

**MINUTES of MEETING of ARGYLL AND BUTE LOCAL REVIEW BODY held BY MS TEAMS  
on MONDAY, 7 FEBRUARY 2022**

**Present:** Councillor David Kinniburgh (Chair)  
Councillor Audrey Forrest Councillor Alastair Redman

**Attending:** Iain Jackson, Governance, Risk and Safety Manager (Adviser)  
Fiona McCallum, Committee Services Officer (Minutes)  
Michael Acey, Applicant  
Stephen Fair, Applicant's Agent  
Councillor Roderick McCuish, Observer

**1. APOLOGIES FOR ABSENCE**

There were no apologies for absence.

**2. DECLARATIONS OF INTEREST**

There were no declarations of interest.

**3. CONSIDER NOTICE OF REVIEW REQUEST: SOROBA LODGE, OBAN PA34  
4SB**

The Chair, Councillor Kinniburgh, welcomed everyone to the meeting. He explained that no person present would be entitled to speak other than the Members of the Local Review Body and Mr Jackson, who would provide procedural advice if required.

He advised that his first task would be to establish if the Members of the LRB felt that they had now sufficient information before them to come to a decision on the Review following the receipt of further information requested at the meeting held on 26 November 2021.

Councillor Redman confirmed that he had sufficient information.

Councillor Forrest advised that having considered the further information provided by both the Planners and the Applicant, she thought it would be possible to approve the application. Based on all the information the LRB had before them she made the following points:

- Planning permission was given to change the use of a single house to a 9 bedroom guest house and owner's flat and the Planning Authority did not think this would increase traffic on the shared access. While she appreciated that ownership of the access might have been a consideration in that approval, she said it was the same access referred to in the current application and as the 5 bedroom property currently offers 2 bedrooms for bed and breakfast, she was of the view that as long as the level of bed and breakfast activity at this location either inside or outside the actual house remained at 2 rooms, then there would be no material increase in the use of the access, so no need to enhance the condition of the existing access.
- The possibility of the house being occupied by 5 people with a car each was unlikely and as such did not comprise a sufficient concern which would occasion a refusal of this application which was otherwise acceptable development.

- A planning condition could be used to regulate the level of bed and breakfast activity at this location to no more than 2 bedrooms and, in her view, this would be the best way of making sure there was no adverse impact from this development whilst enabling the application to be approved – again bearing in mind that it was acceptable in all other ways.
- A condition requiring compliance with a Construction Method Statement which would cover construction vehicle size, vehicle numbers, weight limits and an avoidance of busy times, like school opening and closing times, could be added to any approval.
- No need for extra parking if a 5 bedroom dwelling changed to 7 bedrooms under policy SG LDP TRAN 6.
- It was noted that Planners have mentioned that legal advice has been sought in relation to a separate application, around a similar proposal to have bed and breakfast accommodation for 2 rooms in a building outside in place of 2 rooms in the house.

Councillor Forrest proposed that the LRB should request further information from the Planners ie if possible, a summary of the legal advice, as it relates to the similar proposal, and appropriate conditions and reasons that could be applied to any approval.

Councillor Redman supported the comments and proposal made by Councillor Forrest.

Councillor Kinniburgh agreed that the LRB should seek a summary of the legal advice Planning have received in respect of the other application before coming to a decision on this case.

## **Decision**

The Argyll and Bute LRB agreed to -

1. Request the following further written information from the Planning Officer –
  - A summary of the legal advice Planning have received in respect of a separate application, around a similar proposal, referred to in their submission.
  - Appropriate conditions and reasons to attach to any consent should the Members of the LRB be minded to approve this application; and
2. Adjourn the meeting and to reconvene once this further information had been received and interested parties had been given the opportunity to comment on it.

(Reference: Further information received and comments from Interested Parties, submitted)