

**MINUTES of MEETING of ARGYLL AND BUTE LOCAL REVIEW BODY held in the
COMMITTEE ROOM 1, KILMORY, LOCHGILPHEAD
on TUESDAY, 26 FEBRUARY 2019**

Present: Councillor Rory Colville (Chair)
Councillor Robin Currie Councillor Jean Moffat

Attending: Charles Reppke, Head of Governance and Law (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: WESTWOOD, POLVINISTER ROAD, OBAN, ARGYLL, PA34 5TN (REF: 19/0001/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 she was not sure that they did. She said that the whole case was about how the development would look in the settlement and this could not be ascertained from looking at the plans provided. She advised that even some photographs would have been helpful. She said that the whole basis of why the application was refused was because of how it would look in the settlement. She confirmed that it was her opinion that a visit to the site would be beneficial in this case.

Councillor Currie confirmed that he agreed with the points Councillor Moffat had raised.

Councillor Colville confirmed that he too thought a site visit would be beneficial he also advised of further information he would like provided in advance of this site visit. He referred to the Applicant advising that neighbours have built a 4 bedroomed house and that than another two houses had been built close by. Councillor Colville suggested that the Applicant and the Planning Officer should be asked to confirm the location of these houses and that the Planning Officer should be asked to confirm what the policy assessment was for approving them. He also sought clarification on why a smaller building would have been acceptable when over development has not been given as a reason for refusing this Application.

Councillor Colville referred to the Roads Officer requesting that the existing trees and scrub along the frontage of the site be reduced to 1.5 metres in height but the Planning Officer was of the view that the current boundary planting should be

retained. He pointed out that the Applicant had volunteered to replant with mature planting and he wondered if moving the replanting further away from the road to allow better sightlines would be acceptable to the Applicant and the Planning Officer. He also noted that a tree survey had been completed and thought that it would be helpful if this could be provided to the LRB.

Councillor Colville noted from the plans that a decking area with spa was proposed. He commented that he felt that the location of this spa would overlook one of the neighbouring properties and that it was his opinion that this could be constituted as bad neighbour development. He said that it would be helpful to obtain a view from the Planning Officer on this.

Councillor Moffat commented that for road purposes she could not see there being an issue if the vegetation was 1.5 metres or higher as the same ingress was being used. Councillor Colville explained that in this case there was the potential for an intensification of traffic as a result of this proposed development which could lead to problems at the access.

Decision

The Argyll and Bute LRB agreed:

1. To request the following further written information:
 - a) confirmation from the Applicant and the Planning Officer of the location of the 4 bedroom property and the two other houses built close by which were referred to by the Applicant in his submission;
 - b) confirmation from the Planning Officer as to what the policy assessment was for approving each of those developments referred to at 1(a) above;
 - c) an explanation from the Planning Officer as to why a smaller building would have been acceptable, as referred to in section P of the report of handling, as over development has not been given as a reason for refusing this Application;
 - d) to ask the Applicant to provide a copy of the Tree Survey carried out;
 - e) the Applicant and Planning Officer to confirm if moving the replanting further away from the road would be acceptable to them in order to maintain adequate sightlines requested by the Roads Officer;
 - f) the Planning Officer to give their view as to whether or not the location of the proposed decking area and spa could be considered a bad neighbour development;
 - g) the Planning Officer to provide appropriate conditions and reasons to attach to any consent if the LRB were minded to approve this application.
2. that arrangements should be made to hold an accompanied site inspection in order to view location of the proposed development and assess its setting in the wider landscape and that all interested parties be invited to attend; and

3. to adjourn the meeting and reconvene at the conclusion of the site inspection.

(Reference: Notice of Review and comments from Interested Parties, submitted)