

**MINUTES of MEETING of PLANNING, PROTECTIVE SERVICES AND LICENSING COMMITTEE
held BY MICROSOFT TEAMS on MONDAY, 20 NOVEMBER 2023**

Present: Councillor Kieron Green (Chair)

Councillor John Armour
Councillor Jan Brown
Councillor Audrey Forrest

Councillor Daniel Hampsey
Councillor Peter Wallace

Attending: Stuart McLean, Committee Manager
Fiona Macdonald, Solicitor
Alison MacLeod, Licensing Standards Officer
Pamela Fraser, Licensing Team Leader
Marcus Lee, Applicant
Corinna Dean, Applicant

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Graham Hardie, Mark Irvine, Liz McCabe and Dougie Philand.

2. DECLARATIONS OF INTEREST

There were no declarations of interest.

3. CIVIC GOVERNMENT (SCOTLAND) ACT 1982, THE CIVIC GOVERNMENT (SCOTLAND) ACT 1982 (LICENSING OF SHORT-TERM LETS) ORDER 2022: APPLICATION FOR GRANT OF A SHORT-TERM LET LICENCE (M LEE AND C DEAN, LOCHDON, ISLE OF MULL)

The Chair welcomed everyone to the meeting. In line with recent legislation for Civic Government Hearings, the parties (and any representatives) were given the options for participating in the meeting today. The options available were by video call, by audio call or by written submission. For this hearing the Applicants opted to proceed by way of video call and joined the meeting by MS Teams.

Jen Swift, Objector opted to proceed by way of written submission and had asked the Committee to refer to her original objection contained within the Agenda pack for this meeting.

The other Objectors to the application either declined to attend or did not respond to the invite.

The Chair invited the Licensing Standards Officer to speak to the terms of the report.

Thereafter he outlined the procedure that would be followed and invited the Applicants to speak in support of their application.

APPLICANT

Mr Lee advised that he lived in England but was brought up in Scotland and had been coming to Mull for the last 60 years. He said that this project was 10 years in the making. He and Ms Dean were both Architects and he advised that they wanted to make something special. He referred to staying in some basic bed and breakfast establishments, and said that they wanted to provide somewhere that could be enjoyed in all weathers.

He said that he had been slightly shocked at the nature of the complaints. He commented that the suggestion of anti-social behaviour and too many cars was alien to how they saw their operation running. He said that they had lots of friends who would be coming to enjoy nature and the quiet and beautiful countryside. He said that he hoped that they had made something special. He advised that when they invited friends to stay they did ask that they be respectful of neighbours.

He advised that he did not realise parking was an issue. He said that he expected that there would only be one or two cars and that they would be offering a discount to anyone travelling via public transport.

He advised that they were doing something to be close of nature - something different that people could enjoy from indoors. He said that it was a shame that some of the Objectors had not come visit to see what had been built. He referred to receiving lots of support from other neighbours.

Ms Dean advised that she had nothing further to add.

MEMBERS' QUESTIONS

Councillor Green sought and received confirmation from the Applicants that they would be content with the occupancy of the premises being restricted to 7 people.

Councillor Forrest noted that the Applicants did not live locally and she asked if anyone local to the area could be contacted if there was a problem needing to be dealt with on a day to day basis. Mr Lee confirmed that their neighbour and friend would have a key and could be called upon. He also advised of 2 ladies that lived at a nearby farm who would look after the place and be in charge of the changeover of guests.

Councillor Brown sought and received confirmation from Mr Lee that between their neighbour and the 2 ladies, there would always be someone on call to deal with any issues that may arise. Mr Lee said that he would be very surprised if there were any issues as they would carefully vet anyone that would come to stay.

Councillor Brown referred to concerns raised about parking and commented on the photographs supplied in the Agenda pack which showed 2 cars, with one butting out onto the road. Mr Lee said that there was plenty of space to park properly off road and manoeuvre safely. He hoped that cars would be parked behind the byre.

Councillor Armour referred to comments made by Objectors that there had been instances of near misses with cars reversing out on to the road and asked if this was a regular occurrence or just a one off. Mr Lee said that this was a very quiet road and advised that in theory it was possible to drive at 60 mph as the speed limit was not controlled. He commented that he did not think anyone should reverse out onto even a quiet road. He

said he was not aware of any incidents and suggested this may have happened during construction. He advised that now that the property was completed the right course of action would be to follow the Highway Code. He said there was enough room to drive straight in and reverse into the area close to the byre. He added that there would be no need to reverse onto the highway.

SUMMING Up

Applicant

Mr Lee said that they would not be dealing with this from afar and that they would be visiting as often as they could. He commented that lots of family members were queuing up to visit.

Mr Lee and Ms Dean confirmed that they had received a fair hearing.

DEBATE

Councillor Forrest advised that she had considered all the information before her and had given weight to the objections. She confirmed that with conditions recommended applied she would be happy to grant this licence.

Councillor Armour said that his main concern had been road safety and that he had noted the explanation given by Mr Lee. He advised that, like Officers, he saw no reason to object to this application. He commented that he was disappointed the Objectors had not attended as he would have liked to have heard their objections first hand. He confirmed that he would have no hesitation in granting the licence.

Councillor Brown agreed that it would have been good to have heard from the Objectors. She advised that she saw no reason to object to this application.

Councillor Green noted that the Applicants were content to restrict occupancy to 7 people. On that basis, he said he would be happy to support the application.

DECISION

The Committee unanimously agreed to grant a short-term let licence to Mr Lee and Ms Dean subject to the inclusion of the anti-social behaviour condition as set out at paragraph 6.3 of the report, along with the mandatory conditions and to the occupancy of the property being restricted to 7 people.

It was noted that written confirmation of this would be issued to the Applicants within 7 days.

(Reference: Report by Regulatory Services and Building Standards Manager, submitted)