

MINUTES of MEETING of ARGYLL AND BUTE LOCAL REVIEW BODY held BY MICROSOFT TEAMS on MONDAY, 29 AUGUST 2022

Present: Councillor Kieron Green (Chair)

Councillor Daniel Hampsey

Councillor Fiona Howard

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: 37 - 39 STEVENSON STREET, OBAN, PA34 5NA (REF: 22/0004/LRB)

The Chair, Councillor Kieron Green, 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.

Both Councillor Howard and Councillor Hampsey indicated that they had enough information.

Councillor Green said he was not entirely sure if he had enough information and explained his reason for this. He indicated that although the application site was not within his Ward Area, he did live relatively close by and knew the area well. He referred to the indication from the statutory consultee, SEPA, that they were not happy with flooding in that area. He pointed out that a couple of doors up from this site there was a hotel and there was also a pub on the other side and new build flats in the area. He said that he would like to try and find a way of granting planning permission for this development but did not think he had enough information at this point to do so.

Councillor Howard advised that though she had felt she had enough information, she would be happy to support Councillor Green if he wished to request further information.

Councillor Hampsey confirmed that he would also support Councillor Green.

Councillor Green advised that he lived not far from this address and, although there has been quite severe flooding in Oban over the last 10 years, he said that he has never seen any flooding at Stevenson Street. He said he would be interested to receive any information on how often this area has flooded. He advised that he would also like Planning to provide any conditions that may alleviate any concerns raised about flooding. He referred to the strong demand for housing in the area, especially permanent residential

accommodation. He wondered if it would be possible to attach a condition advising that the flats could only be utilised for permanent accommodation and not for holiday lets.

Mr Jackson advised that the issue for the LRB may well be in getting a competent motion to approve the application as the objection to it was that it did not accord with national and local development plan policy. He confirmed that the LRB would be entitled to request further information if they thought this would assist them in getting a competent motion. Mr Jackson stressed that the LRB would need to come up with a reasoned response as to why it would be appropriate to approve this application as a minor departure to policy.

Councillor Green referred to other properties in the area which had received planning permission in recent years, for example, the flats above the hardware shop next to the Lorne and the hotel on the other side of this application site. He asked if that would be a material consideration in this case. Mr Jackson advised that LRB could seek clarification on this from Planning as to why these applications have been approved and what the difference was between these applications and this one.

Decision

The Argyll and Bute Local Review Body agreed to request from the Planning Officer the following further written information:

1. a report on the flooding history of this area of town where the development site is located;
2. reasons why other developments in the same area, for example, the hotel on the other side of the application site and the nearby flats above the hardware shop next to the Lorne, have been able to secure planning permissions in recent years and what the difference was between these applications and this one; and
3. appropriate conditions and reasons to attach to any consent, should the Members of the LRB be minded to approve the application, including a condition ensuring that the flats were not used for holiday lets.

(Reference: Notice of Review and Supporting Documentation, comments from Interested Parties and the Applicant, submitted)