

20 October 2019

Dear Sirs

The Croft, Baliscate, Tobermory, Isle of Mull, PA75 6QA

We write in regard to our recent planning application, and to gain the support of our Councillors ahead of a Local Review Body.

We applied for planning permission at The Croft, Baliscate, Tobermory, Isle of Mull, PA75 6QA on 23 May 2019 and this was formally refused on 31 July 2019, on the ground that the site lies within the Countryside Zone. We were aware at the time of application that this site and the surrounding land was classed as sensitive countryside; however, there are already 4 houses on this land and planning permission has just been granted for another three dwellings on the same croft at sites opposite. We therefore completed a full design statement to accompany our application, to fully explain and justify our application.

PLANNING HISTORY

To give a brief rundown on the history of the land, 'The Croft', Baliscate was purchased in 1990 by three brothers, Allan MacLean, Malcolm MacLean and Alasdair Maclean. Allan MacLean owned one half of the land; the other half was equally owned by Malcolm MacLean and Alasdair MacLean. Between 1990 and 2011, the site remained fairly undeveloped and the only buildings on the land were industrial/commercial sheds, one owned by Malcolm and one owned by Allan. There was no formal division of the land until 2011, when the plots were divided up as per the enclosed map. At this time, we had no idea that by accepting the parcel of land that we did would mean that all the other sites may be granted planning permission whilst our land would not, as it was all designated as one piece of croft land at that time.

Planning permission was granted for 3 dwelling houses in 2011; one dwelling on each of plots 2 (Allan MacLean), 3 (Alasdair MacLean) and 4 (Malcolm MacLean). This application was made by Beaton & McMurchy (planning application reference no. 10/01024/ERD) Planning permission was then granted to Malcolm MacLean for a second dwelling on plot 4 in 2014 under planning reference 12/01921/PP. The industrial buildings on plot 6 (also under the ownership of Malcolm MacLean) were already historically existing and we are unable to locate any planning details in relation to these buildings.

At that time, no objections were received from consultations with the Area Roads Manager or with Scottish Water.

Planning permission has very recently been granted on Plot 4 under the ownership of Malcolm MacLean for a third dwelling on the same plot (Reference 19/00812/PP) and two dwellings on Plot 1 for Allan MacLean (Reference 19/01559/PP). Both of those applications were granted on the grounds of 'infill/rounding off'.

A summary of the plots/dwellings and permissions is given below:

- Plot 1 - 2 dwellings have just been granted planning permission (**Allan MacLean**)
- Plot 2 - Ben Hiant (**Allan MacLean**)
- Plot 3 - Cala Sona (Under ownership of external party, sold on by **Alasdair MacLean**)
- Plot 4 - Traigh Bhi (**Malcolm MacLean**)
- Plot 4 - Gleann Fia (**Malcolm MacLean/Joanne MacLean**)
- Plot 4 - A third dwelling has just been granted planning permission (**Malcolm MacLean**)
- Plot 5 - Planning permission refused (**Alasdair MacLean**)
- Plot 6 - Industrial Sheds (**Malcolm MacLean**)

As you can see from Drawing No 1936/01, prepared by Beaton & McMurchy, Plot 5, our application site, is a perfect site for building on and is right beside those two sites which have had planning permission granted whilst ours has been refused. The scale of the sites is also evident; Plot 5 is a large, flat piece of ground with ample space for sewerage arrangements, parking and turning as well as emergency access. In comparison, Plot 4, of the same size, already houses two dwellings and has two industrial sheds sited right on its boundary. There does not appear to be space for parking or turning, or indeed access for emergency vehicles or waste disposal vehicles. The original application also included for sewerage arrangements to be sited on our land.

Whilst we understand neighbours are required to be notified regarding planning applications, ALL of the objections received for our application are from immediate family members, including that from Norman MacDonald (Builder), who is acting on their behalf but is also related to both parties. There is an ongoing family feud regarding this land, and the unfair nature of its division, and those objections are as a result. We did not object to their recent application, only to the fact they had sited their sewage treatment plant on our land without our permission.

We contacted Argyll & Bute Council in 2016 regarding Plot 5, at which time Andrew Barrie made a site visit and, during subsequent email exchange, he advised that the ground was within the countryside. We were then contacted the following year during a 'call for sites' to apply for planning, but the window of opportunity was too narrow to meet. Our local Councillor, Mary Jean Devon, is also supporting us in our application.

We are very disappointed to have been refused planning permission. Alasdair is 61, and plans to retire in the near future. As a local resident all his life and having worked all those years as a share fisherman, he has no immediate pension plan and, as such, plans to employ crew to continue working his boat. This ground would provide the means to supply housing for employees, as Tobermory is lacking in affordable housing and employment opportunities for young families. We also would reiterate that, at the time of the division of the land, we had no idea that this one parcel of land would have such diverse designations and that plot we had accepted would be redundant in terms of use; that $\frac{3}{4}$ of the land would be acceptable for planning purposes and $\frac{1}{4}$ would not. In the circumstances, we very much hope that this decision may be able to be overturned.

Yours faithfully

Iona & Alasdair MacLean