

**MINUTES of MEETING of ARGYLL AND BUTE LOCAL REVIEW BODY held BY SKYPE
on MONDAY, 1 FEBRUARY 2021**

Present: Councillor Rory Colville (Chair)
Councillor Mary-Jean Devon Councillor Alastair Redman

Attending: Iain Jackson, Governance, Risk and Safety Manager (Adviser)
Fiona McCallum, Committee Services Officer (Minutes)

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: CARDROSS GOLF CLUB, MAIN ROAD, CARDROSS (REF: 20/0012/LRB)

The Chair welcomed everyone to the meeting. He explained that no person present would be entitled to speak other than the Members of the Local Review Body (LRB) and Mr Jackson who would provide procedural advice if required.

He advised that his first task would be to establish if the Members of the LRB felt that they had sufficient information before them to come to a decision on the Review. He indicated that it was his view that there was not enough information before the LRB to enable them to come to a decision on the Review.

Councillor Redman said that personally he thought he had enough information.

Councillor Devon agreed with Councillor Colville. She said she would like clarity from the Design and Conservation Officer on what her view of the proposal would be in respect of the reduced amount of panels.

Councillor Colville gave his reasons why he thought the LRB still did not have sufficient information before them to come to a decision on the Review. He referred to page 18 of the agenda pack circulated for the first calling of the LRB, which detailed the reason for refusal. He pointed out that the reason for refusal referred to the installation of 108 solar photovoltaic roof mounted panels covering an area of 176.m², each panel measuring 1698mm by 1004mm and pitched at a 10 degree angle facing with a specific design. He then referred to the further information submitted by the Applicant's Agent in answer to the LRB's request (page 7 of Agenda pack for 2nd calling). The Agent indicates that they had proposed 108 panels as part of the pre-application process but when it got to the full application stage they had revised that down to 94 panels which reduced the area of 155.8m² with an alternative design.

Councillor Colville advised that he had noted on page 12 of the Agenda pack for the 1st calling, it showed a plan marked as refused but it looked to him like the plan for

the 94 plan proposal. Councillor Colville advised that it was his opinion that clarity from Planning needed to be sought on which proposal has been refused. He said that if the proposal was refused on the basis of 108 panels, he would like to ask Planning to review the 94 panel proposal to see if their determination would be any different.

Councillor Colville asked the other Members of the LRB if they were in agreement to requesting this further information.

Councillor Devon confirmed that she would agree that this further information was required.

Councillor Redman advised that personally he would like to determine the case today but noted that he would not be supported in this respect. Councillor Colville stressed that clarity needed to be sought. He commented that he noted and shared Councillor Redman's frustration, but said it was important that the correct process was followed to get that clarity.

Mr Jackson commented that he had noted Councillor Devon had indicated that she would like further information from the Design and Conservation Officer and he asked if this was still the case. Councillor Devon advised that since the submission by the Design and Conservation Officer was based on the 108 proposal, she would like clarity on whether or not 94 panel proposal with alternative design would still be contrary to policy LDP ENV 16 of the Local Development Plan.

Mr Jackson commented that the plan showing the 94 panel proposal presented at the 1st calling was marked as refused which was confusing in terms of the overall refusal for 108 panels. He agreed that it would be worth getting clarity on that.

Councillor Colville said that normally at this stage he would have expected the Planning Officer to have come back with comments on the Applicant's further information, which, for whatever reason, had not happened this time. He said he would like comment from Planning on the further information submitted by the Applicant.

Mr Jackson referred to the 94 panel proposal including an alternative design and agreed that it was important to receive comment from Planning on that.

Decision

1. With reference to page 18 of the agenda pack circulated for the first calling of the LRB, which detailed the reason for refusal, the LRB noted that the reason for refusal referred to the installation of 108 solar photovoltaic roof mounted panels covering an area of 176.m², each panel measuring 1698mm by 1004mm and pitched at a 10 degree angle facing with a specific design.
2. The LRB further noted the information submitted by the Applicant's Agent in answer to the LRB's request (page 7 of Agenda pack for 2nd calling). The Agent indicates that they had proposed 108 panels as part of the pre-application process but when it got to the full application stage they had revised that down to 94 panels which reduced the area of 155.8m² with an alternative design.

3. The LRB also noted that on page 12 of the Agenda pack for the 1st calling, it showed a plan marked as refused but it looked like the plan for the 94 plan proposal.
4. With reference to points 1 – 3 above, the Argyll and Bute LRB agreed to request the following further written information from the Planning Officer:
 - a) Clarity on whether the decision to refuse the application was based on the 108 panel proposal discussed at the pre-application stage, or based on the revised 94 panel proposal with alternative design submitted by the Applicant at full application stage;
 - b) If the proposal was refused on the basis of 108 panels, the LRB requested the Planning Officer review the 94 panel proposal including the alternative design to see if their determination would be any different to that of the 108 proposal;
 - c) To ask the Planning Officer to seek clarity from the Design and Conservation Officer on whether or not the 94 panel proposal would be contrary to policy LDP ENV 16 of the Local Development Plan; and
 - d) To ask the Planning Officer to comment overall on the further information received by the Applicant's Agent and presented to the LRB at the 2nd calling.
5. The LRB agreed to adjourn the meeting and reconvene once the further information from Planning had been received and all interested parties had been given the opportunity of commenting on this further information.

(Reference: Late representation from Design and Conservation Officer, further information received from Planning and further information from Applicant's Agent, submitted)