

Municipal Buildings Albany Street Oban PA34 4AW

**TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997 (AS AMENDED)
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE)
(SCOTLAND) REGULATIONS 2013**

REFUSAL OF PLANNING PERMISSION

REFERENCE NUMBER: 21/00018/PP

**Mr Brendan Walsh
Glenforsa Hotel
1 Salen
Isle Of Mull
PA72 6JW**

I refer to your application dated 7th January 2021 for planning permission in respect of the following development:

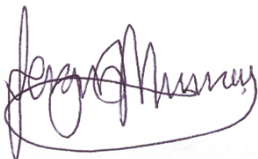
**Erection of a steel building for the storage of airfield maintenance equipment and aircraft
and formation of hardstanding area**

AT:

Glenforsa Airfield Glenforsa Isle Of Mull Argyll And Bute PA72 6JN

Argyll and Bute Council in exercise of their powers under the above mentioned Act and Regulations hereby refuse planning permission for the above development for the **reasons(s) contained in the attached appendix.**

Dated: 30 March 2022



Fergus Murray
Head of Development and Economic Growth



REASONS FOR REFUSAL RELATIVE TO APPLICATION NUMBER: 21/00018/PP

1. In terms of the adopted 'Argyll and Bute Local Development Plan' 2015 the application site is located within the 'Countryside Zone' (CZ) where Policy LDP DM 1 normally only gives encouragement to small scale developments on an appropriate infill, rounding off, redevelopment and change of use of building basis.

Within the Countryside Zone all development proposals which are not small scale infill, rounding off, or redevelopment might be supported if it is deemed that an appropriate 'exceptional case' has been made and where the proposed development can be shown to have no materially harmful landscape impact in accordance with an Area Capacity Evaluation (ACE). The 'exceptional case' required to justify carrying out of an ACE is in all circumstances, either; the demonstration of a locational and/or operational need tied to a precise location which is agreed with and acceptable to the planning authority, or; demonstration of an overriding economic or community benefit which outweighs other policies of the Local Development Plan and is agreed with and acceptable to the planning authority.

In the case of the current application, the site for the development does not represent infill, rounding-off or redevelopment.

In this case, no sufficient claim of an exceptional case has been presented by the applicant. Upon request for additional supporting information the applicant has provided justification on landscape terms only. The details submitted are not considered sufficiently substantive so as to underpin the special circumstances of the proposal without which the development would be considered contrary to the provisions of the LDP.

As the current application is not accompanied by the requisite supportive evidence to underpin the claim of an exceptional case, the proposal is considered to be contrary to the provisions of SG LDP DM 1 of the adopted 'Argyll and Bute Local Development Plan' 2015.



NOTES TO APPLICANT (1) RELATIVE TO APPLICATION NUMBER 21/00018/PP

1. If the applicant is aggrieved by the decision to refuse permission for or approval required by a condition in respect of the proposed development, or to grant permission or approval subject to conditions, the applicant may require the planning authority to review the case under Section 43A of the Town and Country Planning (Scotland) Act 1997 (as amended) within three months from the date of this notice. A Notice of Review request must be submitted on an official form which can be obtained by contacting The Local Review Body, Committee Services, Argyll and Bute Council, Kilmory, Lochgilphead, PA31 8RT or by email to localreviewprocess@argyll-bute.gov.uk
2. If permission to develop land is refused or granted subject to conditions and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state, and it cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, the owner of the land may serve on the planning authority a purchase notice requiring the purchase of the landowner's interest in the land, in accordance with Part 5 of the Town and Country Planning (Scotland) Act 1997 (as amended).



APPENDIX TO DECISION REFUSAL NOTICE

Appendix relative to application: 21/00018/PP

- A. Has the application been the subject of any “non-material” amendment in terms of Section 32A of the Town and Country Planning (Scotland) Act 1997 (as amended) to the initial submitted plans during its processing.**

Yes/No (delete as appropriate) if yes, list amendments

- B. Is the proposal a departure from the Development Plan:**

No

If yes, state level of departure:

No Departure

- C. Summary justification statement for refusal of planning permission**

The proposal is considered to be contrary to policies [enter relevant policies] of the Argyll and Bute Local Development Plan 2015, and there are no other material considerations of sufficient significance to indicate that it would be appropriate to grant planning permission in this instance as a departure to the Development Plan having regard to s25 of the Act.