

MINUTES of MEETING of ARGYLL AND BUTE LOCAL REVIEW BODY held in the COUNCIL CHAMBER, KILMORY, LOCHGILPHEAD on WEDNESDAY, 24 AUGUST 2011

Present: Councillor Daniel Kelly (Chair)
Councillor Donald MacMillan Councillor Jimmy McQueen

Attending: Charles Reppke, Head of Governance and Law (Adviser)
Hazel Kelly, Senior Committee Assistant (Minute taker)

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: BRAEHOME, 27 CRICHTON ROAD, ROTHESAY, ISLE OF BUTE PA20 9JR

The Chair welcomed everyone to the meeting and advised that parties to the Review were not permitted to address the Local Review Body. He advised that the only participants entitled to speak would be the Members of the Local Review Body panel and Mr Reppke who would provide procedural advice if required.

The Chairman advised that his first task would be to establish whether or not the LRB felt they had sufficient information before them to reach a decision on the Review.

The Chairman commented that he felt the information in front of the Panel was sufficient to make a decision on the review but added that it may be useful to obtain a decision on listed building consent appeal that had been lodged with the Scottish Government.

Mr Reppke advised that he was aware that a decision from the Scottish Government had become available the previous day but could not be formally considered at this meeting. If Members wished to consider this information as part of the review process the meeting would need to be continued to a future date to allow for the information to be submitted formally.

Councillor MacMillan agreed that this information would be useful to allow him to reach a decision.

Councillor Kelly advised that he would like to continue the meeting to a future date to obtain the decision by the Scottish Government on the appeal against refusal of the listed building consent from the planning department before reaching a decision on the review.

Decision

That a further written submission be requested from the Planning Department containing details of the decision by the Scottish Government on the listed building consent appeal.

The Argyll and Bute Local Review Body re-convened on Wednesday 19 October 2011 at 2.00pm within the Council Chamber, Kilmory, Lochgilphead

Present: Councillor Danny Kelly (Chair)
Councillor Donnie MacMillan
Councillor James McQueen

Attending: Charles Reppke, Head of Governance and Law (Adviser)
Hazel Kelly, Committee Services Officer (Minute Taker)

The Chair welcomed everyone to the reconvened meeting of the ABLRB and advised that parties to the Review were not permitted to address the Local Review Body. He advised that the only participants entitled to speak would be the Members of the LRB Panel and Mr Reppke who would provide procedural advice if required.

Having received further information in the form of written submissions as requested at the meeting on 24 August 2011, the Chair advised that his first task would be to establish whether or not the LRB felt they had sufficient information before them to reach a decision on the Review. The Board agreed unanimously that they had enough information to make a decision on the Notice of Review request and agreed to proceed to determine the case.

Mr Reppke advised that Listed Building Consent had been refused by the Scottish Governments Directorate of Planning and Environmental Appeals; and even if Members were minded to approve planning permission, the refusal of listed building consent meant that the applicant would not be able to complete the works.

Councillor Kelly advised that he was minded to refuse the request for review having noted the correspondence received from the Directorate of Planning and Environmental Appeals refusing the listed building consent appeal and on the basis of the reasons for refusal set out in the original planning decision. He moved that the review be dismissed.

Councillor MacMillan and Councillor MacMillan agreed.

Decision

The Argyll and Bute Local Review Body unanimously agreed to dismiss the request for review and to uphold the reasons for refusal issued by the Head of Planning and Regulatory Services.