# MINUTES of MEETING of ARGYLL AND BUTE LOCAL REVIEW BODY held in the COUNCIL CHAMBERS, KILMORY, LOCHGILPHEAD on WEDNESDAY, 23 OCTOBER 2013

Present: Councillor Robin Currie (Chair)

Councillor Robin Currie Councillor Donald MacMillan

Councillor George Freeman

Attending: Charles Reppke, Head of Governance and Law, Adviser

Fiona McCallum, Committee Services Officer, Minute Taker

# 1. CONSIDER NOTICE OF REVIEW REQUEST: 79 EAST CLYDE STREET, HELENSBURGH (REF: 13/0013/LRB)

The Chair welcomed everyone to the meeting and advised that his first task would be to establish if the Members of the LRB felt they had sufficient information before them to come to a decision on the review.

Taking account of all the information before them the Members all agreed that they had enough information to allow them to come to a decision on the review and that they wished to support the Applicant in this case.

Mr Reppke advised that if the Members were minded to approve this application he recommended that they request from Planning appropriate conditions and reasons to attached to any consent. He advised that Members would also need to prepare a competent motion which justified departing from Development Plan Policy which mitigated against this proposal.

#### **Decision**

The Argyll and Bute LRB agreed:-

- 1. To request from Planning appropriate conditions and reasons to attach to any consent if the LRB were minded to approve this planning application; 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 18 December 2013 in Kilmory Lochgilphead at 9.30 am

Present: Councillor Robin Currie (Chair)

Councillor George Freeman Councillor Donald MacMillan

Attending: Charles Reppke, Head of Governance and Law, Adviser

Fiona McCallum, Committee Services Officer, Minute Taker

The Chair welcomed everyone to the meeting and reminded Members that at the last meeting they had been minded to grant this application and that conditions and reasons to attach to the consent had been requested. He asked Members if they were still of the same opinion.

Councillor Freeman confirmed that he was and he read out the following Motion.

## **Motion**

The Local Review Body notes the contents of the report and the recommendation to refuse the application based on the fact that no provision has been made for two car parking spaces required by the Area Roads Manager based on the requirement of Policy LP TRAN 6.

Given that there is unrestricted parking within approximately 20 metres of the proposed development, it is considered that the proposal will not create increased traffic hazards and congestion at this locality and will not adversely affect vehicle and pedestrian safety.

The current lawful use of the premises at present is a shop, the operation of which is dependent upon customer visits, the frequency of which would be influenced by the nature of the goods sold, over which there is no control. Accordingly, the premises already have the potential to generate significant vehicle trips in circumstances where no dedicated off-street parking provision is available, and this existing situation would not be materially worsened by the introduction of the use proposed.

The Local Review Body therefore agrees to approve this application as a 'minor departure' from Policy LP TRAN 6 but with the undernoted condition attached so as to restrict the area for seating and customer use to that shown on the ground floor plan to ensure that there is no intensification which could increase the associated car parking needs further.

Condition: The floorspace area utilised by customers indicated on drawing (2 or 3 "Ground and Attic Space Plans Proposed") and annotated "customer area" shall not be increased in size unless with the written permission of the planning authority.

Reason: to ensure the scale of the business and associated traffic generation does not intensify.

Moved by Councillor Freeman, seconded by Councillor MacMillan.

## Decision

It was unanimously agreed to grant planning permission as a 'minor departure' to Policy LP TRAN 6 subject to the following condition and reason:-

The floorspace area utilised by customers indicated on drawing (2 or 3

"Ground and Attic Space Plans Proposed") and annotated "customer area" shall not be increased in size unless with the written permission of the planning authority.

Reason: to ensure the scale of the business and associated traffic generation does not intensify.

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