

**MINUTES of MEETING of ARGYLL AND BUTE LOCAL REVIEW BODY held in the
COMMITTEE ROOM 1, KILMORY, LOCHGILPHEAD
on WEDNESDAY, 21 NOVEMBER 2018**

Present: Councillor David Kinniburgh (Chair)
Councillor Jean Moffat Councillor Sandy Taylor

Attending: Iain Jackson, Governance and Risk Manager (Adviser)
Fiona McCallum, 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 SOUTH OF 91 BULLWOOD ROAD, DUNOON, ARGYLL (REF: 18/0008/LRB)

The Chair welcomed everyone to the meeting and advised that his first task would be to establish if the Members of the Local Review Body (LRB) felt that they had sufficient information before them to come to a decision on the Review.

Councillor Moffat advised that because of the history of the site she felt there was a need to have a site visit.

Councillor Taylor confirmed that he was content, having read all the paperwork, that he had enough information before him to make a decision on the Review.

Councillor Kinniburgh also confirmed that he felt he had enough information before him to come to a decision on the Review.

Councillor Moffat advised that having read the paperwork provided and looking at the photographic evidence, one of the main contentions of the site was the removal of trees. She commented that the photographic evidence would seem to be showing samplings and rhododendrons and not trees and that was one of the reasons why she would like a site visit to check out what the situation was with the trees.

Councillor Taylor referred to the location plan which showed the type of development that was there already and the proposed positioning of the new dwellinghouse. He said that he took the view that there was an order to things and to place a house at that location could potentially lead to a precedent in altering the way of developing a site. He said that he could not say whether or not this was the definition of a brownfield site, however, he was content with the Planning Officer's assessment.

Councillor Moffat commented that one of the grounds for refusal was the effect the dwellinghouse would have on the area. She questioned how this assessment could be made. She pointed out that this was a planning permission in principle

application and, therefore, at this stage it was not known what type of building would be developed as only the proposed location of the building was known.

Councillor Kinniburgh advised that he came to a slightly different view. He confirmed that he agreed with Councillor Taylor that as the Planning Officer has said this was not a brownfield site he tended to believe this was the case. He added that he did not believe a site visit would be necessary and referred the Members to page 17 of the Agenda pack which showed the Location Plan submitted by the Applicant. He advised that looking at the proposed position of the dwellinghouse, he did not believe this could be classed as either infill nor rounding off and he read out the definition of what infill and rounding off was as stated in the Local Development Plan. He said that he could accept what Councillor Moffat was saying about the trees but regardless of this he did not believe a house could be placed at this location. He pointed out that the Applicants wanted to put the house in between two different blocks of houses rather than within one of the blocks of houses and this could not be classed as infill.

Councillor Taylor advised that he agreed with the comments made by Councillor Kinniburgh and that he too believed that this was not a natural site for the house as it would break up the order of the landscape.

Councillor Kinniburgh moved that the application be refused for the reasons stated in the report of handling subject to the amendment of the following typographical error within reason for refusal number 1 - policy SG LDP HOU2 should read SG LDP HOU1, and this was unanimously supported by Councillor Taylor and Councillor Moffat.

Decision

The Argyll and Bute Local Review Body, having considered the merits of the case De Novo, agreed to uphold the decision to refuse planning permission in principle for the following reasons:-

1. In the absence of any sound locational need for a dwelling, development of this hillside on the western periphery of Bullwood is unrelated and uncoordinated with the existing settlement pattern of the area contrary to the provisions of policies LDP STRAT 1, LDP DM 1, LDP 8, LDP 9, SG LDP HOU 1 of the Argyll and Bute Local Development Plan in that the Countryside Zone in which the application site is located, does not have the general capacity to successfully absorb any scale of new housing development located away from existing buildings. The proposed development does not represent infill, rounding off, or redevelopment and there is no specific locational need for a dwellinghouse in this location.
2. The proposed development would result in an adverse environmental impact having regard to the divorced, exposed, elevated and unduly prominent location within this sensitive and fragile woodland within the Countryside Zone. The landscape quality of the area is neither maintained nor enhanced and a new dwelling at this site would fail to reflect the coastal development of this area which are key features of the landscape that provide visual relief and a significant contribution to the landscape. The western slopes above Bullwood do not have the capacity to assimilate new individual isolated dwellinghouses that are separated or divorced from the existing coastal corridor having regard to the established settlement pattern.

By virtue of its divorced location and undue prominence within this sensitive and fragile woodland, development of the site for a dwellinghouse would be clearly visible from the A815 and the site cannot be developed without establishing an adverse environmental impact to the detriment of the rural landscape. The proposal will represent an intrusive structure within the surrounding rural landscape contrary to the provisions of policies LDP 10 and SG LDP ENV14 of the Argyll and Bute Local Development Plan.

3. The proposal by virtue of the necessity to fell a large number of trees within this woodland is contrary to the provisions of policies LDP 3 and SG LDP ENV 6 of the Argyll and Bute Local Development Plan which states that the Council will resist development likely to have an adverse impact on trees by ensuring through the development process that adequate provision is made for the preservation of and where appropriate the planting of new woodland/trees, including compensatory planting and management agreements.

(Reference: Notice of Review and Supporting Documentation and Written Submissions, submitted)