

MINUTES of MEETING of OBAN LORN & THE ISLES AREA COMMITTEE held in the MCCAIG SUITE, CORRAN HALLS, OBAN on WEDNESDAY, 24 JUNE 2009

Present: Councillor Duncan MacIntyre(Chair)

Councillor Gordon Chalmers	Councillor Donald McIntosh
Councillor Mary-Jean Devon	Councillor Neil MacKay
Councillor Roderick McCuish	Councillor Elaine Robertson
Councillor Donald MacDonald	

Attending: Kenneth Macdonald, Area Corporate Services Manager
Jane Gillies, Committee Services Assistant
Iain MacKinnon, Senior Public Protection Officer
Ian MacIntyre, Area Team Leader, Planning Services
Patricia Slater, Community Learning & Regeneration
Bill Weston, Senior Engineer, Roads & Amenity Services
Alistair MacGregor, ACHA
Inspector Neil Wallace, Strathclyde Police

Prior to the commencement of ordinary business a minute silence was observed in memory of the death of Robert McLaren, Mull who was killed in Afghanistan in the service of his country with the armed forces.

1. APOLOGIES

There were no apologies for absence

2. DECLARATIONS OF INTEREST

Councillors Chalmers and Devon declared non-pecuniary interests in item 6(c) (application for financial assistance from Tobermory Forward Group) on the grounds of their association with that group.

Councillor MacDonald declared a non-pecuniary interest in item 7(a).

Councillor Robertson declared a pecuniary interest in item 7(j).

3. CORPORATE SERVICES

(a) MINUTES OF MEETING OF OBAN LORN & THE ISLES AREA COMMITTEE HELD ON 24TH MARCH 2009: PLANNING APPLICATIONS 08/01305/DET & 08/01306/DET

The minutes of the meeting of the Oban, Lorn & the Isles Area Committee held on 24th March 2009 were approved as a correct record.

(b) MINUTE OF MEETING OF OBAN LORN & THE ISLES AREA COMMITTEE HELD ON 6TH MAY 2009

The minutes of the meeting of the Oban, Lorn & the Isles Area Committee

held on 6th May 2009 were approved as a correct record, subject to the amendment of the decision under item 6(b) to read:

It was agreed that this application be approved, subject to conditions to be remitted to the Head of Planning in consultation with the Chairman and Vice Chairman of the Area Committee, on the grounds that the proposal is consistent with Planning Policy RUR1 and RUR 2 of the adopted Mull, Coll and Tiree Local Plan on the basis that:

- (a) the settlement pattern, as can be seen from the plan - which has at least two dwelling houses omitted, is in fact a variety of small clusters of dwelling houses, clusters of croft houses together with croft steadings, and dwelling houses sitting on their own. Contrary to what the report states, all of the existing houses are built on flat open ground or relatively high prominent positions. All are visible as part of the panoramic vista of the west coast of the island to anyone walking along the road to the west side of the island from where it enters the ACE compartment;
- (b) whilst agreeing with the boundaries of the ACE the omission of a key environmental feature and 2 dwelling houses has to be noted;
- (c) the largest natural feature within the ACE compartment is the hill known as Sithean Mor. It is a large grassy hill adjacent to the main road, north of Sithean Croft steadings and Lechnaban dwelling house. It is approximately 60 metres east of the proposed house and sits 10 to 12 metres above the proposed house site. As a result, the proposed house will be the only dwelling **not** visible to someone walking along the road to the west, as it will be obscured by Sithean Mor, therefore this proposed development will integrate sympathetically with the landscape and settlement pattern and will only become visible on reaching the north side of Sithean Mor. By continuing on to the end of the road, approximately 100 metres, and on to the Machair they will for the first time, since they entered the ACE compartment, have a clear view of the west coast encroached upon only by Culbhuirg Farm house and buildings to the north, and Culdamp dwelling house to the south. All other buildings including the new house will be behind them. From any other vantage point west, north, or east of the site, the house will be seen to relate with the other buildings in the compartment and to follow the established settlement plan;
- (d) the proposed development is being sited in an open area where the character is one of open agricultural land with limited scattered residential development well spaced out and situated in locations which respect the landscape, with buildings sited in relation to natural and physical features which will help to assimilate them in their landscape setting. The siting of this dwelling in this proposed site will reinforce the established settlement pattern and will not compromise the openness of its surroundings and in the process will not intrude upon views across the wider area. Consequently it satisfies the provisions of POL RUR1 and 2 of the adopted Mull, Coll and Tiree local Plan;
- (e) Whilst the applicant and his wife do not meet the requirements of the definition of operational need as contained in the Modified Finalised Argyll and Bute Local Plan it is considered that there is a case for a justifiable minor departure from Policy Strat DC 5 of the Argyll and Bute Structure Plan 2002 on the basis of their professions within the island of Iona; and
- (f) the Argyll & Bute Structure Plan 2002 Policy Strat DC 5 supports development where a locational need can be demonstrated. As in many rural and island community's persons often have more than one job some integral to their respective communities; Mr Macintyre clearly fits this criteria on a number of counts he works as a landscape gardener on the island; he also drives the only Taxi on the island used by locals and also by

tourists, especially when their mobility makes it difficult to enjoy the walk from the ferry to the internationally acclaimed Iona Abbey. This is often considered as a pilgrimage by many visitors and the service he provides can be an important part of a visit. Lastly and probably more importantly Mr. Macintyre is a member of the islands crew of Strathclyde Fire & Rescue Firefighters. Nowadays this role fulfills many aspects of the rescue service especially in rural and island communities. The mainland of Argyll and its islands finds in itself in the forefront of many news items of this nature some good however more often than not these emergency personnel find their communities dependant on them for a vast range of services. Mrs. Macintyre's role within the island community of Iona is vital. She is the Local Nurse, Local Midwife and Local Health Visitor. The nearest Doctor is ten miles away on the island of Mull and subsequently Mrs MacIntyre might well be considered as the only person with any medical knowledge or experience on the island community of Iona. More often than not the Doctor on Mull has to call upon Mrs. Macintyre's professional expertise for a fast locational response, particularly "out of hours" which she clearly states in her letter of support for the application. In a close knit community like the island of Iona, property and land rarely become available and whilst there is a presumption against development in Sensitive Countryside as in Policy HOU 1 of the Draft Local Plan the same policy justification clearly states "in exceptional cases where an operational need has been established and the applicant can demonstrate that there is a specific and locational requirement". Mr.& Mrs. MacIntyre fit well within these specifications having worked on Iona for over 10 years and now are considered key personnel within the community. Their continued presence on the Iona is appreciated and valued. It is also clear to see that the community wish to protect their invaluable roles on the island. This is demonstrated by the fact that one of the islands best known families spanning over three generations are providing the land to locate this application. Both these emergency/medical personnel, and the level of service they provide to the community of Iona is crucial to the island. They clearly fit within the specific operational need and locational requirements of the guidelines as defined in Appendix A section 2.1(two) of the supplementary planning guidelines for Area Capacity Evaluations as passed by the Executive Committee of Argyll & Bute Council on 19th February 2009. No sites have become available in Iona for 30 years and it is considered that there are no other opportunities for development on other open sites in the ACE compartment.

**(c) MINUTE OF MEETING OF OBAN LORN & THE ISLES AREA
COMMITTEE HELD ON 6TH MAY 2009: PLANNING APPLICATION
REF. 07/01558/DET**

The minutes of the meeting of the Oban, Lorn & the Isles Area Committee held on 6th May 2009 were approved as a correct record.

(d) CAPITAL RECEIPTS

Members considered a report by the Area Corporate Services Manager advising that (a) a sum of £51,431.60 is available in the Capital Fund for allocation to capital or revenue projects that contribute to the Corporate

Plan; and (b) a sum of £21,827.75 is available for allocation to capital projects. Members were also asked to consider a request from the Head of Facility Services for contributions from this available funding towards the cost of public realm works and public facing improvement works at the Corran Halls.

Decision:

It was agreed to (a) note the sums available for allocation; and (b) deal with the requests from the Head of Facility Services as follows:

Roads and Amenity Services

Project	Allocation
Supply of 6500 plants	Nil at this time
Supply & install Plant Display for the National Mod	£3600
Supply of 12 No. standard flags for George Street & bay	Nil
Supply of benches / seating 10 No.	Nil

Facility Services

Project	Allocation
Painterworks & repairs to front elevation (entrance)	£2,922
Painterworks to seaward elevation	£2000
300 chairs @ £29 each	£8700*
Chair racks @ £1000	£1000
Upgrade Corran Halls Sound System **	£5000
Electronic Signage **	Nil at this time

* It was agreed to request that the Head of Facility Services, in consultation with the local Members, consider offering 100 of the chairs to be replaced to facilities on Mull.

** Any additional funding requirements to secure optimum equipment as required will be met by Facility Services.

(Ref: Report by Area Corporate Services Manager dated 22nd May 2009, submitted)

(e) **DUNOLLIE PRESERVATION TRUST**

Councillor Donald MacDonald advised the Members of a request from the Dunollie Preservation for a letter of support from the Area Committee for the Trust's revised bid for funding to exhibit the Hope MacDougall Collection in a museum to be established at Dunollie House.

Decision:

It was agreed, without prejudice, to issue a letter of support to the Trust.

4. AREA SPORTS VOLUNTEER AWARDS

The Chairman invited Councillor McCuish to present trophies to Robert Alexander, Junior Sports Volunteer of the Year 2009 for his contributions to

shinty and football coaching and teams; and Murray Hamilton, Adult Sports Volunteer, for his contribution to boys/girls rugby teams and personal; coaching.

5. PRESENTATION BY ARGYLL COMMUNITY HOUSING ASSOCIATION

The Committee received a presentation from Alastair MacGregor, Chief Executive of Argyll Community Housing Association, advising on the upgrading of their stock over the past year and future planned works.

Questions having been put and answered, the Chairman thanked Mr MacGregor for his presentation.

6. COMMUNITY SERVICES

(a) SCHOOL HOLIDAYS AND IN-SERVICE DAYS 2010/2011

The Committee considered a report by the Director of Community Services in regard to school holidays and in-service days for 2010 /2011.

Decision:

It was agreed:

- (a) To endorse the final patterns of school holidays and in-service days for all schools in Oban, Lorn and the Isles as set out in the report; and
- (b) Approve the details of school holidays and in-service days for 2010/11

(Ref: Report by Director of Community Services dated April 2009, submitted)

(b) APPLICATIONS FOR FINANCIAL ASSISTANCE UNDER THE EDUCATION DEVELOPMENT GRANTS SCHEME

The Committee dealt with applications for funding from the Education Development Grants Scheme as follows:

Applicant	Narrative	Cost of Project	Decision
Oban and Lorn Community Enterprise TA Atlantis Leisure	To assist with "Summer Sensations" 2 day programme which helps support the transition process for pupils moving from primary school to Oban High School	£3,966.31	Grant of £750.00

Moving Centre Stage	To support the Moleigh Dance Co to perform in a dance festival in London and take part in a week of dance workshops there.	£5,890.00	£1,120.00
TOTAL		£9,856.31	£1,870.00

The Committee requested that a report be brought back to a future meeting in regard to the Moving Centre Stage event.

(Ref: Report by Community Regeneration Manager dated 16th June 2009, submitted)

(c) **APPLICATIONS FOR FINANCIAL ASSISTANCE UNDER THE LEISURE DEVELOPMENT GRANTS SCHEME**

The Committee dealt with applications for funding from the Leisure Development Grants Scheme as follows:

Applicant	Narrative	Cost of Project	Decision
Mull Theatre	Purchase of tiered seating. 2009/10 touring programme	£208,556	Grant of £1,000
Isle of Mull Rugby Club	New mower / Storage and maintenance shed	£13,620	Grant of £900

Prior to consideration of the next item of business Councillors Chalmers and Devon, having earlier declared an interest therein, left the meeting and took no part in the discussion.

Tobermory Forward Group	Improvements to the fabric and appearance of Tobermory	£7,950	Grant of £2,000 subject to relevant permissions being in place
TOTAL		£230,126	£3,900

Councillors Chalmers and Devon rejoined the meeting.

7. DEVELOPMENT SERVICES

Prior to consideration of the following item of business Councillor MacDonald, having earlier declared an interest therein, left the meeting and took no part in the discussion.

(a) **07/01558/DET: EASDALE ISLAND COTTAGES: RENOVATION OF OLD BOAT SHED - THE OLD BOAT SHED, EASDALE ISLAND, EASDALE**

After consideration of Supplementary Report No.1 dated 23rd June 2009 by the Head of Planning it was agreed that consideration of this application be continued to the meeting on 24th July 2009.

(Ref: Supplementary report no.1 dated 23rd June 2009 and report dated 18th March 2009 by the Head of Planning, submitted)

Councillor Macdonald rejoined the meeting.

- (b) **07/02218/OUT: KILNINVER AND KILMELFORD COMMUNITY: SITE FOR THE ERECTION OF 7 DWELLINGHOUSES, CREATION OF PLAYING FIELD, WOODLAND WALKWAY, EXTENSION TO VILLAGE HALL CAR PARK AND IMPROVEMENTS TO RECYCLING FACILITIES - LAND ADJACENT TO KILMELFORD VILLAGE HALL, KILMELFORD**

It was agreed that consideration of this application be continued to the meeting on 24th July 2009, and that, in the meantime, the local planning officer(s) seek a meeting with the applicants to discuss the relevant Policy issues.

(Ref: Supplementary report no.2 dated 14th April 2009, supplementary report no.1 dated 1st April 2008 and report dated 12th February 2008 by the Head of Planning, submitted)

- (c) **08/00768/OUT: GARRY AND ROBERT KIRSOP: SITE FOR ERECTION OF 2 DWELLINGHOUSES - LAND NORTH WEST OF CRAIGSPIUR TERRACE, CRAIGSPIUR LANE, TOBERMORY**

It was agreed that consideration of this application be continued to the meeting on 24th July 2009 for further details in regard to the gradient of the proposed access.

(ref: Supplementary report no.3 dated 11th June 2009, supplementary report no.2 dated 31st March 2009 and report dated 12th January 2009 by the Head of Planning, submitted)

- (d) **08/01766/OUT: MR & MRS L MCINTYRE: SITE FOR ERECTION OF DWELLING HOUSE AND INSTALLATION OF SEPTIC TANK AND INFILTRATION SYSTEM - SITE NORTH OF SITHEAN HOUSE, ISLE OF IONA**

Approved per item 3(b) of this minute.

- (e) **08/01988/OUT: DRIMVARGIE PROPERTIES: SITE FOR ERECTION OF DWELLING HOUSE - SITE NORTH OF 79 NANT DRIVE, OBAN**

Approved subject to the conditions set out in the report dated 8th May 2009 by the Head of Planning.

(Ref: Report dated 8th May 2009 by the Head of Planning, submitted)

- (f) **09/00173/REM: MR AND MRS NEIL MACDONALD: ERECTION OF DWELLINGHOUSE - LAND SOUTH WEST OF LYNWOOD, LONGSDALE ROAD, OBAN**

Approved subject to (a) the conditions set out in the report dated 28th May 2009 by the Head of Planning; and (b) an additional condition relating to the comparative ridge height levels of the proposed dwelling and Lynwood, the detailed wording to be remitted to the Head of Planning in consultation with the Chairman and Vice Chairman of the Area Committee.

(Ref: Report dated 28th May 2009 by the Head of Planning, submitted)

- (g) **09/00276/OUT: GLEN MACDONALD - SITE FOR ERECTION OF DWELLINGHOUSE - SITE EAST OF CNOCORAN, ISLE OF IONA**

It was agreed that consideration of this application be continued to the meeting to be held on 24th July 2009.

(Ref: Report dated 29th May 2009 by the Head of Planning, submitted)

- (h) **09/00326/COU: ARGYLL COLLEGE UHI LTD: CHANGE OF USE OF OFFICES (CLASS 4) TO EDUCATIONAL (CLASS 10) AND ALTERATIONS TO EXISTING BUILDING AND LAND - OFFICE, 2 GLENGALLAN ROAD, OBAN**

Approved as a minor departure from the adopted Lorn Local Plan subject to the conditions set out in the report dated 18th May 2009 by the Head of Planning.

(Ref: Report dated 28th May 2009 by the Head of Planning, submitted)

- (i) **09/00372/DET: MR MRS H MACPHAIL: ERECTION OF DWELLING HOUSE, SELF CATERING UNIT AND WOOD STORAGE - SITE SOUTH WEST OF GLENVIEW DERVAIG ISLE OF MULL (TO FOLLOW)**

Approved as a minor departure from the Mull, Coll and Tiree Local Plan subject to the conditions set out in the report dated 22nd May 2009 by the Head of Planning.

(Ref: Report dated 22nd May 2009 by the Head of Planning, submitted)

Prior to consideration of the following item Councillor Robertson, having earlier declared an interest therein, left the meeting and took no part in the discussion.

- (j) **REPORTERS DECISION ON PLANNING APPLICATION 08/01300/OUT**

Members considered, and noted, a letter dated 20th May 2009 from the Scottish Government Directorate for Planning and Environmental Appeals intimating the dismissal of the appeal in relation to planning application ref 08/01300/OUT.

(Ref: Letter dated 20th May 2009 from the Scottish Government Directorate for Planning and Environmental Appeals, submitted)

Councillor Robertson rejoined the meeting.

(k) **REPORTERS DECISION ON PLANNING APPLICATION 08/01342/DET**

Members considered, and noted, a letter dated 6th May 2009 from the Scottish Government Directorate for Planning and Environmental Appeals intimating the dismissal of the appeal in relation to planning application ref 08/01342/DET.

(Ref: Letter dated 6th May 2009 from the Scottish Government Directorate for Planning and Environmental Appeals, submitted)

8. PUBLIC QUESTION TIME

There were no public questions.