

MINUTES of MEETING of ARGYLL AND BUTE LOCAL REVIEW BODY held in the COUNCIL CHAMBER, KILMORY, LOCHGILPHEAD on WEDNESDAY, 18 DECEMBER 2019

Present: Councillor David Kinniburgh (Chair)

Councillor Lorna Douglas

Councillor Donald MacMillan BEM

Attending: Stuart McLean, Committee Manager (Advisor)
Hazel MacInnes, Committee Services Officer (Minutes)

1. APOLOGIES FOR ABSENCE

There were no apologies for absence received.

2. DECLARATIONS OF INTEREST

There were no declarations of interest intimated.

3. CONSIDER NOTICE OF REVIEW REQUEST: 19/0007/LRB - PLOT 5, BALISCATE, TOBERMORY (19/01061/PPP)

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 McLean who would provide procedural advice if required.

He 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 Douglas advised that she felt she had enough information to come to a decision on the review. Councillor MacMillan agreed.

Councillor Douglas advised that she was confused as to why plot five was now not considered to be infill and rounding off as the whole site had been one plot which had now been divided into 6 smaller plots.

Councillor Kinniburgh advised that he had looked at this and had come to the conclusion that from the photographs and the maps provided by the applicant it had been quite clear why this site had not been considered rounding off or infill. He referred to plot 4 and advised that he was aware that there was a live application for this plot, and although he was unsure of what the application was for, it could be seen that it was possible for a building to be placed between the existing house and agricultural building on plots 2 and 3 which could be considered as infill. He advised that he could understand why the officer came to the decision on infill regarding plot 5 which was on the other side of the road.

Councillor Kinniburgh noted that the applicant had not submitted a detailed flood risk assessment or other information sufficient to allow SEPA to make a detailed

evaluation of the development and its potential to result in harmful flood risk, adding that if approved, the application would be required to be referred to Scottish Ministers, which was not something that he wished to do.

Councillor MacMillan agreed. Councillor Douglas referred again to the fact the site had once been part of one large plot and since the plots had been divided number 5 was now subject to various land designations. Councillor Kinniburgh advised that the applicant had been afforded the opportunity to put forward a representation as part of the Local Development Plan 2 consultation process to have the land designation changed which they had not done. He therefore highlighted that as the application did not comply with Policy, he was minded to agree with officers and refuse the application.

Decision

The Argyll and Bute Local Review Body, having considered the merits of the case de novo, agreed to refuse the application for the reasons stated in the report of handling.