

Argyll and Bute Council
Comhairle Earra Ghaidheal agus Bhoid

Customer Services
Executive Director: Douglas Hendry



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26 February 2013

RECONVENED MEETING OF LOCAL REVIEW BODY

**TUESDAY 5 MARCH 2013 AT 11.00 AM IN THE KILMELFORD VILLAGE HALL,
KILMELFORD**

I refer to the above meeting and enclose herewith further written submissions requested by the Local Review Body at their meeting on 23 January 2013.

Douglas Hendry
Executive Director - Customer Services

BUSINESS

- 3. CONSIDER NOTICE OF REVIEW REQUEST: HARBOUR MASTER, MELFORT, BY OBAN, PA34 4XD**
 - (d) Further Written Submissions
 - i) From Applicant (Pages 1 – 2)
 - ii) From Planning (Pages 3 - 22)
 - (e) Comments on Further Written Submissions
 - i) From Applicant (Pages 23 - 24)

ARGYLL AND BUTE LOCAL REVIEW BODY

Councillor George Freeman
Councillor David Kinniburgh

Councillor Sandy Taylor

Contact: Fiona McCallum Tel: 01546 604392

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FURTHER INFORMATION REQUESTED BY THE LOCAL REVIEW BODY

The submission for the request for a review (attached) in the final two paragraphs stated “There are other buildings where staff can be accommodated if required. Planning Permission Ref: 10/01610/PP was granted on 25 November 2010 for change of use from store and laundry to staff accommodation.

There is no reason for Harbour Master to remain as a property for staff accommodation and I therefore request the Review Panel to grant permission for the removal of Condition No. 5 of Planning Consent 01/94/0409 which was approved in August 1994 over eighteen years ago”.

The comments on the Statement of Case (attached) stated that “This property is no longer required for staff accommodation as the restaurant has closed and planning permission has been granted for the Change of Use to a dwelling house from a restaurant (Ref: 11/01407/PP) Staffing at the complex has been reduced from 10 full time and 4 part time to 2 and 1 respectively”.

There is another property on the site for staff accommodation as well as the former store and laundry referred to in paragraph 1 above. That property is in the Captain’s block and planning was granted on 9 March 2000 (Ref: 99/01941/DET) for staff accommodation or holiday letting. The number of employees has been reduced because the restaurant has closed. Therefore there is clearly no need for any more staff accommodation in the future as there are two existing properties available.

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HARBOUR MASTER, MELFORT, BY OBAN

12/0015/LRB

(PLANNING REF: 12/01624/PP)

Additional information required by LRB

The following density information has been limited to properties surrounding Fearnach Bay within the Sensitive Countryside and Rural Opportunity Area and does not include the strip of development within the Settlement Zone along the Degrish Road towards the main village of Kilmelford.

The Rural Opportunity Area has been significantly reduced by the approved Landscape Capacity Study approved by Members (see Appendix A).

An extract of the Local Plan is attached as Appendix B.

The survey also omits the three holiday developments of Melfort Pier, Melfort Village and Ardenstur. These developments have been shown on separate inset maps.

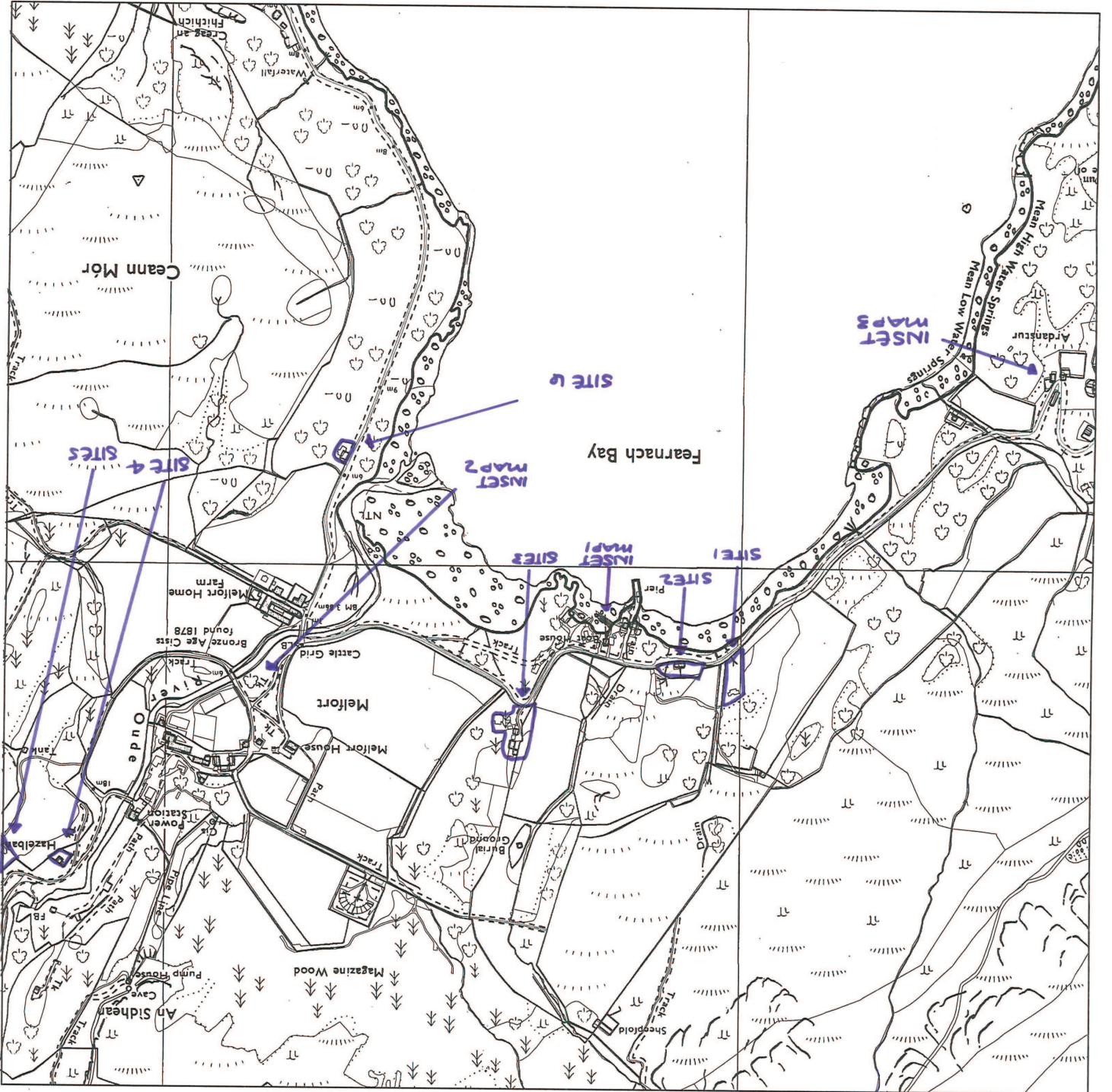
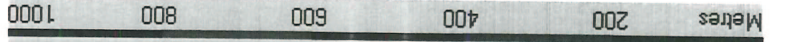
INSET MAPS	
Inset Map 1	Melfort Pier Long established holiday development
Inset Map 2	Melfort Village Long established holiday development
Inset Map 3	Ardenstur Long established holiday development

DENSITY SURVEY			
SITE	PLOT AREA	HOUSE & OUTBUILDING FOOTPRINT	% OF HOUSE TO PLOT RATIO
Application Site*	178 square metres	66 square metres	37 %
Site 1** Fearnach Bay House	3748 square metres	140 square metres	3.7 %
Site 2** Pier Cottages	1987 square metres	152 square metres	7.6 %
Site 3** Glenfearnach	9154 square metres	733 square metres	8 %
Site 4** Hazelwood Cottage	584 square metres	53 square metres	9 %
Site 5** Horse Park	1639 square metres	155 square metres	9.5 %
Site 6** Cullaloe Cottage	833 square metres	159 square metres	19 %

*Measurements taken from drawings submitted with planning application 12/01624/PP

**Measurements taken from Uniform spatial mapping system

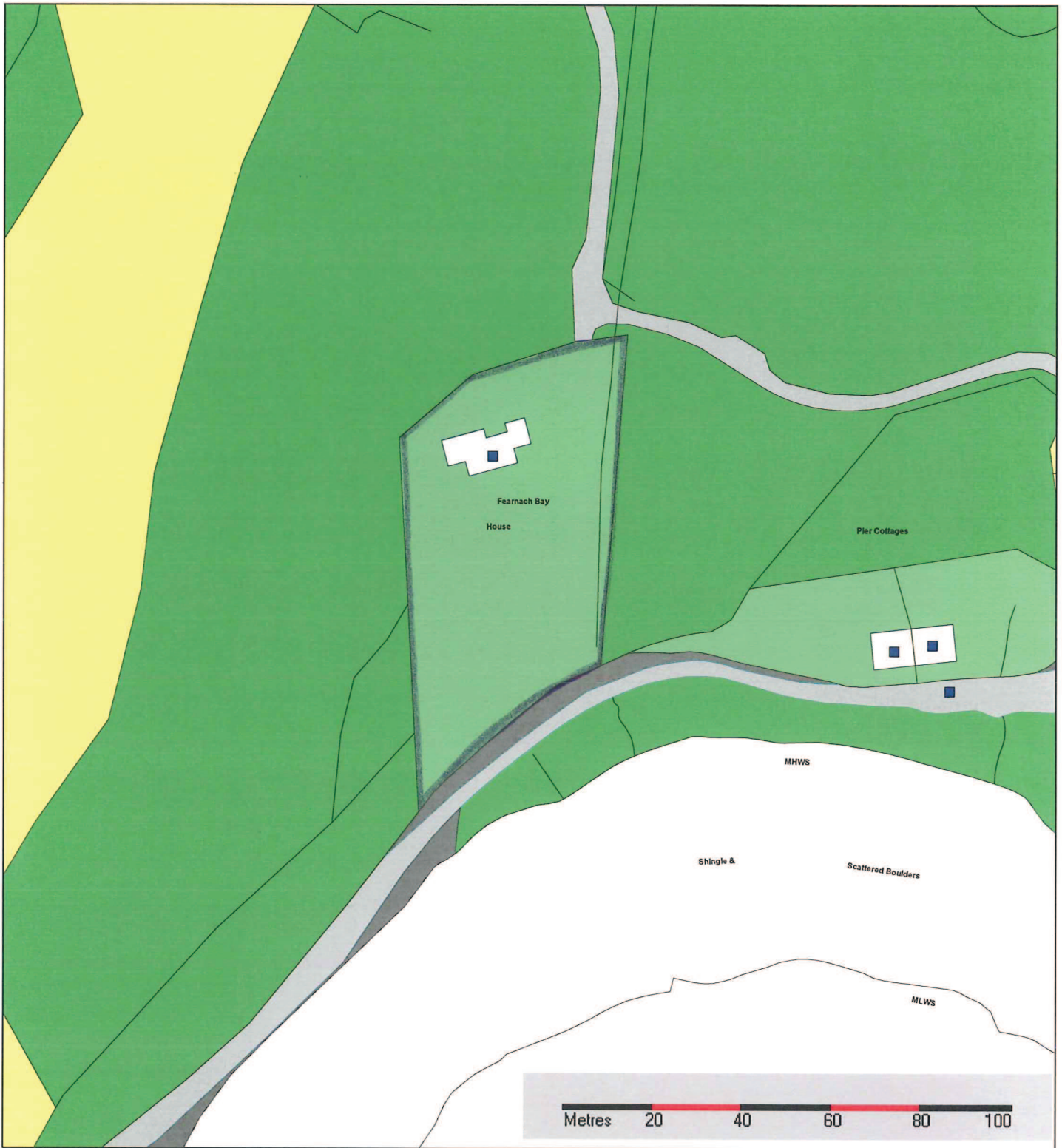
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HARBOUR MASTER, MELFORT, BY O'BAN
 12/0015/LRB
 (PLANNING REF: 12/1024/PP
 SEE ACCOMPANYING INSET MAPS

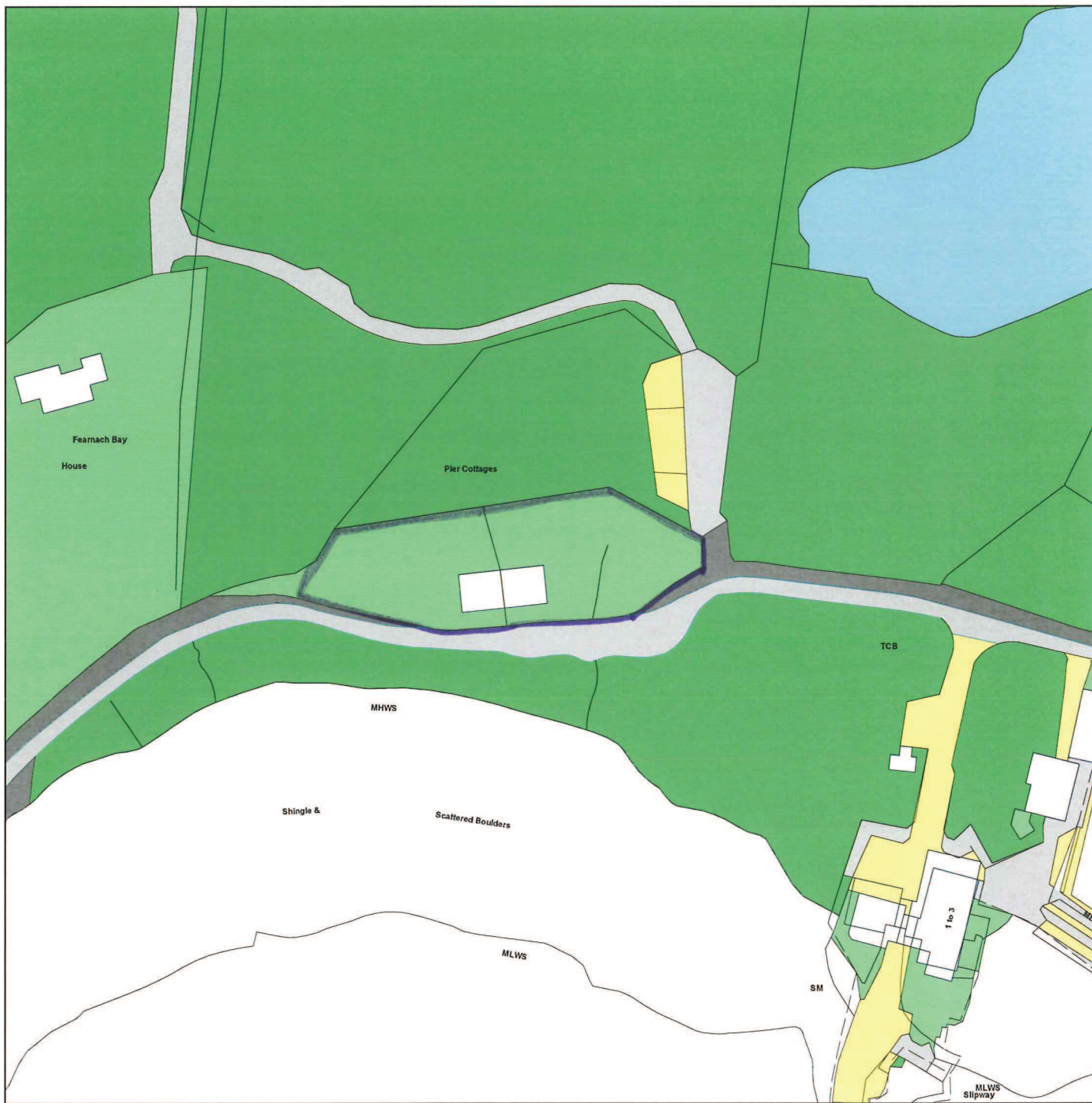
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Argyll and Bute Council

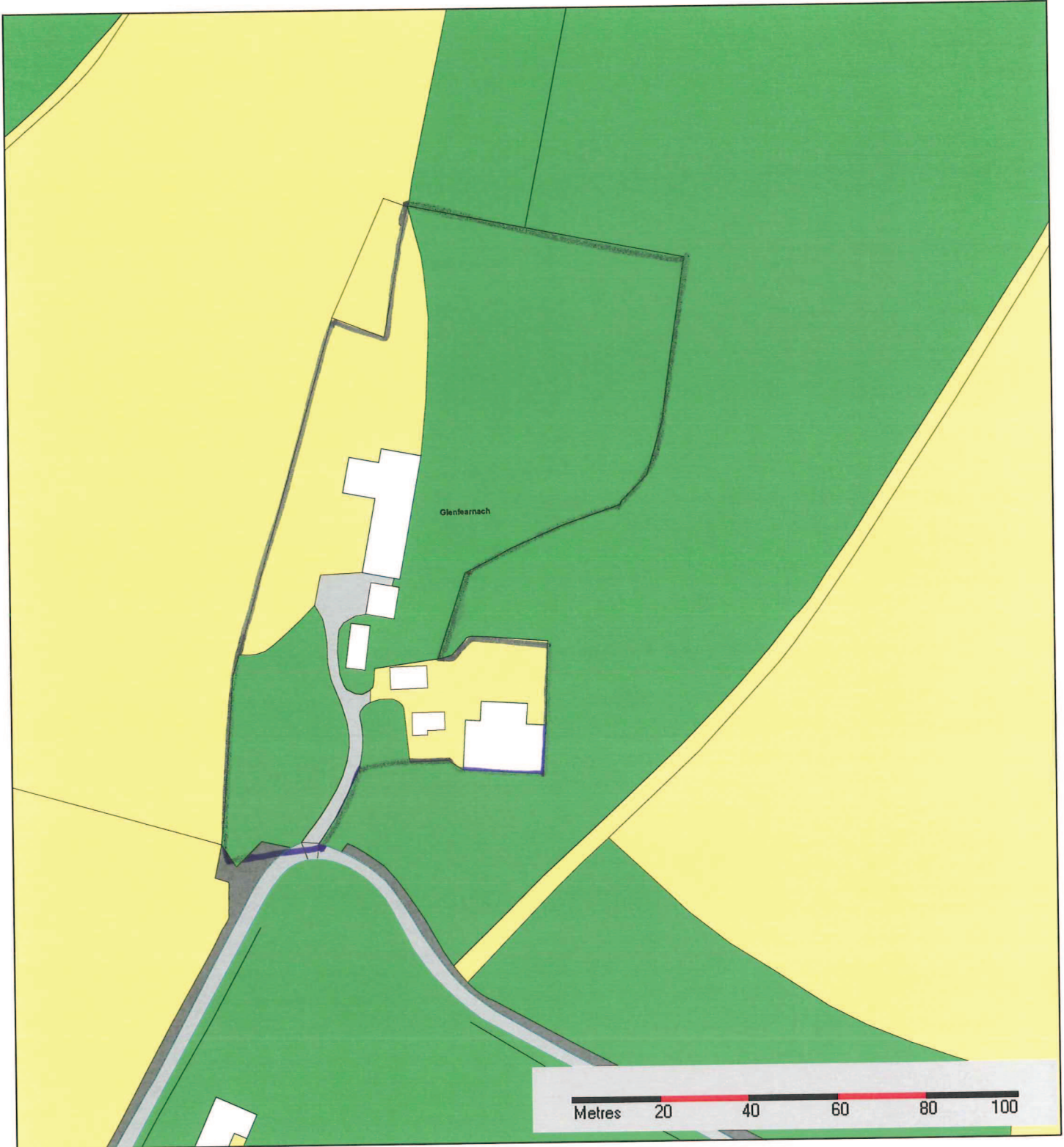


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31 January 2013



Argyll and Bute Council



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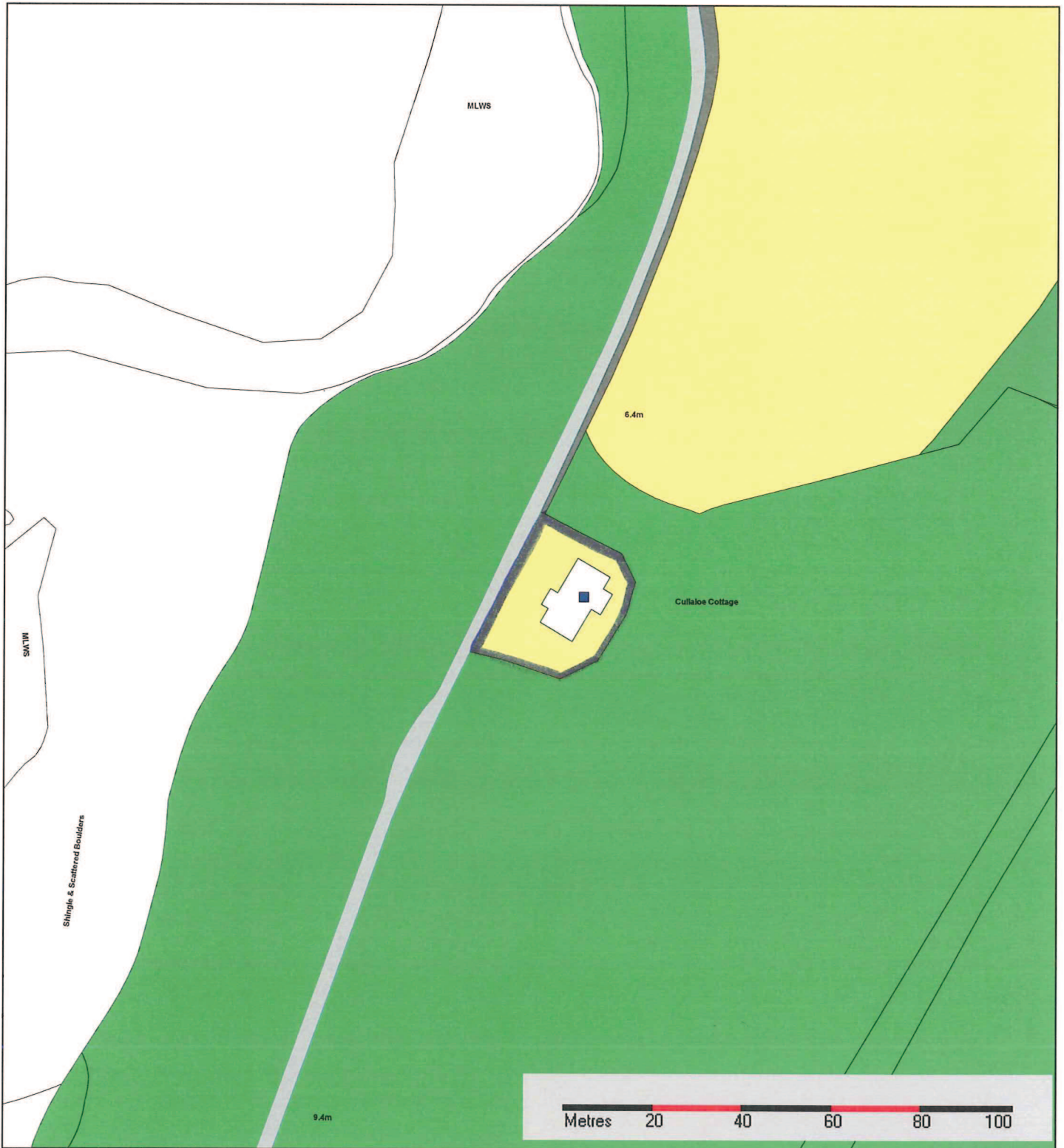
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Argyll and Bute Council



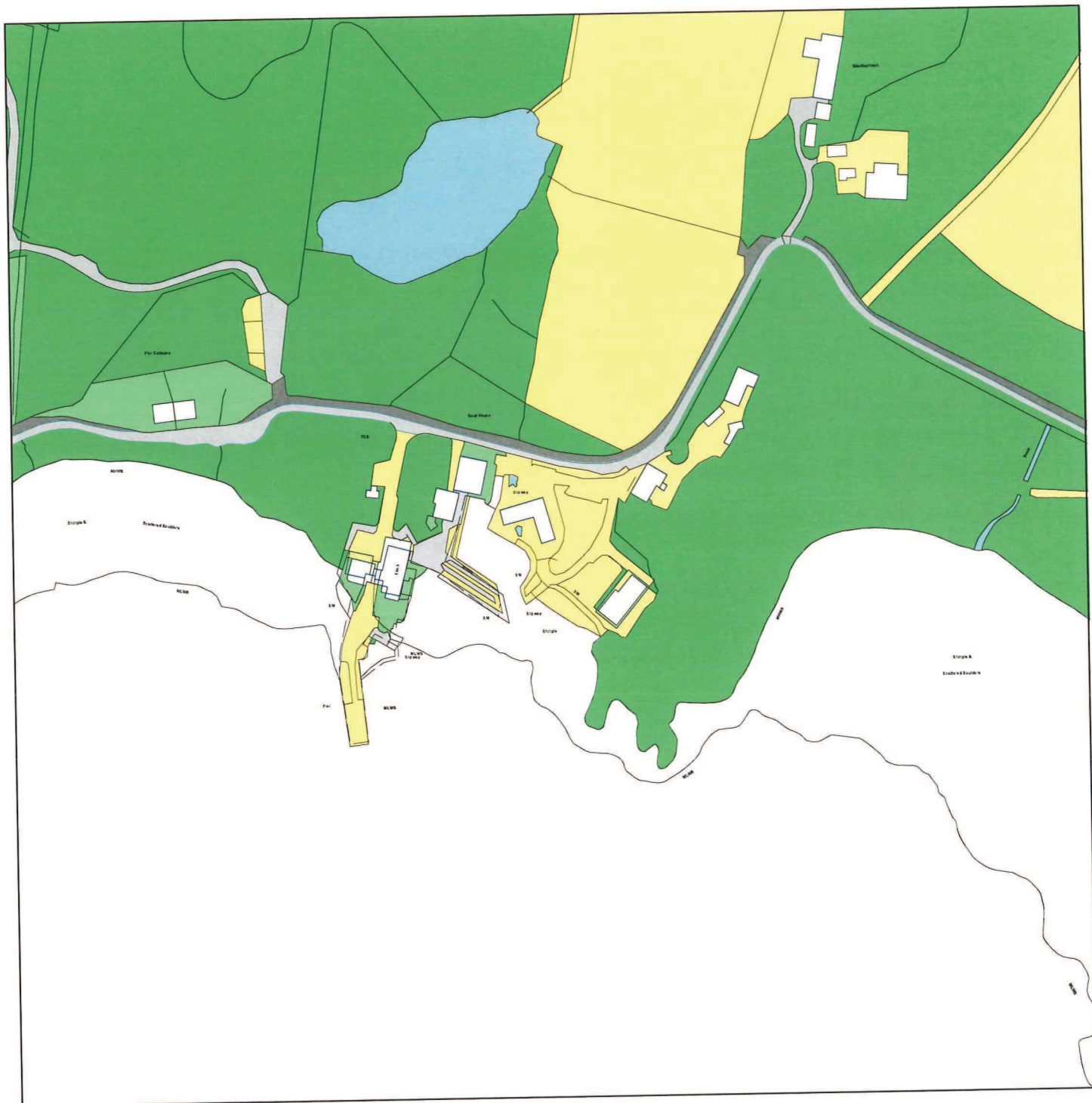
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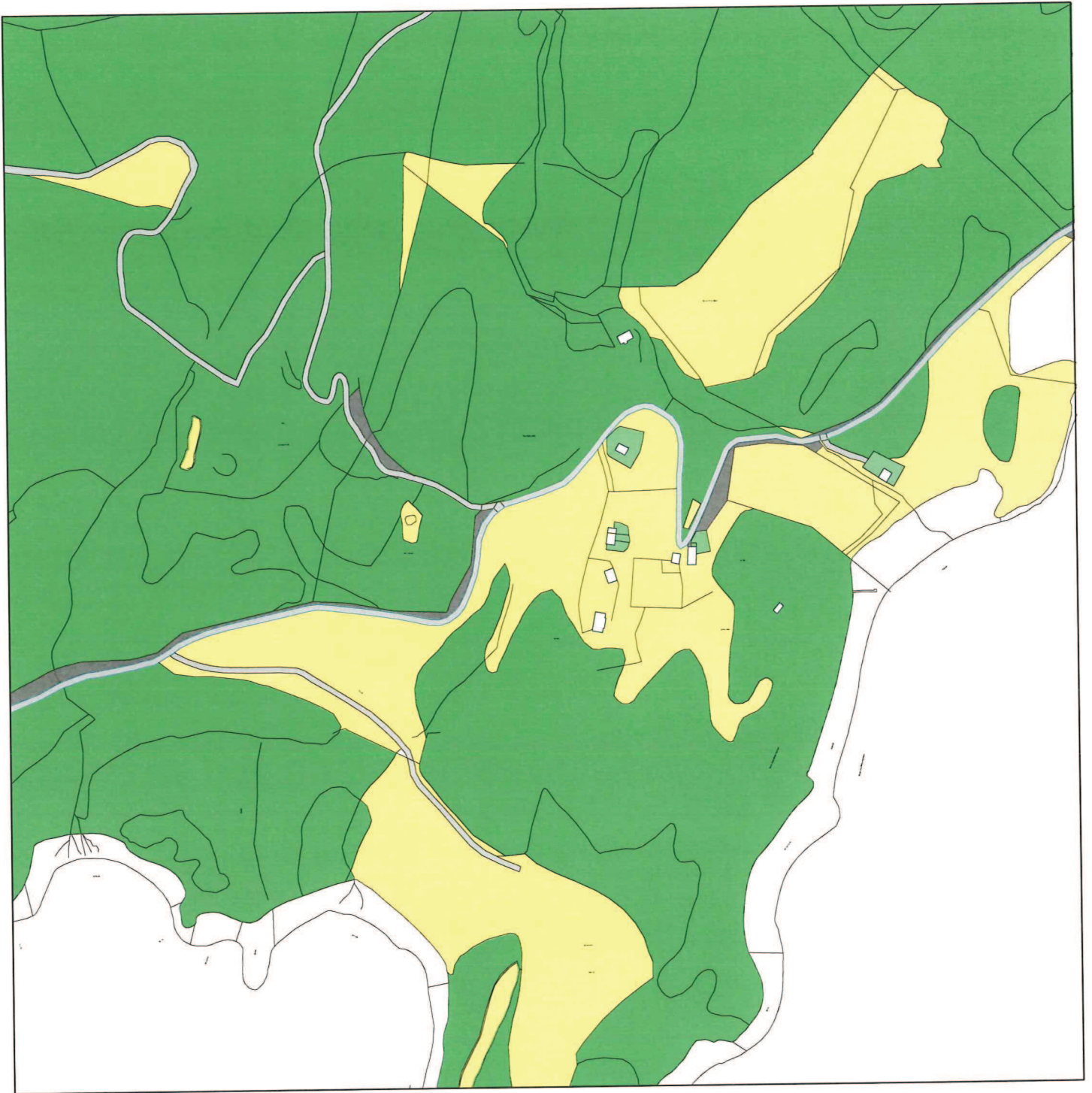
INSET MAP 1 - MELFORT PIER LONG ESTABLISHED HOLIDAY DEVELOPMENT



INSET MAP 2 - MELFORD VILLAGE LONG ESTABLISHED HOLDAY DEVELOPMENT

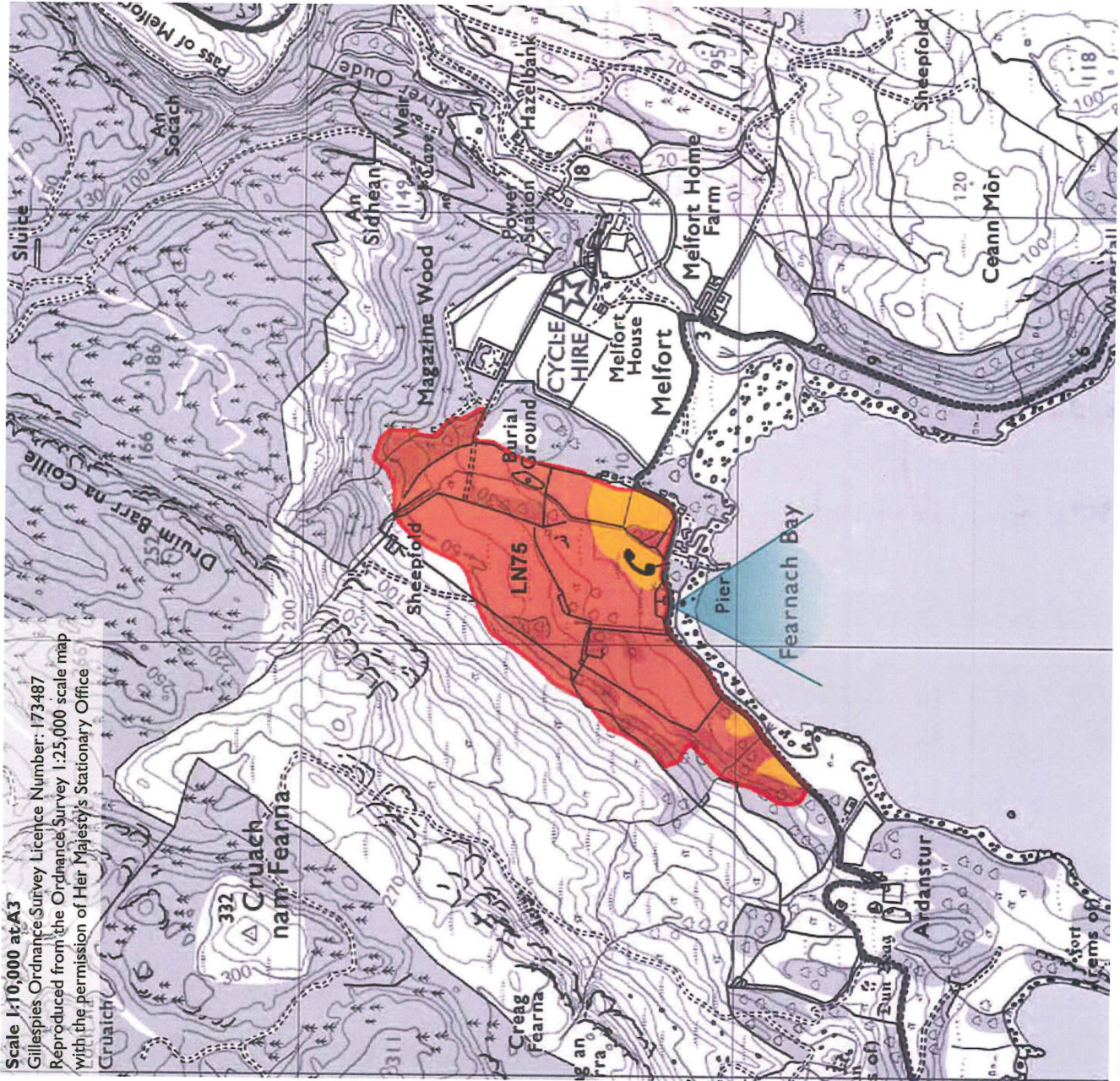


INSET MAP 3 - ARDENSTUR LONG ESTABLISHED HOLIDAY DEVELOPMENT



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LN75 FEARNACH BAY

Site Description

This site is located in an Area of Panoramic Quality and within the SNH Craggy Upland LCT.

This site is located around Fearnach Bay and sits between the 5m and 50m contours. It is bounded on the south by a minor road and a few cottages. The site comprises rough grazing land, interspersed with areas of woodland.

There is a Burial Ground to the north. The site is dissected by a number of streams which flow from the high ground north of the site into Fearnach Bay. There are a number of houses along the southern and eastern boundaries of the site.

There are panoramic views of Fearnach Bay from the western end of the site

Scenic Quality
Medium

Sensitivity to Change
Medium

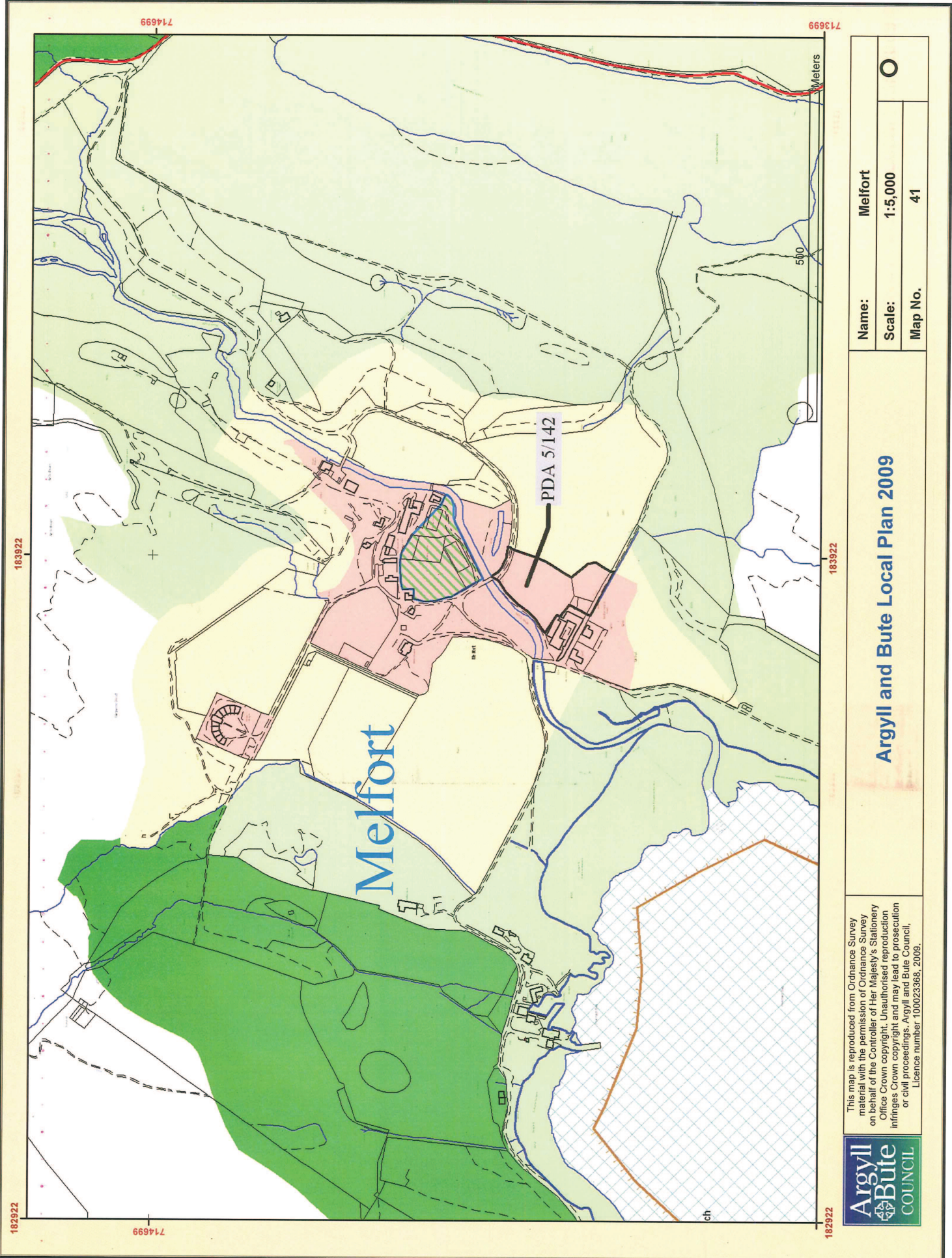
Capacity to Absorb Development
Limited

Areas with potential to absorb development (Orange Areas)

- The enclosed fields at the south east of the site could absorb development. Development should be associated with new planting and be limited to 4 or 5 new properties in a similar settlement pattern to the existing adjacent houses.
- At the western end of the ROA development would be possible in the small woodland clearings to the north of the road.

Areas not recommended for development (Red Areas)

- The rising land to the north is not recommended as development here would be too visible within the wider landscape.



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Argyll and Bute Local Plan 2009

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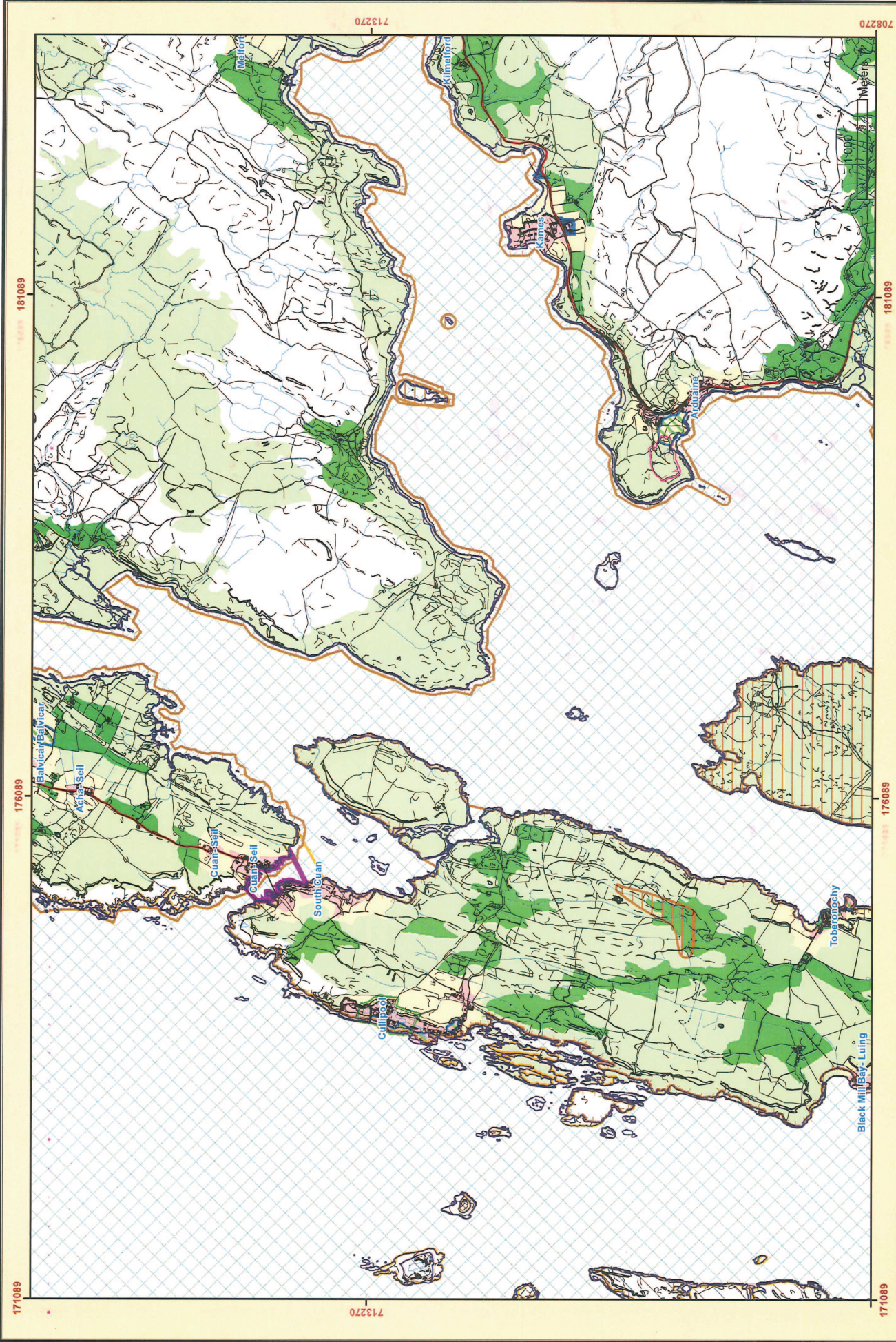
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Argyll and Bute Local Plan 2009

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REVIEW REFERENCE NUMBER 12/0015/LRB

The Local Review Body dealing with the above review requested the Development Manager of Argyll & Bute Council to provide written information regarding the footprint and the area of private useable amenity space afforded to the residential unit and the footprints and areas of private useable amenity space of the larger house plots which were used as comparisons

Six sites have been listed and some are a considerable distance from Harbour Master which is the property under review.

Sites 4, Hazelwood Cottage and 5, Horse Park are well over 1000metres away using the private access to those properties.

Site 6, Cullaloe Cottage is also about 1000 metres away from Harbour Master.

The Development Department have failed to consider the four most relevant properties, ie. Those with permanent occupation which are closest to the property under review. Those properties are adjacent to Harbour Master and are listed below:

Pier East	Footprint 58m ² amenity area	None
Pier North	Footprint 37m ² amenity area	None
Pier West	Footprint 36m ² amenity area	None
Pier Master	Footprint 82m ² amenity area	100m ²

Digital Land Surveys Ltd carried out a detailed survey of Harbour Master and the footprint is 96m² and the plot area is 295m². The plan was submitted as document No. 4 when the request for a review was lodged. Therefore the amenity area is 199m².

The Planning Department has listed those areas for Harbour Master as 66m² for the footprint and 178m² for the plot area which is obviously not correct. The percentage of house to plot area is not 37% but 32.5%.

According to the guidelines normally used by the Planning Department that ratio of house to plot is more than acceptable. Many housing sites in the countryside have less amenity areas.

The Review Body is therefore requested to approve the removal of the Condition restricting occupancy.

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