

Ref: AB1

ARGYLL AND BUTE COUNCIL

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OFFICIAL USE

11 April 2022
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 Procedure) (Scotland) Regulations 2013

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

(2) AGENT (if any)

Name MR IAIN BROWN

Name ALLAN MACRSKILL

Address 12, CROSSAPOL

Address 5 FERRYFIELD RD

ISLE OF TREE

COWNEE

ARGYLL & BUTE

BY OBAN

Post Code PA77 6UP

Post Code PA37 1SR

Tel. No. ~~XXXXXXXXXXXX~~

Tel. No. ~~XXXXXXXXXXXX~~

Email ~~XXXXXXXXXXXX~~

Email ~~XXXXXXXXXXXX~~

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

(4) (a) Reference Number of Planning Application 21/02149/PP

(b) Date of Submission 7 OCTOBER 2021

(c) Date of Decision Notice (if applicable) 13 JANUARY 2022

(5) Address of Appeal Property THE CAMP
CROSSAPOL,
ISLE OF TREE
PA77 6UP

(6) Description of Proposal

ERECTION OF AGRICULTURAL SHED

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

DOCUMENT ATTACHED

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 if posting your paperwork 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	PHOTOGRAPH OF OLD SHED
3	PHOTOGRAPHS SHOWING THE AGRICULTURAL IMPLEMENTS.
4	PHOTOGRAPH SHOWING FRONT OF "VIEWFIELD" LOOKING ON TO SITE
5	PHOTOGRAPH SHOWING SHED IN GARDEN OF "VIEWFIELD"
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7	
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If insufficient space please continue on a separate page. Is this attached?
Please tick to confirm

Submitted by
(Please sign)

XXXXXXXXXXXXXXXXXXXXXXXXXXXX
XXXXXXXXXXXXXXXXXXXXXXXXXXXX
XXXXXXXXXXXXXXXXXXXXXXXXXXXX
XXXXXXXXXXXXXXXXXXXXXXXXXXXX

Dated

9 APRIL 2022

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)

REASONS FOR REQUESTING A REVIEW (DOCUMENT 1)

I wish to request a Review of the decision by Argyll & Bute Council to refuse the planning application reference No. 21/02149/PP for the erection of an agricultural shed (part retrospective).

There was an existing shed on the site (photograph attached) (Document 2). The applicant was informed by an architect that if he was replacing the shed by another one for agricultural purposes he did not require planning permission. He proceeded to demolish the shed as it was in a dangerous condition and commenced erecting a replacement shed.

The Planning Department were informed and the applicant lodged a planning application on 7 October 2021.

The application site is located within the Key Rural Settlement Area of Crossapol, Isle of Tiree which establishes a presumption in favour of medium scale developments.

The proposal is not a departure from the Development Plan.

The reasons for the refusal stated that it is considered that the siting of the agricultural building has an adverse impact on the site and its setting within the wider landscape. The area which is the subject of the planning application is called "The Camp" and it already had buildings which had an adverse impact on the site and its setting within the wider landscape (Document 2).

The Crossapol area already has groupings of commercial buildings e.g. the Airport buildings, Auction Mart, Power Generating Building, etc. All are essential for the Island community.

Agriculture is one of the most important businesses on the Island of Tiree which has many crofts. Agricultural holdings almost always require buildings to store equipment and food for their animals.

The Roads Authority has not raised an objection. J B A Consulting and the Highlands and Islands Airport have raised no objections. The building is 6m from the edge of the carriageway which is more than the 2m required by the Roads Authority and 13.9m to the garden wall of the dwelling house "Viewfield" opposite. The house is then set back further from the garden wall. The Roads Authority usually controls 2 metres from the carriageway.

The Handling Report states that the site is located within an Area for Action (AFA 7/2) which seeks to resolve options for development/redevelopment and environmental enhancements in this visually prominent area at the entrance to the airport.

The applicant owns two crofts, one comprising 70 acres and the other 35 acres. He also has access to the Common Grazing. The crofts are stocked with 33 cows and 71 sheep and he cuts silage for feed.

Documents 3 are photographs of various agricultural implements which are lying about the crofts. They include three tractors, baler, mower, baler wrapper, trailer, excavator, etc. AFA 7/2 refers to redevelopment and environmental enhancements. Therefore as there are no suitable sheds on the crofts that can accommodate the agricultural equipment a new shed or sheds is a necessity.

The camp site is commercial in nature having sheds on site and is deemed acceptable to accommodate suitable structures.

The reasons for refusal refer to the neighbouring residential property and the impact on the amenity levels afforded to that dwelling house.

Document 4 is a photograph showing that the shed does not impinge on the view from "Viewfield". Only the annex looks on to the shed which is far enough away. Another photograph (Document 5) shows quite a large shed located in the garden of "Viewfield" and that structure is between the dwelling house and the agricultural shed. It must interfere with the view from that house.

I have requested a local hearing and site inspection and I know it is the decision of the Local Review Body to determine if that is necessary. However I wish to stress that it is imperative that the Panel visit the site.

The applicant has planning permission for the erection of a shed reference 20/00273/PP and he would be prepared to revoke that permission if permission was granted for the shed under Review. However having visited the site and seen the amount of agricultural equipment I believe two sheds are required. He also requires space in a shed so that during lambing and calving he can house stock inside.

The Planning Authority always encourages persons to store equipment, implements or paraphernalia in sheds so that it is not strewn in fields or gardens causing an eyesore.

That is exactly what the applicant is endeavouring to implement. He apologises for commencing work on the agricultural shed but he was badly advised.

I therefore request that the Local Review Body grant retrospective planning permission. The shed is not too near the road and the main dwelling house opposite looks onto the ground beside the shed as shown in Document 4.

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