I enclose herewith amended minute relating to item 3(c)

Nigel Stewart
Director of Corporate Services

3. CORPORATE SERVICES

(c) Minute of the meeting of the Oban, Lorn & the Isles Area Committee held on 11th November 2008 in regard to planning application 08/01300/OUT (Mr & Mrs Robertson) (Pages 1 - 4)

OBAN, LORN & THE ISLES AREA COMMITTEE

Councillor Gordon Chalmers  Councillor Mary-Jean Devon
Councillor Donald Macdonald  Councillor Duncan MacIntyre (Chair)
Councillor Neil Mackay  Councillor Roderick McCuish
Councillor Donald McIntosh (Vice-Chair)
Councillor Elaine Robertson

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MINUTES of MEETING of OBAN LORN & THE ISLES AREA COMMITTEE held in the DUNGRIANACH, CRANNAIG-A-MHINISTEIR, OBAN on TUESDAY, 11 NOVEMBER 2008 TO CONSIDER PLANNING APPLICATION REF. 08/01300/OUT: MR MICHAEL J AND MRS ELAINE ROBERTSON

Present: Councillor Duncan MacIntyre (Chair)
Councillor Gordon Chalmers
Councillor Donald MacDonald
Councillor Roderick McCuish

Attending: Charles Reppke, Head of Democratic Service & Governance
Jane Gillies, Corporate Services
John Heron, Technical Officer, Traffic & Development
Neil McKay, Planning Manager
Arlene Henderson, Planning Officer
Michael Robertson, Applicant
Allan Macaskill, Agent for Applicant

1. APOLOGIES FOR ABSENCE

None

2. DECLARATIONS OF INTEREST

Councillor Robertson, having previously declared an interest as the applicant, was not in attendance.

3. PROCEDURES

Mr Reppke outlined the procedures for the meeting.

4. REFERENCE FROM OBAN LORN & THE ISLES AREA COMMITTEE

The Chairman welcomed those present and invited Mr McKay, Planning Manager to speak to the application.

Mr McKay clarified the footprint of the proposed building and stressed that the building would be ancillary to the main house and not capable of being a separate ‘self catering’ property, adding that the angle of the access and the visibility to the left restricts the use to family and friends. He also highlighted issues with regard to the building footprint as shown indicatively on the outline plans and indicated the need for an additional condition if members were minded to approve the application. He concluded that he recommended the application for approval.

Mr Macaskill, Agent for the Applicant, the application is for the erection of a
dwelling house which will be ancillary to the main house, Dungrianach, ‘ancillary’ meaning providing additional supplementary accommodation which would be used by family and friends of the applicant. He advised Members that the applicant no longer carry out their bed and breakfast business. Mr Macaskill referred to the Planning report which states that the proposal is consistent with the Development Plan and that no representations have been received, the reason for this application being before the Area Committee being that the applicant is a Councillor on that Committee, therefore the Area Committee have to determine the proposal. He continued saying that the proposal is consistent with Policy STRAT DC1 and STRAT HO1 and complies with HO21 and LP HOU1 of the Modified Finalised Draft Local Plan. Parking arrangements at the existing house will be improved by the removal of the roundabout which is situated in front of the proposed site. The Applicants accept the seven conditions attached to the Planning report, and are happy to enter into a Section 75 Agreement stating that the proposed dwellinghouse will not be sold off separately from Dungrianach and that the visibility splays at the junction with the public road shall be kept clear of obstructions commensurate with a 20 mph limit. Mr Macaskill then referred to Supplementary Report No.1 which was circulated the day before the meeting containing an eighth condition preventing the proposed dwelling having a kitchen or eating facilities which he said was unacceptable. He concluded saying he hoped the Committee would agree to approve the application as presented in the first report with the addition of the Section 75 pertaining to the visibility splays.

Mr Heron advised that he wasn't aware that the application was for ancillary accommodation when raising concerns regarding the access to the site and as there will be no intensification there is no requirement to alter the access. He added that the Section 75 was proposed to ensure that verges are kept clear, that there is no problem with sight lines.

Mr Reppke advised that the supplementary report issued was to the benefit of the applicant and the planning department as it detailed the use of the proposed building. Mr Reppke added that the junction at present is suitable for ancillary use but that the access would require improvement if this was to be a separate dwelling.

The Chairman then invited question from Members.

Councillor McIntosh asked if Members could be supplied with a further report detailing the Section 75 wording and the conditions to be applied to the application.

Councillor Devon asked for clarification on ‘self catering’ and was advised that the ancillary accommodation could not be used by paying guests, it would be occupied only by family and friends.

Councillor Chalmers asked about intensification and was advised that this has been addressed in the Supplementary Report.

Councillor Mackay asked Mr McKay to distinguish between the dwelling and ancillary accommodation and Mr McKay said it was unusual for this type of accommodation to be detached. Mr McKay then described the proposed building as a detached extension to the house. Councillor Mackay then raised
concerns about the lack of kitchen facilities in the proposed accommodation and asked the applicant if his family were all in good health, Mr Robertson said they were all well at present.

Councillor McCuish asked about condition 8 and Mr McKay advised that if the proposed accommodation was attached to the house there would be no requirement for this condition.

Councillor McIntyre asked whether condition 8 could be removed if access and Section 75 Agreement were finalised, Mr Reppke advised that condition 8 could be removed if this was the case.

Councillor MacDonald said he was uneasy about condition 8.

**Decision:**

It was unanimously agreed that consideration of this application be continued to the next meeting of Oban Lorn & the Isles Area Committee on 3rd December 2008, to allow for the provision of additional details on the footprint of the proposed building and specification of the terms of the section 75 agreement to allow for the access improvements offered by the applicants.
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