.04.2005

Drawn by SG



Scale 1:5,000

This page is intentionally left blank

**PROPOSED VARIATION OF SECTION 50 AGREEMENT
PLANNING PERMISSION 96/01293/DET – ERECTION OF DWELLINGHOUSE
COULTORSAY, BRUICHLADDICH, ISLE OF ISLAY**

(A) INTRODUCTION

Planning permission ref. 96/01293/DET was granted on the 7th October 1996 for the erection of a dwellinghouse. That permission was subject to the applicant entering into a Section 50 Agreement under the now extant Town and Country Planning (Scotland) Act 1972 (since replaced under the 1997 Act by Section 75). The current owner of the dwelling now wishes to vary part of the original legal agreement and this report is to examine the details of this request and to assess its suitability.

(B) DETAILS OF THE AGREEMENT AND THE PROPOSED CHANGES

The Section 50 Agreement required (amongst other things) an identified area of agricultural land to be retained with the dwellinghouse, in order to prevent the dwellinghouse being sold off separately from the farm.

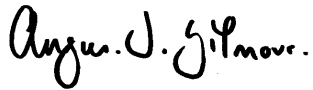
Under the details submitted with the original planning application, the dwellinghouse was to provide accommodation to allow the working of Coultorsay Farm which extends to some 179 acres and which, at the time, did not have an associated farmhouse. The dwellinghouse was to be located in an area where STRAT 4 of the Islay, Jura and Colonsay Local Plan (1st Review) 1988 presumed against development in the countryside. However, under the provisions of STRAT 4A the proposal was justified on the basis of the operational requirement demonstrated by the applicant. The Section 50 Agreement was required in order to underpin the justification for approving a dwellinghouse in this location, and in order to ensure that it was retained as a farmhouse to the associated agricultural land upon which the operational requirement was based. The Section 50 Agreement was entered into and the 1996 planning permission was duly implemented.

Since the conclusion of the Section 50 Agreement, the Argyll and Bute Draft Local Plan 2003 has proposed the extension of the settlement boundary for Bruichladdich, identifying land within the ownership of the applicant as being suitable for development as a 'rounding-off' of the settlement of Bruichladdich. The Area Committee has subsequently permitted, as a 'minor departure' to the adopted plan, detailed planning permission (ref. 04/01309/DET) for the erection of two, single storey dwellinghouses at this location. The landowner is now seeking an amendment to the Section 50 Agreement to allow these sites to be sold separately from Coultorsay Farm.

The effect of this would be to reduce the area of land currently the subject of the Section 50 Agreement by approximately 1.3 acres. The original dwellinghouse approved under planning permission ref. 96/01293/DET and the remaining 170+ acres of agricultural land would still remain the subject of the amended agreement. The extent of the remaining land which would still underpin the operational justification for the grant of planning permission in the first instance. It is further noted that the land which it is proposed to remove from the farm is a self-contained hollow within the landscape located adjacent to the public road, and is not considered to be good quality agricultural land. The applicant has been successful in obtaining detailed planning permission for the erection of two dwellinghouses at this location, it is noted that although the Draft Argyll and Bute Local Plan 2003 supports the approved development (ref. 04/01309/DET) it would not provide for any further extension of the settlement of Bruichladdich onto Coultorsay Farm at the present time.

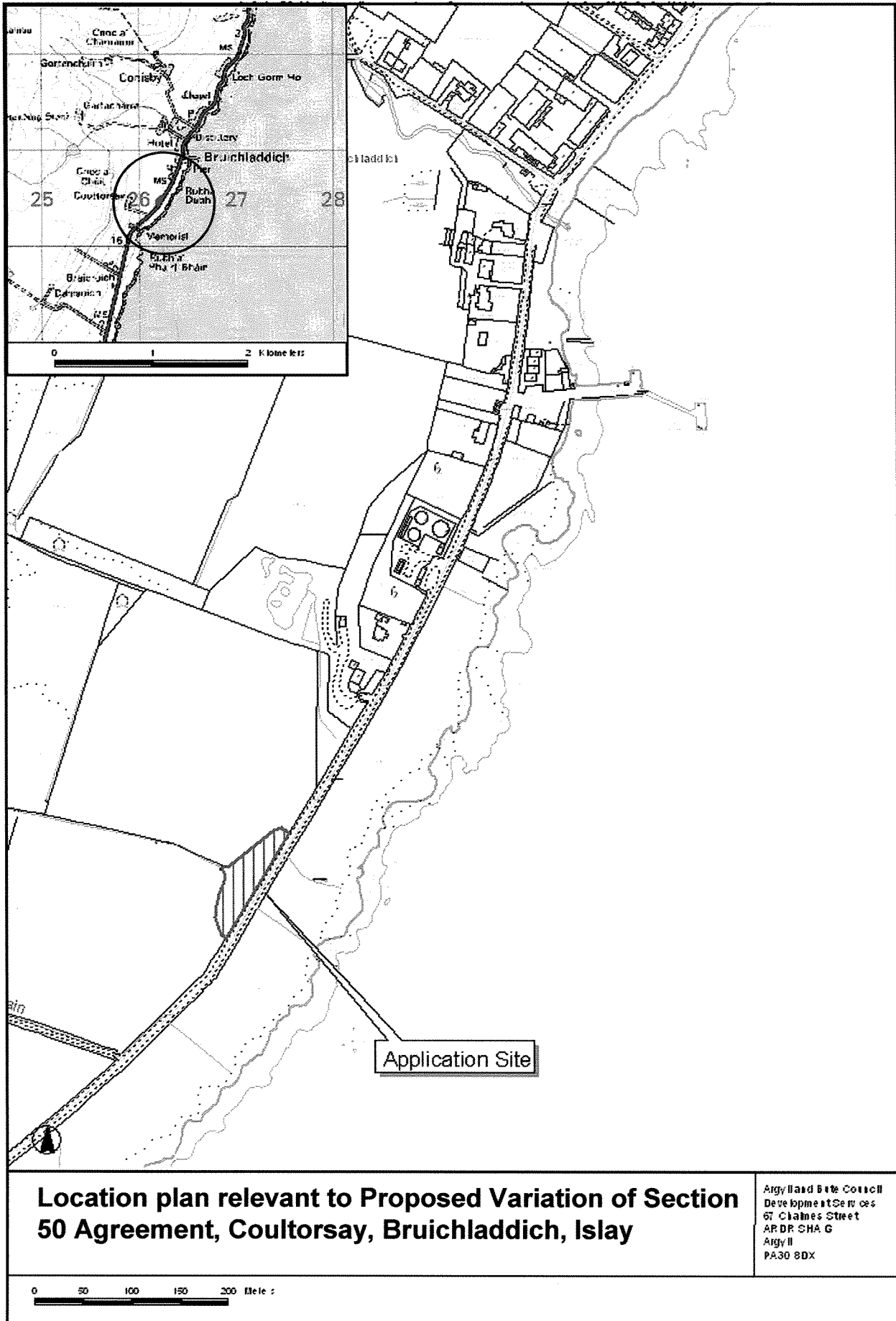
(C) RECOMMENDATION

It is recommended that consent be given for the original Agreement under Section 50 of the Town and Country Planning (Scotland) Act 1972, as superseded by Section 75 of the Town and Country Planning (Scotland) Act 1997, to be amended as requested by the current landowner, to delete 1.3 acres of land in order to allow the sale of land for which planning permission has previously been granted.



Angus J Gilmour
Head of Planning
7th April 2005

Author: Peter Bain 01564 604082
Contact Officer: Richard Kerr 01546 604080



This page is intentionally left blank

**TOWN AND COUNTRY PLANNING
DELEGATED DECISIONS SINCE LAST COMMITTEE
MID ARGYLL, KINTYRE AND ISLAY**

Application Types:

*ADV App. for Advertisement Consent,
ART4 App. Required by ARTICLE 4 Dir,
CLAWU App. for Cert. of Law Use/Dev. (Existing),
CLWP App. for Cert. of Law Use/Dev. (Proposed),
COU App. for Change of Use Consent,
CPD Council Permitted Dev Consultation,
DET App. for Detailed Consent,
FDP Forest Design Plan Consultation,
FELLIC Felling Licence Consultation,
GDCON Government Dept. Consultation,
HAZCON App. for Hazardous Substances Consent,
HYDRO Hydro Board Consultation,
LIB Listed Building Consent,
LIBECC App. for Consent for ecclesiastical building,
MFF Marine Fish Farm Consultation,
MIN App. for Mineral Consent,
NID Not. of intent to develop app.,
NMA Not. for Non-Material Amnt,
OUT App. for Permission in Principle,
PNAGRI Prior Not. Agriculture,
PNDEM Prior Not. Demolition,
PNELEC Prior Not. Electricity,
PNFOR Prior Not. Forestry,
PNGAS Prior Not. Gas Supplier,
PREAPP Pre App. Enquiry,
REM App. of Reserved Matters,
TELNOT Telecoms Notification,
TPO Tree Preservation Order,
VARCON App. for Variation of Condition(s),
WGS Woodland Grant Scheme Consultation*

Decision Types

*PER Approved
WDN Withdrawn
NOO No Objections
AAR Application Required
CGR Certificate Granted
OBR Objections Raised
PDD Permitted Development
PRE Permission Required
NRR New App. Required*

**TOWN AND COUNTRY PLANNING
DELEGATED DECISIONS SINCE LAST COMMITTEE
MID ARGYLL, KINTYRE AND ISLAY**

App No	Applicant name, address and proposal	Valid date	Decision date	Decision
05/00521/DET	Andrew Brentnall Cassey South Cralecainn Furnace Inveraray Argyll PA32 8XN Demolition of porch and erection of conservatory extension to dwelling	14/03/2005	30/03/2005	PER
05/00428/DET	J Wilson Cultoan Farm Portnahaven Isle Of Islay PA47 7SZ Erection of one and a half storey extension to dwelling house	04/03/2005	08/04/2005	PER
05/00408/DET	Mr And Mrs Dyer 4 Summerhill Crescent Campbeltown Argyll PA28 6TB Erection of conservatory to rear of dwelling	02/03/2005	29/03/2005	PER
05/00392/DET	SSE Telecom SSE Port Ellen Substation Port Ellen Isle Of Islay PA42 7EP Installation of 1 no antenna to be mounted onto existing pole on the side of the building	01/03/2005	07/04/2005	PER
05/00386/DET	M And K MacLeod Ltd Plots 18 And 19 Barrmor View Kilmartin Lochgilphead Argyll Erection of two dwellings	28/02/2005	04/04/2005	PER
05/00385/DET	M And K MacLeod Plots 17 And 20 Barrmor View Kilmartin Lochgilphead Argyll Erection of two dwellings and formation of access	04/03/2005	04/04/2005	PER
05/00365/DET	Mr And Mrs D Ferguson Plot 10 6 Fernoch Crescent Lochgilphead Argyll PA31 8AE Extension to dwelling	28/02/2005	30/03/2005	PER
05/00311/DET	Miss Moira Leitch Greenside 1 Cruach Bowmore Isle Of Islay PA43 7JQ Extension to dwelling house	01/03/2005	08/04/2005	PER

**TOWN AND COUNTRY PLANNING
DELEGATED DECISIONS SINCE LAST COMMITTEE
MID ARGYLL, KINTYRE AND ISLAY**

App No	Applicant name, address and proposal	Valid date	Decision date	Decision
05/00300/DET	Mr And Mrs Gavin Small 11 Fernoch Drive Lochgilphead Argyll PA31 8PZ Extension to dwelling	21/02/2005	30/03/2005	PER
05/00298/DET	Mr And Mrs K McLellan Abbey Cottage Glenbarr Tarbert Argyll Proposed extension to existing dwelling	21/02/2005	06/04/2005	PER
05/00293/DET	SSE Telecom Port Askaig Substation Keills Port Askaig Isle Of Islay Installation of 1 antenna to existing pole on the side of the building	07/03/2005	07/04/2005	PER
05/00279/DET	Airwave Mm02 Limited Airwave Mm02 Mast, Torr Mor Southend Campbeltown Argyll Retention of temporary mast and equipment for two year period (Police use)	17/02/2005	07/04/2005	PER
05/00274/DET	C Plummer Plot 2 Carsaig Tayvallich Lochgilphead Argyll Erection of sun lounge extension	17/02/2005	30/03/2005	PER
05/00268/GDCON	Scottish Courts Service Sheriff Court House Castlehill Campbeltown Argyll PA28 6AN Addition of handrails, stair nosings and signage etc to achieve DDA compliance	16/02/2005	07/04/2005	NOO
05/00267/LIB	Scottish Courts Service Sheriff Court House Castlehill Campbeltown Argyll PA28 6AN Addition of signage, nosings and handrails	16/02/2005	07/04/2005	PER
05/00262/DET	RSPB Scotland Aoradh Gruinart Bridgend Isle Of Islay PA44 7PR Demolition of two agricultural sheds and erection of replacement sheds	15/02/2005	21/03/2005	PER

**TOWN AND COUNTRY PLANNING
DELEGATED DECISIONS SINCE LAST COMMITTEE
MID ARGYLL, KINTYRE AND ISLAY**

App No	Applicant name, address and proposal	Valid date	Decision date	Decision
05/00204/REM	Mr And Mrs Aitken Land North Of Ferry Farm Tayinloan Tarbert Argyll Erection of a dwelling house and septic tank	07/02/2005	21/03/2005	PER
05/00201/OUT	Mr And Mrs Freeland Springhill Inverneil Ardrishaig Lochgilphead Argyll PA30 8ES Erection of a dwellinghouse	07/02/2005	30/03/2005	PER
05/00193/LIB	Dunlossit Trustees Ltd Knocklearach Farm Ballygrant Isle Of Islay PA45 7QL Alterations to farm storage barns to provide a workshop, student accomodation etc	04/02/2005	31/03/2005	PER
05/00189/COU	Dunlossit Trustees Ltd Knocklearach Farm Ballygrant Isle Of Islay PA45 7QL Change of use of existing farm buildings to provide student accomodation - workshop, boiler house and disabled toilet	04/02/2005	31/03/2005	PER
05/00184/OUT	Mr Paul James Upchurch Plot North East Of Breackachy Farm Kilkenzie Campbeltown Argyll PA28 6QD Erection of dwelling house	03/02/2005	21/03/2005	PER
05/00176/OUT	Ormsary Estate Office Land South Of Kilmaluag House Ormsary Lochgilphead Argyll Erection of 2 detached dwelling houses	02/02/2005	06/04/2005	PER
05/00171/OUT	Sir William Lithgow Site North East Of The Bothy Barlongart Ormsary Lochgilphead Argyll Erection of a dwelling house	02/02/2005	06/04/2005	PER
05/00129/DET	HBOS Plc Bank Of Scotland Church Square Inveraray Argyll PA32 8TZ Lower ATM, provide handrails, nosings to stops and automatic door to comply with current Disability Discrimination Act	28/01/2005	23/03/2005	PER

**TOWN AND COUNTRY PLANNING
DELEGATED DECISIONS SINCE LAST COMMITTEE
MID ARGYLL, KINTYRE AND ISLAY**

App No	Applicant name, address and proposal	Valid date	Decision date	Decision
05/00121/DET	David And Jane Griffiths Land East Of Telephone Exchange Claonaig Skipness Tarbert Argyll Erection of a dwelling and installation of a biodisc sewage treatment plant	27/01/2005	21/03/2005	PER
05/00104/DET	David Robert Rankin Flat 4 14 Longrow South Campbeltown Argyll PA28 6AH Replacement windows and front door to flat	28/01/2005	29/03/2005	PER
05/00065/LIB	Amanda Ellila Rosemount Low Askomil Road Campbeltown Argyll PA28 6EP Repair and renew roof and guttering, and paint rendering/windows	16/02/2005	06/04/2005	PER
05/00060/NID	Argyll And Bute Council Argyll And Bute Council Kilmory Castle Kilmory Lochgilphead Argyll PA31 8RT Erection of a free standing flagpole	24/01/2005	22/03/2005	PER
05/00051/DET	J Brailsford Field South Of Long Walk Kilmartin Lochgilphead Argyll Erection of stable block, field shelter and generator shed	19/01/2005	07/04/2005	PER
05/00046/DET	J Galbraith And S Harris Riverbank Carradale Campbeltown Argyll PA28 6QX Erections and alterations to existing dwelling house and erection of replacement garage	12/01/2005	21/03/2005	PER
05/00033/OUT	Gary Scott Unit 7 Carnduncan Guinart Bridgend Isle Of Islay PA44 7PS Demolition of ruin and erection of dwelling house	01/02/2005	30/03/2005	PER
05/00030/LIB	HBOS 9 Longrow South Campbeltown Argyll PA28 6AL Alterations to bank in compliance with Disability Discrimination Act	11/01/2005	30/03/2005	PER

**TOWN AND COUNTRY PLANNING
DELEGATED DECISIONS SINCE LAST COMMITTEE
MID ARGYLL, KINTYRE AND ISLAY**

App No	Applicant name, address and proposal	Valid date	Decision date	Decision
05/00007/LIB	Mr B. Critchley Taynish House Tayvallich Lochgilphead Argyll PA31 8PW Replacement of cedar shingle roof covering with natural slate	06/01/2005	24/03/2005	PER
04/02534/LIB	Mr And Mrs P McConnachie Land North Of Airdaluinn Askomil Road Campbeltown Argyll Repositioning of boundary wall to improve junction visibility and formation of opening in wall to provide vehicular access.	29/12/2004	30/03/2005	PER
04/02499/DET	Mrs F Ryan Westering Crinan Lochgilphead Argyll PA31 8SW Erection of swimming pool and enclosure	21/12/2004	29/03/2005	PER
04/02495/LIB	D. Clark George Hotel Main Street East Inveraray Argyll PA32 8TT Extension to hotel and new store	10/01/2005	04/04/2005	PER
04/02493/LIB	D. Clark George Hotel Main Street East Inveraray Argyll PA32 8TT Extension to staff accommodation	20/12/2004	21/03/2005	PER
04/02421/DET	Denston Hall Estate Hughies Cottage Bruichladdich Isle Of Islay PA49 7UT Demolition of Doran and replace with new dwelling house, garage and oil tank	09/12/2004	07/04/2005	PER
04/02313/LIB	Mr And Mrs J.H Davis Flat 2/2 And 2/3 Royal Avenue Mansions 8 Hall Street Campbeltown Argyll PA28 6BU Conversion and alteration of 2 flats into 1flat	26/11/2004	08/04/2005	PER
04/02251/DET	Stanley Hampton Land North West Of Ardferrn Cottages Ardferrn Lochgilphead Argyll Erection of two garages	13/12/2004	24/03/2005	PER

**TOWN AND COUNTRY PLANNING
DELEGATED DECISIONS SINCE LAST COMMITTEE
MID ARGYLL, KINTYRE AND ISLAY**

App No	Applicant name, address and proposal	Valid date	Decision date	Decision
03/02316/DET	David Eaton Land West Of Glenramskill Cottages Glenramskill Campbeltown Argyll PA28 6RD Erection of dwelling house	15/12/2003	07/04/2005	PER

This page is intentionally left blank

**BUILDING CONTROL
DELEGATED DECISIONS SINCE LAST COMMITTEE
MID ARGYLL, KINTYRE AND ISLAY**

CASENO	APPLICANT NAME/PROPOSAL AND SITE ADDRESS	RECEIVED DATE	VETTED DATE	DECISION	DECISION
04/00858/MTP	Mr And Mrs B. Bell Cleascro Minard Inveraray Argyll PA32 8YF Alterations and extension to dwelling house	29/04/2004	22/06/2004	30/03/2005	WARAPP
04/01018/AOW	Mr And Mrs M Cook Land East Of Birkeneck Hillside Road Carradale Campbeltown Argyll Erection of dwellinghouse - Amendment to warrant 03/00055/ERD - alterations to site plan, oil tank instead of LPG tank, internal drainage alterations, amendments to elevations and provision of rwp layout as built	21/05/2004	27/05/2004	06/04/2005	WARAPP
04/01319/MTP	Mr And Mrs Edward Laughton Burnside Glengilp Road Ardrishaig Lochgilphead Argyll PA30 8HF Alterations and extension to dwelling house	02/07/2004	17/09/2004	06/04/2005	WARAPP
04/01842/ALT	C Walker And J Hill Viewfield Minard Inveraray Argyll PA32 8YF Alterations to attic to form 2 bedrooms from stores	15/09/2004	03/11/2004	18/03/2005	WARAPP
04/01846/ERD	John Dobbie Land North East Of Galley Of Lorne Ardfern Lochgilphead Argyll Erection of a 5 apartment, one and a half storey timber framed dwelling house	15/09/2004	10/11/2004	22/03/2005	WARAPP
04/02087/ERD	Mr And Mrs MacMillan Land At Conabus Valley Port Ellen Isle Of Islay Erection of a house and garage	22/10/2004	23/11/2004	30/03/2005	WARAPP

**WARAPP=Building Warrant Approved WARREF=Building Warrant Refused
WARWIT=Building Warrant Withdrawn COMF=Letter of Comfort issued COMFR=Letter of Comfort refused
EXEMPT=Exempt Building Warrant LOCWIT= Letter of Comfort withdrawn SUPERS=Superceded by new Building Warrant**

**BUILDING CONTROL
DELEGATED DECISIONS SINCE LAST COMMITTEE
MID ARGYLL, KINTYRE AND ISLAY**

CASENO	APPLICANT NAME/PROPOSAL AND SITE ADDRESS	RECEIVED DATE	VETTED DATE	DECISION	DECISION
04/02155/ERD	Robert Gilmour Plot E Soroba Road Ardforn Lochgilphead Argyll Erection of a 7 apt timber framed 1 1/2 storey dwelling house and associated LPG storage tank	02/11/2004	15/12/2004	11/04/2005	WARAPP
04/02250/ALT	Andrew A M Campbell Cuan Gorm Imeraval Port Ellen Isle Of Islay PA42 7AL Internal alterations and erection of unheated porch at front door	16/11/2004	21/12/2004	11/04/2005	WARAPP
04/02279/AOW	Pollock And Currou Ltd Gartnagrenach Lodge Whitehouse Tarbert Argyll PA29 6XS Alteration and extension to dwelling to enlarge kitchen, relocate bathroom and form rear bedroom - amendment to warrant 03/01596/ALT - granted 22nd Septemeber 2003 - amendments to internal layout and floor level	19/11/2004	24/12/2004	11/04/2005	WARAPP
04/02281/ALT	Mr Richard Bamford Ardshiel Hotel Kilkerran Road Campbeltown Argyll PA28 6JL Alterations to top floor bedroom No.9 to relocate sanitary facilities	19/11/2004	15/12/2004	24/03/2005	WARAPP
04/02354/ERC	Leslie Mathison 8 Burnbank Cottages Drumlemble Campbeltown Argyll PA28 6PP Erection of an oil storage tank	01/12/2004	07/12/2004	22/03/2005	WARAPP
04/02383/ERC	Mr And Mrs K. Greetham Site Adjacent To Green Oak Low Askomil Road Campbeltown Argyll Erection of a single domestic garage	07/12/2004	30/12/2004	12/04/2005	WARAPP

**WARAPP=Building Warrant Approved WARREF=Building Warrant Refused
WARWIT=Building Warrant Withdrawn COMF=Letter of Comfort issued COMFR=Letter of Comfort refused
EXEMPT=Exempt Building Warrant LOCWIT= Letter of Comfort withdrawn SUPERS=Superceded by new Building Warrant**

**BUILDING CONTROL
DELEGATED DECISIONS SINCE LAST COMMITTEE
MID ARGYLL, KINTYRE AND ISLAY**

CASENO	APPLICANT NAME/PROPOSAL AND SITE ADDRESS	RECEIVED DATE	VETTED DATE	DECISION	DECISION
04/02480/EXT	A And J Boys Gregory Alt-Na-Caltain Ardfern Lochgilphead Argyll Alteration and extension of existing dwelling	21/12/2004	05/01/2005	13/04/2005	WARAPP
05/00065/MTP	Mr And Mrs Hannah Aros Cottage Tarbert Argyll PA29 6XX Alterations to kitchen to relocate sink, form window from door to garden and form sunroom extension	20/01/2005	11/02/2005	23/03/2005	WARAPP
05/00080/MTP	Mr And Mrs Wills Laggan Farm Bowmore Isle Of Islay PA43 7JF Alterations and extension	24/01/2005	04/02/2005	30/03/2005	WARAPP
05/00103/ERC	Argyll And Bute Council School School Street Port Charlotte Isle Of Islay PA48 7TW NErection of pre-fives unit - Stage 1 - Foundations, substructure and underground drainage only.	27/01/2005	04/02/2005	24/03/2005	WARAPP
05/00126/ERD	Mr And Mrs Stephen Martin Land South Of Holly House Gaighenhouse Craighouse Isle Of Jura Erection of dwelling house	01/02/2005	11/02/2005	11/04/2005	WARAPP
05/00141/ERC	David Hobhouse Balnahard Steading Isle Of Colonsay Installation of septic tank and associated below ground drainage	03/02/2005	08/02/2005	23/03/2005	WARAPP

**WARAPP=Building Warrant Approved WARREF=Building Warrant Refused
WARWIT=Building Warrant Withdrawn COMF=Letter of Comfort issued COMFR=Letter of Comfort refused
EXEMPT=Exempt Building Warrant LOCWIT= Letter of Comfort withdrawn SUPERS=Superseded by new Building Warrant**

**BUILDING CONTROL
DELEGATED DECISIONS SINCE LAST COMMITTEE
MID ARGYLL, KINTYRE AND ISLAY**

CASENO	APPLICANT NAME/PROPOSAL AND SITE ADDRESS	RECEIVED DATE	VETTED DATE	DECISION	DECISION
05/00168/STG	Fyne Homes Ltd Land South Of Gigha Parish Church (North Site) And Land North Of High Row (south Site) Ardmish Isle Of Erection of 18 new housing units, access roads and associated drainage - Stage II - Superstructure and services	07/02/2005	28/02/2005	30/03/2005	WARAPP 5
05/00181/ERD	Donald Baker Land South Of Lyndon Ballygrant Isle Of Islay Erection of a 6 apt timber framed single storey dwelling house	08/02/2005	01/03/2005	01/04/2005	WARAPP 5
05/00182/EXT	Fyne Homes Ltd 12 Glen Aray View Inveraray Argyll PA32 8TW Alteration and extension to dwelling house to form single storey additional en-suite bedroom	08/02/2005	21/02/2005	17/03/2005	WARAPP 5
05/00199/ALT	W MacFarlane Butcher's Shop Shore Street Bowmore Isle Of Islay PA43 7LB Alterations to boundary wall to form emergency access in rear yard	10/02/2005	22/02/2005	21/03/2005	WARAPP 5
05/00234/EXT	Patricia Ryan Craiglunnach Achahoish Lochgilphead Argyll PA31 8PD Unheated conservatory extension to rear of house	16/02/2005	23/02/2005	08/04/2005	WARAPP 5
05/00283/AOW	Tulloch Construction Group Plots A-J Sound Of Kintyre Machrihanish Campbeltown Argyll Erection of 10 new 2 storey timber framed detached dwellinghouses - Amendment to warrant 04/01502/ERD granted on 3/12/04 - Above ground oil storage tanks changed to underground	23/02/2005	03/03/2005	24/03/2005	WARAPP 5

**WARAPP=Building Warrant Approved WARREF=Building Warrant Refused
WARWIT=Building Warrant Withdrawn COMF=Letter of Comfort issued COMFR=Letter of Comfort refused
EXEMPT=Exempt Building Warrant LOCWIT= Letter of Comfort withdrawn SUPERS=Superseded by new Building Warrant**

**BUILDING CONTROL
DELEGATED DECISIONS SINCE LAST COMMITTEE
MID ARGYLL, KINTYRE AND ISLAY**

CASENO	APPLICANT NAME/PROPOSAL AND SITE ADDRESS	RECEIVED DATE	VETTED DATE	DECISION	DECISION
05/00322/ERC	Isle Of Gigha Heritage Trust Isle Of Gigha Post Office Isle Of Gigha PA41 7AA Replacement of the fuel installation comprising petrol/diesel underground storage tank, pumps etc, provision of a forecourt separator	01/03/2005	14/03/2005	06/04/2005	WARAPP 5
05/00332/EXT	Mr And Mrs Dyer 4 Summerhill Crescent Campbeltown Argyll PA28 6TB Removal of porch and single storey rear extension to form a conservatory	02/03/2005	03/03/2005	13/04/2005	WARAPP 5
05/00353/EXT	Mrs M T Gannon Public House Sanda Island Southend Campbeltown Argyll Single storey rear extension to form kitchen and store	07/03/2005	08/03/2005	17/03/2005	WARAPP 5
05/00366/ALT	James Stoddart Dalmore Southend Campbeltown Argyll PA28 6PJ Proposed internal alterations to existing dwelling	08/03/2005	14/03/2005	18/03/2005	WARAPP 5
05/00367/ALT	Mr And Mrs R Hanna 158 Ralston Road Campbeltown Argyll PA28 6LQ Internal alterations to hall to remove cupboard and enlarge kitchen	08/03/2005	10/03/2005	18/03/2005	WARAPP 5
05/00377/AOW	Philip Maxwell Smaull Farm Gruinart Bridgend Isle Of Islay PA44 7PU Internal alterations to house, plus small kitchen extension to form utility room and part byre conversion to private studio and office - Amendment to 03/01977/MTP granted 16.12.03 - door omitted external, stable door changed to half glazed	09/03/2005	14/03/2005	23/03/2005	WARAPP 5

**WARAPP=Building Warrant Approved WARREF=Building Warrant Refused
WARWIT=Building Warrant Withdrawn COMF=Letter of Comfort issued COMFR=Letter of Comfort refused
EXEMPT=Exempt Building Warrant LOCWIT= Letter of Comfort withdrawn SUPERS=Superceded by new Building Warrant**

**BUILDING CONTROL
DELEGATED DECISIONS SINCE LAST COMMITTEE
MID ARGYLL, KINTYRE AND ISLAY**

CASENO	APPLICANT NAME/PROPOSAL AND SITE ADDRESS	RECEIVED DATE	VETTED DATE	DECISION	DECISION
05/00394/MTP	Badden Farm Nursery Badden Farm Nursery Lochgilphead Argyll Internal alterations to remove partition to form extension of baby room and removal of window to form patio doors externally to the East elevation	11/03/2005	14/03/2005	17/03/2005	WARAPP 5
05/00407/ERD	Charles Cameron Plot East Of Davaar Hillview Terrace Ardrishaig Lochgilphead Argyll Erection of a 5 apt two storey timber framed dwelling house with associated oil storage tank	14/03/2005	17/03/2005	23/03/2005	WARAPP 5
05/00411/ALT	Ms F MacKenzie Whitegates School Whitegates Road Lochgilphead Argyll PA31 8SY Alterations to school to form disabled persons toilet and shower room on the first floor from existing office and disabled persons toilet	15/03/2005	15/03/2005	31/03/2005	WARAPP 5
05/00421/ERD	M And K MacLeod Plot 10 Barrmor View Kilmartin Lochgilphead Argyll Erection of a three apartment timber framed single storey dwelling house	16/03/2005	18/03/2005	22/03/2005	WARAPP 5
05/00422/ERC	Donald McLean Land South Of Dun-Aluinn (Plot B) Port Corbert, Tangy, Kilkennie Campbeltown Argyll Installation of septic tank and soakaway, formation of new access road	16/03/2005	18/03/2005	24/03/2005	WARAPP 5
05/00425/MTP	Veronica MacFarlane 13 Dun Mor Avenue Kilmory Lochgilphead Argyll PA31 8TP Alteration of porch to form en-suite shower, removal of built in wardrobe to enlarge bedroom, formation of wall to form kitchen diner, remove existing window and replace with patio doors	16/03/2005	17/03/2005	17/03/2005	WARAPP 5

**WARAPP=Building Warrant Approved WARREF=Building Warrant Refused
WARWIT=Building Warrant Withdrawn COMF=Letter of Comfort issued COMFR=Letter of Comfort refused
EXEMPT=Exempt Building Warrant LOCWIT= Letter of Comfort withdrawn SUPERS=Superceded by new Building Warrant**

**BUILDING CONTROL
DELEGATED DECISIONS SINCE LAST COMMITTEE
MID ARGYLL, KINTYRE AND ISLAY**

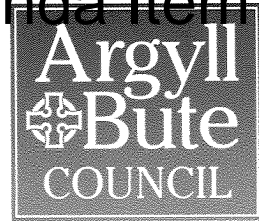
CASENO	APPLICANT NAME/PROPOSAL AND SITE ADDRESS	RECEIVED DATE	VETTED DATE	DECISION	DECISION
05/00457/EXT	Mr C. Plumber Kilmichael Tayvallich Lochgilphead Argyll Single storey sun lounge extension	21/03/2005	23/03/2005	30/03/2005	WARAPP 5
05/00460/EXT	Mr And Mrs L. Gruber Ashlinn Brackley Farm Lochgilphead Argyll PA31 8NH Erection of a single storey utility extension	22/03/2005	24/03/2005	01/04/2005	WARAPP 5
05/00477/ALT	Mr Iain Shaw 11 Broomhill Bowmore Isle Of Islay PA43 7HX Alteration to existing bathroom layout to form new layout and provide level access shower for the benefit of a disabled person	23/03/2005	24/03/2005	24/03/2005	WARAPP 5
05/00483/LOC	Duncan Lowrie Flat C Mclean Place 4 Main Street Campbeltown Argyll PA28 6AG Letter of Comfort Application - formation of a 1 bedroom property rather than a 2 bedroom property	18/03/2005	22/03/2005	22/03/2005	WARAPP 5
05/00484/LOC	Duncan Lowrie Flat D McLeans Place 4 Main Street Campbeltown Argyll PA28 6AG Letter of Comfort Application - formation of 1 bedroom property rather than 2 bedroom property	18/03/2005	22/03/2005	22/03/2005	WARAPP 5
05/00517/ERC	John Campbell Annan Arran View Kilduskland Road Ardrishaig Lochgilphead Argyll PA30 8EH Erection of a 1200 litre oil storage tank	30/03/2005	31/03/2005	01/04/2005	WARAPP 5

**WARAPP=Building Warrant Approved WARREF=Building Warrant Refused
WARWIT=Building Warrant Withdrawn COMF=Letter of Comfort issued COMFR=Letter of Comfort refused
EXEMPT=Exempt Building Warrant LOCWIT= Letter of Comfort withdrawn SUPERS=Superceded by new Building Warrant**

**BUILDING CONTROL
DELEGATED DECISIONS SINCE LAST COMMITTEE
MID ARGYLL, KINTYRE AND ISLAY**

CASENO	APPLICANT NAME/PROPOSAL AND SITE ADDRESS	RECEIVED DATE	VETTED DATE	DECISION	DECISION
05/00518/ALT	Stephen M Johnstone Kyle View Lady Ileene Road Tarbert Argyll PA29 6TU Fitting out of upper floor to dwelling house	30/03/2005	01/04/2005	12/04/2005	WARAPP 5
05/00519/AOW	Janet And John Hunt Dunolla Barmore Road Tarbert Argyll PA29 6TT Alterations and extension to form sunroom to ground floor flat and conservatory to upper floor maisonette - Amendment to 03/01015/EXT granted 19/01/04 - alterations to sunroom	30/03/2005	30/03/2005	30/03/2005	WARAPP 5
05/00542/AOW	M And K MacLeod Land South Of Crinan Cottages Crinan Cottages Crinan Lochgilphead Argyll PA31 8SS Erection of dwellinghouse - amendment to Building Warrant application 02/01432/ERD granted 18th October 2002 - alterations to front access	04/04/2005	04/04/2005	07/04/2005	WARAPP 5
05/00578/AOW	M And K Macleod Ltd Plot 16 Barmor View Kilmartin Lochgilphead Argyll Erection of a 5 apartment single storey timber framed dwelling house - amendment to warrant 04/01881/ERD granted 7th October 2004 - minor alteration to form arch into kitchen	07/04/2005	07/04/2005	07/04/2005	WARAPP 5

**WARAPP=Building Warrant Approved WARREF=Building Warrant Refused
WARWIT=Building Warrant Withdrawn COMF=Letter of Comfort issued COMFR=Letter of Comfort refused
EXEMPT=Exempt Building Warrant LOCWIT= Letter of Comfort withdrawn SUPERS=Superceded by new Building Warrant**



Chief Executive's Unit

Chief Executive: James McLellan

Strategic Finance
Kilmory, Lochgilphead, Argyll PA31 8RT
Tel: 01546 602127 Fax: 01546 604411
E mail -
barbara.mcmillan@argyll-bute.gov.uk
www.argyll-bute.gov.uk
Direct 01546 604483
Line:
Ask For: Barbara McMillan
Our Ref: 13 CNH
Your Ref:
Date: 1 April 2005

Ms D Forsyth
Area Corporate Services Manager
Democratic Services & Governance
Argyll & Bute Council
Dalriada House
Lochnell Street
Lochgilphead
PA31 8ST

Dear Ms Forsyth

USABLE CAPITAL RECEIPTS – AREA COMMITTEES

Further capital receipts amounting to the sum of £94,221.16 have been achieved in respect of the disposal of assets. Therefore the additional sum of £47,110.58 is available to be split between the four area committees. The additional amount available to Mid Argyll, Kintyre and Islay is £9,422.12.

The area committees require to identify capital projects to utilise the additional resources available and also ensure that the projects identified meet with the agreed capital criteria.

Please ensure that you advise your Area Committee chairperson.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Bruce West'.

Bruce West
Head of Strategic Finance



This page is intentionally left blank

**ARGYLL & BUTE COUNCIL
COMMUNITY SERVICES**

**MID ARGYLL, KINTYRE AND ISLAY
AREA COMMITTEE**

4 May 2005

**APPLICATIONS BY VOLUNTARY ORGANISATIONS FOR
VOLUNTARY SECTOR GRANT 2005/2006**

1. BACKGROUND

- 1.1 The allocation for Education Development grants for this financial year for Mid Argyll, Kintyre & Islay is £23,642. The allocation for Leisure Development grants is £21,257.

2. RECOMMENDATION

- 2.1 The Area Committee is asked to agree that from each allocation, 10% be retained for future applications during the current financial year. This would leave £2,364 in the Education Development budget and £2,126 in the Leisure Development budget, a total of £4490.

3. DETAILS OF GRANT APPLICATIONS

- 3.2 Detailed reports of the 49 applications received to date will follow.
- 3.3 The Summary report forms will available before the Area Committee meeting for members' further information.

4. IMPLICATIONS

Policy: The recommendations within this report reflect the Council's commitment to the support of work with young people and the support of the voluntary sector in Argyll and Bute.

Financial: Grants awarded will be met from the relevant allocation within the education service revenue budget and the leisure development budget for 2005/2006

Personnel: None

Equal Opportunities: None

Legal: Grants with recommendations of over £2000 have been checked by Finance Section.

Douglas Hendry
Director of Community Services
May 2005

For further information please contact: Felicity Kelly, Area Community Learning and
Regeneration Manager, Lochgilphead Community Education Office, Manse Brae,
Lochgilphead. 01546 604750

NOT FOR PUBLICATION by virtue of paragraph(s) 13
of Schedule 7A of the Local Government(Scotland) Act 1973

Document is Restricted

This page is intentionally left blank

Document is Restricted

This page is intentionally left blank