

MINUTES of MEETING of ARGYLL AND BUTE LOCAL REVIEW BODY held in the COUNCIL CHAMBER, KILMORY, LOCHGILPHEAD on TUESDAY, 23 APRIL 2013

Present: Councillor Mary Jean Devon (Chair)
Councillor Gordon Blair Councillor Donald MacMillan

Attending: Charles Reppke, Head of Governance and Law
Hazel MacInnes, Committee Services Officer

1. APOLOGIES FOR ABSENCE

There were no apologies for absence.

2. DECLARATIONS OF INTEREST

There were no declarations of interest.

3. CONSIDER NOTICE OF REVIEW REQUEST: 19 BATTERY PLACE, ROTHESAY, ISLE OF BUTE

The Chair advised and the Panel members agreed that due to their involvement in the Licensing Board, which had adjourned to allow the meeting of the Local Review Body to convene; to adjourn the meeting of the Local Review Body and to reconvene on Wednesday 22 May 2013.

The meeting of the Argyll and Bute Local Review Body reconvened on Wednesday 22 May 2013 in the Council Chamber, Kilmory Lochgilphead.

Present: Councillor Mary Jean Devon (Chair)
Councillor Gordon Blair
Councillor Donald MacMillan

Attending: Charles Reppke, Head of Governance and Law (Adviser)
Hazel MacInnes, Committee Services Officer (Minute Taker)

The Chair welcomed all those present to the meeting and introductions were made. She advised that the only persons present who would be permitted to speak during the meeting would be the members of the Local Review Body panel and Mr Reppke who would provide procedural advice if required.

The Chair advised that her first task would be to establish whether the Panel felt they had sufficient information before them to come to a decision on the review.

It was agreed that there was not enough information before the LRB to enable them to take a decision and agreed that they would like to request further information from the Planning Department.

Decision

The Argyll and Bute Local Review Body agreed –

1. to request further written submissions from the Planning Department in respect of
 - (a) A further explanation of why the use of UPVC materials would have a detrimental impact on the Rothesay Conservation Area;
 - (b) A more detailed explanation of the policy background with particular regard to the adjacent properties that already have non-conforming windows and the planning history of their approval or otherwise; and
 - (c) Model conditions and reasons that might be attached to any consent; and
2. to adjourn the meeting and reconvene at the earliest opportunity.

The meeting of the Argyll and Bute Local Review Body reconvened on Wednesday 26 June 2013 in the Council Chamber, Kilmory Lochgilphead.

Present: Councillor Mary Jean Devon (Chair)
Councillor Gordon Blair
Councillor Donald MacMillan

Attending: Charles Reppke, Head of Governance and Law (Adviser)
Fiona McCallum, Committee Services Officer (Minute Taker)

The Chair welcomed all those present to the meeting and advised that her first task would be to establish whether or not the Panel felt they had sufficient information before them to come to a decision on the review.

The Chair advised she had found the information provided by Planning very helpful especially the table which identified the planning permissions for replacement windows that have been issued in Battery Place since 2000.

Councillor MacMillan advised that he was not in favour of going against planning policy.

The LRB agreed that regardless of other properties that have installed inappropriate replacement windows in conservation areas it was important to draw a line under this and they agreed to support the Planner's original decision to refuse this application.

Decision

Agreed to uphold the original decision to refuse this application for the following reasons:-

The proposed replacement windows on the subject property, by virtue of

their inappropriate upvc material, would have an unacceptable impact upon the architectural and historic interest of this property located in a visually prominent position within the Rothesay Conservation Area. As a consequence, the development in contrary to STRAT DC9 of the Argyll and Bute Structure Plan 2002; Policy LP ENV 14 of the Argyll and Bute Local Plan 2009; and the Council's non-statutory Rothesay Window Policy Statement.

(Reference: Notice of Review and Supporting Documentation and Further Written Submissions, submitted)