

**MINUTES of MEETING of ARGYLL AND BUTE LOCAL REVIEW BODY held in the  
COMMITTEE ROOM 1, KILMORY, LOCHGILPHEAD  
on TUESDAY, 12 DECEMBER 2017**

**Present:** Councillor David Kinniburgh (Chair)  
Councillor Robin Currie Councillor Lorna Douglas

**Attending:** Charles Reppke, Head of Governance and Law (Adviser)  
Adele Price-Williams, Senior Committee Assistant (Minutes)

**1. APOLOGIES FOR ABSENCE**

There were no apologies for absence intimated.

**2. DECLARATIONS OF INTEREST**

There were no Decelerations of Interest intimated.

**3. CONSIDER NOTICE OF REVIEW REQUEST: THE WALLED GARDEN,  
OAKFIELD, LOCHGILPHEAD, PA31 8NQ**

The Chair welcomed everyone to the meeting and introductions were made. He explained that no person present would be entitled to speak other than the Members of the Local Review Body (LRB) 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 LRB felt that they had sufficient information before them to come to a decision on the Review. Councillor Currie and Councillor Douglas both stated that they felt that they had enough information to come to a decision as did the Chair.

Councillor Currie stated that planning permission was granted for the new build on the condition that the existing dwelling be demolished but the possibility of the stones of the existing building being moved to be used elsewhere on the estate could be explored.

Councillor Douglas stated that she found the site visit beneficial in providing clarity as there were areas of the report of handling that she found unclear and could see how the detail could be interpreted in different ways and therefore felt a change to the wording would be of benefit.

The Chair stated that the Planning Policy allows for the new build to be constructed on the existing site of the dwelling to be demolished and Planning Officers have agreed acceptingly that the new build can be built elsewhere within the estate with the existing building acting as a donor property. If the existing building was allowed to be kept for storage there could be a potential that it could be used for further development and therefore for this reason he was not in favour of the condition being removed. The Chair added that he was however in favour of alternations to the conditions as suggested on page 47 of the agenda pack of the 1st calling of this

LRB, which allows the demolition materials from the existing dwelling to remain on site, and notifies the way of the Condition 5 also.

## **Decision**

Members of the Argyll and Bute Local Review Body, having considered the matter de novo, unanimously agreed that Condition 3 and Condition 5 were still required but should be amended to read as follows in each case;

Condition 3 - No development shall commence until the existing dwellinghouse identified on approved drawing no. 464-1 P 01 Rev.B as Auchindarroch Cottage has been completely demolished; all resultant demolition materials have been recycled for use within the estate, and/or have been removed from the site for disposal outwith the estate; all fences, walls, gates or other means of demarcating the residential curtilage have been removed; and the site re-instated to a natural condition to be approved in writing by the Planning Authority.

*Reason: To ensure the removal of the existing residential unit to be redeveloped in order to comply with adopted Local Development Plan Settlement and Spatial Strategy, Transportation policy and highway safety at the substandard access junction with the A83 trunk road.*

Condition 5 - Pursuant to Condition 1 – in the event that details submitted to satisfy Condition 4 indicate any works outwith the extent of the current driveway, including realignment or widening, no development or ground breaking works shall commence until a method statement for an archaeological watching brief has been submitted to and approved by the Planning Authority in consultation with the West of Scotland Archaeology Service.

The method statement shall be prepared by a suitably qualified person and shall provide for the recording, recovery and reporting of items of interest or finds within the application site.

Thereafter the development shall be implemented in accordance with the duly approved details with the suitably qualified person being afforded access at all reasonable times during ground disturbance works.

*Reason: In order to protect archaeological resources*

(Reference: Notice of Review and Supporting Documentation and Comments from Interested Parties, submitted)

**ARGYLL AND BUTE LOCAL REVIEW BODY**

**NOTE OF MEETING OF SITE INSPECTION RE CASE 17/0009/LRB  
THE WALLED GARDEN, OAKFIELD, LOCHGILPHEAD, PA31 8NQ - TUESDAY  
12 DECEMBER 2017 at 12:25PM**

In attendance:           Councillor David Kinniburgh, Argyll and Bute LRB (Chair)  
                                  Councillor Robin Currie, Argyll and Bute LRB  
                                  Councillor Lorna Douglas, Argyll and Bute LRB  
                                  Charles Reppke, Head of Governance and Law (Adviser)  
                                  Rory Macdonald, Planning and Regulatory Services Authority  
                                  Jane Renfrew, Applicant

The Argyll and Bute LRB (ABLRB) agreed on 22 November 2017 to conduct an accompanied site inspection in order to view the location of the existing dwelling house to be demolished and the access road.

The ABLRB reconvened on 12 December 2017 and the Chair welcomed everyone to the meeting and apologised for the delay in starting the meeting, introductions were made and the Members then walked along the access road to view the site of the proposed house and the access track to be improved.

The Chair asked Mrs Renfrew to point out the site and she did this by directing Members attention to the walled garden and pointing out where the proposed site would be. She also explained where the site of the existing ruined building was in relation to the proposed new house.

Members asked to see the standing stones referenced in the Report and Mrs Renfrew advised that one of them had fallen into the burn and had been repositioned by her between the bridge and the walled garden in the interests of safety. She also explained that there were no plans to undertake any engineering works on the roadway but simply to improve its surface, she did not believe this would have any impact on the stones.

Members looked round the site and walked along the access to be improved. Mr Macdonald briefly explained the context in respect of Planning agreeing to accept a redevelopment argument on an alternate site when the normal approach would be that redevelopment took place on the footprint of the donor building.

This concluded the site visit and the Chair advised that the meeting would convene in Kilmory shortly and Mrs Renfrew was welcome to attend to hear the deliberations.