

**MINUTES of MEETING of ARGYLL AND BUTE LOCAL REVIEW BODY held BY MICROSOFT  
TEAMS  
on TUESDAY, 24 JANUARY 2023**

**Present:** Councillor Kieron Green (Chair)  
Councillor John Armour Councillor Jan Brown

**Attending:** Iain Jackson, Governance, Risk and Safety Manager (Adviser)  
Lynsey Innis, Senior Committee Assistant (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: THE CAMP, CROSSAPOL, ISLE OF TIREE, PA77 6UP (REF: 22/0002/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.

At the previous meeting on 13 December 2022 the LRB agreed to admit new evidence into the process in the form of 18 proforma letters of support. Also at the previous meeting video footage of the development site was shown and comments from interested parties on this video were provided.

Councillor Green invited Mr Jackson to comment further on the comments that have been received in respect of the new evidence submitted. Mr Jackson advised that despite the form making it clear that comments were only to be submitted in respect of the new information requested, in this case to the 18 proforma letters, further comments had been received in relation to those comments also. He advised that in accordance with the regulations, only those comments in relation to the 18 proforma letters had been provided as part of the agenda pack. Mr Jackson advised the Local Review Body that they could either continue, giving consideration only to the information contained within the agenda pack or they could adjourn for a short period of time to allow for consideration of the additional comments. He confirmed that should Members be so minded, the Committee Officer would email the additional information to them for consideration.

The Chair sought agreement from the Members of the Local Review Body on how they wished to proceed.

Councillor Brown advised that she would like time to consider the additional comments.

Councillor Armour advised that in terms of transparency, he too would like time to consider the additional comments.

Having taken into consideration the wishes of the other Members, the Chair moved and the Local Review Body agreed to adjourn to allow for consideration of the additional comments.

At 3:25pm the Local Review Body re-convened, with all those present as per the sederunt.

Councillor Green then 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.

The Members of the Local Review Body all agreed that they had sufficient information before them to come to a decision on the Review.

Councillor Brown advised that she was minded to agree with the Planning Officer that the application for Planning Permission be refused, purely down to the size of the building. She advised that the video highlighted the size of the structure in comparison to its surroundings and that in her opinion could not be considered as “like for like” with the previous building that had already been demolished. With this in mind, she advised that she had no option but to refuse the application.

Councillor Armour advised that he had some sympathy with the applicant. Having considered all of the information provided, it would appear that he had been badly advised by his architect. He advised that while he didn't doubt that the building would be used for the purpose specified, the issue, he felt, was the size of the structure. He agreed with Councillor Brown that the building could not be considered as “like for like” with what had previously been in its place, and that reluctantly he found that he could not support the application either.

Councillor Green advised that he too was in a similar mind to that of his colleagues. He advised that there was undoubtedly a need for the accommodation provided in terms of storage, and that while he didn't doubt that the building would be well used, it would not be fair or reasonable on neighbouring properties to grant Planning Permission for what had been constructed.

## **Decision**

The Argyll and Bute Local Review Body, having considered the merits of the case de novo, unanimously agreed to refuse the application and uphold the decision of the Planning Officer to refuse planning permission for the following reason:

1. In terms of the adopted ‘Argyll and Bute Local Development Plan’, 2015, the application site is located within the Key Rural Settlement Zone of Crossapol which is subject to the effect of Policy LDP DM 1 which establishes a general presumption in favour of developments, up to medium scale, within settlements, provided it is of a scale and form compatible with the surrounding area and does not result in inappropriate densities or the loss of valuable open areas, and is acceptable in terms of siting and compatibility with the established settlement pattern.

In this instance, whilst the site where the agricultural building has been constructed is located within an area generally deemed acceptable to accommodate

appropriate scales and forms of development, and has historically accommodated a smaller structure, it is not considered that the siting of the agricultural building so close to the public road and directly opposite a residential dwellinghouse is an appropriate form of development.

It is considered that the siting of the agricultural building, directly adjacent to the public road and opposite a residential dwellinghouse, has resulted in the introduction of an incongruous structure into the site. It is considered that the siting of the agricultural building has an adverse impact on the site and its setting within the wider landscape and, due to the proximity to the neighbouring residential dwellinghouse, will have a detrimental impact on the established amenity levels currently afforded to the dwellinghouse.

The proposal is therefore considered to be contrary to the provisions of Policies LDP STRAT 1, LDP DM 1, LDP 8, LDP 9 and Supplementary Guidance SG 2 and SG LDP ENV 14 of the adopted 'Argyll and Bute Local Development Plan' 2015.

(Reference: Further Written Information and Comments from Interested Parties, submitted)