

**MINUTES of MEETING of ARGYLL AND BUTE LOCAL REVIEW BODY held BY MICROSOFT  
TEAMS  
on FRIDAY, 8 DECEMBER 2023**

**Present:** Councillor Kieron Green (Chair)  
Councillor Jan Brown Councillor Dougie Philand

**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: BROOM HILL, ARDCONNEL HILL,  
OBAN (REF: 23/0007/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.

Councillor Brown advised that she had sufficient information to come to a decision on the Review, having had the opportunity to view the development in context of the surrounding area (Note of Site Visit attached as Appendix 1) and having received the additional information as requested. She advised that she intended to move a Motion, as she believed that it would be possible to approve the Review.

Councillor Philand advised that he too was satisfied with the additional information provided and felt that the site visit had helped him come to a decision on the Review.

The Chair, Councillor Green advised that following the site visit he too had sufficient information to come to a decision on the Review.

Councillor Brown moved the following motion:-

The reason for refusal of this application was an objection from the roads department in relation intensification of use of the private road and road safety issues related to that.

I've noted however that the application complied with all relevant planning policies and there was no objection to this application on any policy grounds from the Planning Department.

If the applicant was to reopen the dwelling house as a B&B this could increase the road usage by two cars and there would be no need to apply for planning permission and as

such the roads department could not raise any objection on the grounds of intensification of use of the road.

Indeed every home on the private road could open their home as a B&B and the Roads Department would not be able to raise an objection.

Having had the opportunity of undertaking the site visit and considering the further representations from the planners and the applicants' agent and all other information provided to the LRB, I am of the view that this application can be approved.

The applicants, in their initial application confirmed that their house had previously been used for the letting of two bedrooms for B&B, albeit not recently and the reason for the application for the self-contained pod in the garden grounds was to allow privacy for guests and in particular for the applicants and their children and an approval for the pod would mean that it would not be necessary to let the rooms in the house for B&B.

I also note from the LRB review application that their agent was of the view that the reduction in potential the use of one of the rooms in the house was something that the LRB should consider on the basis that the applicants could, if they wished, let two rooms for B&B without any recourse to planning or roads.

Turning to the road safety issues identified by the planners/roads department, ie, in relation to firstly, the single track access road and potential implications for road users and members of the public and secondly, the junction of the road with Longsdale Road where egress from the single track road was considered to be an issue.

In my view these are subjective matters and while I understand the concerns of the planners/roads department, the single track access road is used by a number of properties and as it is a single track road, road users should be driving to road conditions and care should be taken when driving on it.

It appears to have been used without any issues for a number of years and I cannot see how the use of a pod as opposed to the potential use of two rooms within the house without recourse to the planners or the roads department would mean that there would be an intensification of the use of the road that would cause an increase in road safety issues, such as to warrant a refusal of this application.

I would therefore move that the application is approved subject to the conditions and reasons provided by the planners as detailed on pages 6, 7 and 8 of the papers for today's meeting along with the following additional condition which in effect restricts the use of the pod for B&B, if at any point the principal house is being used for B&B.

Notwithstanding the provisions of Class 9 of the Town and Country Planning (Use Classes) (Scotland) Order 1997 as amended, the new glamping pod hereby approved must not be occupied during any period when any bedrooms within the principal dwellinghouse are operating as [or being occupied as] bed and breakfast or guest house accommodation.

Reason - In the interests of road safety.

This was seconded by Councillor Philand.

The Chair, Councillor Green advised that although he had sympathy for the applicants, he couldn't ignore the issues that had been highlighted at the site visit in terms of the access.

He advised that as such he agreed with the recommendation from the Roads Department that the application be refused.

### **Decision**

The Argyll and Bute Local Review Body, having considered the merits of the case de novo, agreed by a majority to grant the application as per the Motion above.

(Reference: Notice of Review and Supporting information, supplementary information, submitted)