

**MINUTES of MEETING of ARGYLL AND BUTE LOCAL REVIEW BODY held BY MICROSOFT
TEAMS
on THURSDAY, 29 FEBRUARY 2024**

Present: Councillor Kieron Green (Chair)
Councillor Graham Hardie Councillor Liz McCabe

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: LAND SOUTH EAST OF ISLAY HOUSE, GLENCRUITTEN, OBAN, PA34 4QB (REF: 24/0001/LRB)

The Chair, Councillor 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 Hardie advised that he felt he had sufficient information to come to a decision.

Councillor McCabe advised that she too felt she had sufficient information to come to a decision.

Councillor Hardie advised that having considered the information before him, he agreed with the decision of the Planning authority to refuse the application. He advised that it was his intention to move that the application be refused as he too considered that the proposed development was contrary to NPF4 Policy 9 as underpinned by LDP Policies LDP STRAT 1, LDP DM 1, SG LDP ENV 14 and SG LDP HOU 1 and Policy 01 of pLDP2. He advised that in his opinion the Planning authority's reasons for refusal, as outlined on page 46 of the agenda pack, were robust and concrete and he could see no obvious avenue for challenging their decision.

Councillor McCabe advised that she had read over the information provided a number of times, and she too agreed with the decision of the Planning authority to refuse the application. She advised that in her opinion the proposed development was contrary to NPF4 Policy 9. She further advised that she considered the greenfield site to be too small for such a development and as such she would agree with Councillor Hardies move to refuse the application.

The Chair, Councillor Green advised that he did not consider the site to be an obvious place for such a development. He advised that he might not have gone as far as to say that there could be no development on this site, however he advised that he was content in agreeing with his fellow Councillors on this occasion.

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 authority to refuse planning permission for the following reason(s):-

1. The proposed development on this greenfield site conflicts with National Planning Policy NPF4 Policy 9.

NPF4 Policy 9 (b) states that proposals on greenfield sites will not be supported unless the site has been allocated for development or the proposal is explicitly supported in the LDP.

Whilst the development proposed by this planning application is on a greenfield site, in terms of the adopted settlement strategy, the site of the proposed development is within the defined Settlement of Oban where LDP Policies LDP STRAT 1 and LDP DM 1 give general encouragement to development, up to and including large scale, on appropriate sites. These main policy considerations are underpinned by the SG contained within SG LDP HOU 1 and SG LDP ENV 14 which offer further support to appropriate scales of residential development where such development would have no significant adverse impact upon the character of the landscape and where there is no unacceptable environmental, servicing or access impact.

However, whilst the general presumption in favour of development within this area of Oban is established by current policy, this is qualified by the requirement to ensure that developments accord with the existing and established pattern of development and do not result in an unacceptable environmental, servicing or access impact. The Sustainable Siting and Design Principles (SSDP) of the LDP advise on the standards that will be applied to all developments with an overwhelming emphasis on respecting the character and setting of the area into which the individual development proposal is to be located, taking account of local spacing, layout, densities, privacy and amenity standards. This remains the main criteria against which the suitability or otherwise a development shall be evaluated.

Development within this area of Oban is mixed in style and appearance but properties are generally situated within spacious plots with high levels of residential amenity. The site the subject of this application is small compared to neighbouring dwellinghouses and the established pattern of development.

Islay House is considered to represent an appropriate termination to the extent of built development at this location. There is a significant drop in level between the boundary of Islay House and the application site where it meets with the public road. It is considered that the site has been contrived to exploit an area of ground which provides an appropriate buffer between the existing built development and the public road and, whilst the site has been partially cleared, there are still areas of vegetation within the site and tree

cover along its boundaries which contribute positively to the setting of the wider development.

It is considered that the development of the site with a dwellinghouse would extend the existing cluster of development in an inappropriate manner to the detriment of the wider landscape resulting in a dwellinghouse which would have a cramped visual appearance, representing overdevelopment of a restricted plot when viewed in relation to the layout of surrounding development which is generally characterised by dwellinghouses set within spacious plots and resulting in the loss of an area of green space which contributes positively to the setting of the existing development.

It is considered that the proposed development is contrary to NPF4 Policy 9 as underpinned by LDP Policies LDP STRAT 1, LDP DM 1, SG LDP ENV 14 and SG LDP HOU 1 and Policy 01 of pLDP2.

(Reference: Notice of Review and Supporting Documentation; comments from Interested Parties submitted)