

Ref:
AB1

ARGYLL AND BUTE COUNCIL
WWW.ARGYLL-BUTE.GOV.UK/**

OFFICIAL USE

3 August 2020
F McCallum

Date Received

NOTICE OF REVIEW

Notice of Request for Review under Section 43(a)8
of the Town and Country Planning (Scotland) Act 1997 and the Town and
Country Planning (Schemes of Delegation and Local Review Procedures
(Scotland) Regulations 2008

Important – Please read the notes on how to complete this form and use
Block Capitals. Further information is available on the Council's Website.
You should, if you wish, seek advice from a Professional Advisor on how to
complete this form.

(1) APPLICANT FOR REVIEW

Name

Address

Postcode

Tel. No.

Email

(2) AGENT (if any)

Name

Address

Postcode

Tel. No.

Email

(3) Do you wish correspondence to be sent to you or your agent

(4) (a) Reference Number of Planning Application

(b) Date of Submission

(c) Date of Decision Notice (if applicable)

(5) Address of Appeal Property

(6) Description of Proposal

Erection of garage

(7) Please set out detailed reasons for requesting the review:-

See attached document No 1

If insufficient space please continue on a separate page. Is this attached?

Please tick to confirm

(8) If the Local Review Body determines that it requires further information on "specified matters" please indicate which of the following procedure you would prefer to provide such information :-

- (a) Dealt with by written submission
- (b) Dealt with by Local Hearing
- (c) Dealt with by written submission and site inspection
- (d) Dealt with by local hearing and site inspection

NB It is a matter solely for the Local Review Body to determine if further information is required and, if so, how it should be obtained.

(9) Please list in the schedule all documentation submitted as part of the application for review ensuring that each document corresponds to the numbering in the sections below:-

Schedule of documents submitted with Notice of Review (Note 3 paper copies of each of the documents referred to in the schedule below must be attached):

No.	Detail
1	REASONS FOR REQUESTING A REVIEW
2	EMAIL WITH QUESTIONS FROM PLANNING DEPT
3	LOCATION AND SITE PLANS
4	PLAN SHOWING SITE AND HOUSES OPPOSITE
5	PHOTOGRAPH OF GARAGE BEFORE DEMOLITION
6	
7	
8	
9	
10	

If insufficient space please continue on a separate page. Is this is attached? (Please tick to confirm)

Submitted by
(Please sign)

A Macaskill

Dated

30 July 2020

Important Notes for Guidance

- (1) All matters which the applicant intends to raise in the review must be set out in or accompany this Notice of Review
- (2) All documents, materials and evidence which the applicant intends to rely on in the Review must accompany the Notice of Review **UNLESS** further information is required under Regulation 15 or by authority of the Hearing Session Rules.
- (3) Guidance on the procedures can be found on the Council's website -: <http://www.argyll-bute.gov.uk/planning-and-environment/local-review-body>
- (4) In in doubt how to proceed please contact 01546 604392/604269 or email: localreviewprocess@argyll-bute.gov.uk
- (5) Once completed this form can be either emailed to localreviewprocess@argyll-bute.gov.uk or returned by post to *Committee Services, (Local Review Body), Kilmory, Lochgilphead, Argyll, PA31 8RT*
- (6) You will receive an acknowledgement of this form, usually by electronic mail (if applicable), within 14 days of the receipt of your form and supporting documentation.

If you have any queries relating to the completion of this form please contact Committee Services on 01546 604392/604269 or email: localreviewprocess@argyll-bute.gov.uk

For official use only

Date form issued

Issued by (please sign)

DOCUMENT 1

REASONS FOR REQUESTING A REVIEW

The applicant was upset to be informed that his application for the erection of a garage had been refused, especially when there had been a garage on the site previously. The application was advertised and there were no objections from Members of the Public or Consultees.

The Appendix to the decision stated that there was no departure from the Development Plan.

The site is also located within the settlement area of Oban where Policy LDP DM1 encourages sustainable forms of development on appropriate sites. This is a suitable site as a similar sized garage was positioned there before demolition.

During the processing of the application the applicant was asked to provide more information. (email attached – document 2)

I am bound to state that I was astonished to see some of the questions which were raised by the planning department prior to a decision being issued.

An explanation was requested as to why Planning Permission in Principle was applied for and not a detailed Planning application. I explained that it was more expensive to apply for Planning Permission as opposed to Planning in Principle. I have checked with the architect and in this case the cost would have been double. A lot of applications are for Planning in Principle.

Another question asked why the hard standing was not used instead of a garage. I explained that if a garage can be provided a vehicle should always park there for security and insurance reasons. Insurance companies can reduce the cost of a premium if vehicles are parked in a garage.

I also stated that the applicant was employed by his father who had an electrical contracting company. Employees drive vehicles which carry a lot of expensive tools and equipment and one of the employees lives in the house opposite the site.

The statement in the reasons for refusal states that the development of a garage would result in the loss of an area of undeveloped green space which makes a positive contribution to the mix of development. This contributes positively to the amenity of the existing residential development according to the planning department.

The area is currently overgrown with weeds and briers with rubble strewn on the site. It certainly does not enhance the area. If it is maintained with a carefully designed garage in a landscaped setting this would certainly improve the area, not detract from it and comply with Policy LDP3.

The site is small and I believe the application complies with policies LDP3, LD8 and LDP9. That could be a reason why persons living opposite did not object. The development would not have a detrimental effect on the Settlement Area.

It appears that the Planning Department are concerned that if permission was given for a garage a further application could be applied for a Change of Use for holiday letting or permanent residential use.

The size of the garage shown on the location and site plans was 30m². (documents 3) The enclosed plan (document 4) shows the entire area owned by the applicant and when you look at the curtilage of the dwellinghouses opposite, it is apparent that the site is not suitable for a dwellinghouse as there is not sufficient ground for a garden area and access into the site.

Furthermore, the Road Engineer did not object to this application and was satisfied with the visibility splays, turning and access proposals.

The Planning Department can of course refuse permission for a Change of Use in the unlikely event that an application is lodged.

The reasons for refusal are not robust with Policies listed LDP DM1, LDP3, LDP8 and LDP9 and when you investigate those Policies and look at the site for a small garage they cannot be substantiated.

Planning permission would establish the design of the garage which would be controlled by the Planning Department to make sure that it was of an appropriate design and be in accordance with LDP9.

The Review Panel should visit the site and see where the garage was situated before it was demolished. (document 5) They will see that the site is currently overgrown with an area of hardstanding where the former garage was located and I believe the Panel should grant planning permission in principle.

Allan Macaskill

From: Scott, Fiona <Fiona.Scott@argyll-bute.gov.uk>
To: Allan Macaskill <~~amacaskill@bt.com~~>
Date: Jul 16, 2020 5:00:25 PM
Subject: 20/00668/PPP - Proposed Garage, Longsdale Road, Oban [OFFICIAL]

Classification: OFFICIAL

Good afternoon Allan

As you are aware I had prepared a report for the above application which Tim and I are currently reviewing.

In order to allow the Planning Authority to consider whether the proposal can be supported I would be grateful for clarification and/or the submission of the following information.

- Can you explain why you have applied for planning permission in principle as opposed to planning permission?
- Can you please elaborate on the brief statement in the covering letter that the garage is required for the occupant of a dwellinghouse opposite to avoid parking on the road.

What dwellinghouse are you referring to and where does the occupant of the dwellinghouse currently park?

- Is the dwellinghouse that the garage is intended to serve owned by the applicant or the occupant of the dwellinghouse?
- There is already an area of hardstanding on the site, why can't the occupier of the dwellinghouse park on this area, why is there the need for a garage?

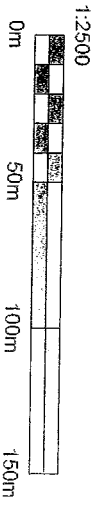
If you can adequately justify the need for the proposed garage, and the Planning Authority are satisfied that the proposal is not an attempt to ultimately obtain permission for a dwellinghouse/holiday letting unit on the site, and you can provide an example of a modest design of garage (similar in scale to what was historically on the site), the Planning Authority may be in a position to support the application.

I must apologise for the delay in requesting this information.

Kind Regards

Fiona

DOCUMENT R .



Project:
Proposed replacement garage at:
Land opposite Fasgadh
Longsdale
Oban

Client:
Mark Lockhart

Drawing Title:
Location Plan

Date:
Mar 20'

Job no.	Drawing no.	Rev.	Scale
WD:00	(PPP)01	-	1:2500@A4



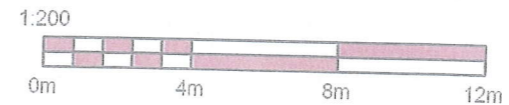
WILSON

MOBY

Document 3

SUBMITTED PLAN

Fern Cottage



Proposed garage

Parking and turning

Fasgadh

Application site outlined in RED

THIS IS THE PRINCIPAL COPY / TRUE COPY OF THE PLANS REFERRED TO IN THE APPLICATION

SIGNED

DATE

Rev	Date	Description	dwn	chk

Client
Mark Lockhart

Project
Proposed replacement garage at:
Land opposite Fasgadh
Longsdale Road, Oban

Drawing Title
Site Plan

Drawing Status
PPP



Job no.	Drawing no.	Rev.	Scale
WD00 (PPP) 02			1:200@A3

DOCUMENT 3 SUBMITTED PLAN

Longsdale Terrace, Oban



APPLICATION SITE

Legend

- Land owned by ACHA
- Land in shared ownership
- Rights of Access
- Gray Area - position uncertain
- Leased

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 Argyll Community Housing Association.
 License 0100046820

Date: 10/05/2019
 1:1,000



DOCUMENT 4

DOCUMENT 5

