

**MINUTES of MEETING of ARGYLL AND BUTE LOCAL REVIEW BODY held in the
COMMITTEE ROOM 1, KILMORY, LOCHGILPHEAD
on MONDAY, 19 DECEMBER 2016**

Present: Councillor David Kinniburgh (Chair)
Councillor Robin Currie Councillor Donald MacMillan

Attending: Charles Reppke, Head of Governance and Law (Adviser)
Hazel MacInnes, Committee Services Officer (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 OPPOSITE CALGARY BAY CAR PARK, CALGARY, ISLE OF MULL

The Chair welcomed everyone to the meeting advising that they were there to consider a Notice of Review for land opposite Calgary Bay Car Park, Calgary, Isle of Mull. He advised that his first task would be to establish if the members of the Argyll and Bute Local Review Body felt they had sufficient information to come to a decision on the Review.

Councillor Currie advised that he was unsure of the exact location of the site from the information provided. He advised that it would be useful to see a location map or some slides.

Councillor MacMillan agreed that he also would like to see a map or some slides showing the location of the site.

Councillor Kinniburgh agreed that slides would be helpful in determining the application.

Decision

The Argyll and Bute Local Review Body agreed to request from the planning department slides of the site and its location and a location plan showing the site; and to adjourn the meeting and reconvene at the earliest opportunity.

The Argyll and Bute Local Review Body reconvened on Wednesday 22 February 2017 at 10.00am within the Council Chamber, Kilmory, Lochgilphead.

Present: Councillor David Kinniburgh (Chair)
Councillor Robin Currie
Councillor Donald MacMillan

Also Present: Councillor Neil MacIntyre

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

The Chair welcomed all those present to the meeting and explained that no person present would be entitled to speak other than the Members of the Local Review Body and Mr Reppke who would provide procedural advice if required.

The Chair advised that his first task would be to establish if the Members of the Argyll and Bute Local Review Body felt they had sufficient information before them to come to a decision on the review.

Councillor Currie commented that the photographs provided were not as clear as he had hoped and questioned whether the white detail on page 5 of the supplementary pack was a building. The Chair advised that the detail appeared to him to be silage bags. The Members agreed this was the case. He then advised that he now had sufficient information to come to a decision. Councillor MacMillan agreed that he too had sufficient information. The Chair then invited Members to consider the matter de novo.

Councillor Currie referred to the reasons for refusal, in particular the third reason for refusal, and quoted "The applicant has not presented a site specific justification for the shed to be sited at this prominent and sensitive location". He questioned whether there were any other sites on the holding that could accommodate the shed. Councillor Kinniburgh advised that he believed the report had detailed that there had been negotiations in respect of another site but the applicant had chosen to continue with the application site. Mr Reppke referred the Panel to page 25 of the agenda pack where it advised that the applicant had been advised to explore the potential possibilities of siting a small shed on the land further to the north east of the application site on land out with the foreground of the bay and within an area which was not highly prominent.

Councillor Kinniburgh then advised that he agreed with the officers recommendations to refuse the application as the application was not appropriate infill or rounding off and was contrary to planning policy. He added that he did not feel there was a justification made for operational need and therefore he advised that the application should be refused in accordance with the reasons detailed in the original report of handling and subsequent decision notice. Councillors Currie and MacMillan agreed.

Decision

The Argyll and Bute Local Review Body unanimously agreed to uphold the decision by planning to refuse planning permission for the erection of an agricultural shed at

land opposite Calgary Bay Car Park, Calgary, Isle of Mull for the reasons as stated in the report of handling.