

ARGYLL & BUTE COUNCIL

Note in connection with Hearing held in the Council Chamber, Municipal Buildings, Albany Street, Oban on Wednesday 7th December 2005 in regard to the following application for planning permission: Ref: 05/01750/DET: Melfort Pier & Harbour - Erection of Restaurant, Melfort Pier, Kilmelford.

Present: Councillor Alistair MacDougall (Chairman)
Councillor Robin Banks
Councillor Allan Macaskill
Councillor Sidney MacDougall
Councillor Duncan MacIntyre
Councillor Elaine Robertson

Also Present: Mrs Lynn Smillie, Area Corporate Services Manager
Mrs Jane Gillies, Local Services Assistant
Mr Ian MacIntyre, Senior Planning Officer
Mr Iain MacKinnon, Senior Environmental Health Officer
Mr John Christlieb, on behalf of Melfort Pier & Harbour, Applicant
Mr Grant Robertson, Supporter
Mrs Catherine Manchester, Objector
Mrs Christine Roberts, Objector
Several members of the public

Apologies: Councillor Ian Gillies,
Councillor Donald McIntosh

Declaration of Interest: Councillor Duncan MacIntyre declared a pecuniary interest and left the meeting.

In accordance with the decisions of the Area Committee on 2nd November 2005, a hearing was held in regard to planning application ref. 05/01750/DET: Melfort Pier & Harbour - Erection of Restaurant, Melfort Pier, Kilmelford.

The Chairman explained to those present the procedure that would be followed, and invited Mr MacIntyre to address the meeting.

Mr MacIntyre, Area Team Leader, referred those present to the report dated 3rd November 2005 by the Head of Planning, which set out the basis of the planning assessment, adding that this application is central to the existing complex. He stated that no representations had been received from any of the statutory consultees, with the exception of the Kilninver and Kilmelford Community Council. He concluded by recommending that the application be approved, subject to the conditions set out in the aforesaid report.

Mr Christlieb, Melfort Pier and Harbour, outlined his reasons for making the application. He stated that he has received requests from visitors to provide a restaurant, which will be constructed and finished to a high standard and will be open to non-residents. He stated that there is no disabled access to restaurants locally. There is capacity for a restaurant in the complex and planning requirements can be met. He added that the inflow of water is more than double the requirements of the restaurant, and that the restaurant will fit well into the further improvements for tourist facilities in the area.

Mr Grant Robertson, Supporter, stated that he has visited the site for over ten years and a family restaurant would be an excellent addition to the complex.

Mrs Catherine Manchester, speaking on behalf of local residents, the Kilninver and Kilmelford Community Council and Melfort Club, opposed the application on the grounds of (a) the site being on sensitive countryside; (b) an inadequate water supply; (c) the resultant volume of heavy traffic, including commercial traffic; (d) additional noise nuisance; (e) lack of car parking; and (f) there being no further development capacity.

Mrs Roberts, in support of Mrs Manchester, stated that over the years they have complained to the managers of Melfort Pier that heavy goods traffic caused damage.

In response to a question from Councillor Macaskill, the applicant reiterated that the development of land is within the site and not outside it, and that there is capacity. This would be infilling a central piece of ground.

In response to a question from Councillor Banks, the applicant advised that they have changed the method of removal of rubbish from the site, and it is now put into a compactor. There had been a problem with excess rubbish at one point but Members were advised this was due to Mrs Roberts of Melfort Club contacting Shanks and requesting that they did not reverse into the access for Melfort Club. This was sorted out timeously, and arrangements were made to have rubbish collected by a different vehicle, therefore resolving the problem of access.

In response to a further question from Councillor Banks, the applicant advised that the primary water source to the complex has stopped for period due to a man-made obstruction. If Melfort Club tank is blocked off, a secondary tank can provide 100% of requirements. He added that this secondary tank can produce 3000 gallons of water and the complex can survive indefinitely.

In response to a question from Councillor Robertson, Mr MacIntyre circulated a drawing showing parking at the complex.

Councillor Sidney MacDougall enquired if the road was suitable for access for emergency services as they are large vehicles, and was advised that the Roads Department had not raised any concerns.

Mr MacIntyre, summing up, advised Members that the delivery problem had only recently been brought to his attention, and that there had been no objections from Roads or Legal & Protective Services. He advised that another small building within the complex would not be considered to be overdevelopment. Mr MacIntyre concluded by recommending that the application be approved subject to conditions.

Mr Christlieb, summing up, addressed the issue of noise by stating that this would be strictly controlled. There had been no complaints of noise from Melfort Club. He stated that there is less than 9% occupancy of buildings on the site, and it is not a highly developed site. He was not aware of any problems with large lorries until September 2005. No complaints of damage have been recorded and he added that as the site is on the water's edge there is an alternative for deliveries.

Mrs Manchester stated that there is a strong community feeling against the applicant. She asserted that lorries cannot avoid reversing onto private Melfort Club property, and stated that her concerns in regard to water had not been addressed. She expressed further concerns in regard to road safety, and wondered what factors have changed to allow this application to be approved.

Councillor Banks asked if there were large vehicles using the road to access further properties on the road, to which Mrs Roberts responded that the staff from Melfort Club supervised lorries negotiating the access on occasions, but they were not willing to supply staff to assist Melfort Pier.

The Members were satisfied that the proposed parking arrangements, as set out in the plan circulated earlier by Mr MacIntyre, would be adequate, given that many of the people using the restaurant would be resident on the site and would be utilising parking provision elsewhere within the site.

It was agreed that the applicant be required to submit a hydrologist's report for approval by the Council as planning authority.

Determination:

After consideration of all matters raised, it was unanimously agreed that this application be approved, subject to the conditions set out in the report dated 3rd November 2005 by the Head of Planning.

Corporate Services
12 January 2006