

**MINUTES of MEETING of ARGYLL AND BUTE LOCAL REVIEW BODY held BY MICROSOFT
TEAMS
on TUESDAY, 21 MAY 2024**

Present: Councillor Kieron Green (Chair)
Councillor Mark Irvine Councillor Andrew Kain

Attending: Iain Jackson, Governance, Risk and Safety Manager (Adviser)
Hazel MacInnes, Committee Services Officer (Minutes)

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: LAND AT COULTORSAY FARM,
BRUICHLADDICH, ISLE OF ISLAY (REF: 24/0006/LRB)**

The Chair, Councillor Green, 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 (LRB) 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 sufficient information before them to come to a decision on the Review.

Councillors Kain and Irvine advised that they felt they had sufficient information before them to come to a decision. Councillor Green confirmed he felt he too had sufficient information to come to a decision and invited discussion on the case before them.

Councillor Irvine said that with regard to all the information before them and specifically the way officers had interpreted the planning policies, he felt that the officer decision was appropriate. He added that the proposal would not sit well within the surrounding countryside and that the size, mass and scale of the development were not suitable; and while there was precedent, it was not suitable with what was being proposed. He said that he was minded to refuse the appeal.

Councillor Kain disagreed with the comments made by Councillor Irvine. He made reference to the Council having had declared a housing crisis early the previous year, and the housing emergency that had been declared across the country. He advised that the Scottish Government and the Council were trying to address depopulation, and as housing for workers was relevant now, this proposal could assist with this. Councillor Kain highlighted that the Applicants had indicated that they were willing to put conditions on the development to ensure that the use of the buildings was constrained. He said that he had an issue with a statement made by the planning officer that the development had an urban character, whereby a previous officer had indicated that it would be okay.

Councillor Kain said that in regards planning, there was a need to have perspective in terms of context. He advised that the population of Islay was around 3200, and had that been stable throughout its history then it could maybe have been considered as urban character but the Council was trying to reverse depopulation. He told the Panel that in 1830, the population on Islay had been 13,600, which was 4 times what it was now and therefore there was nothing to impede this in context. He again referred to the clear indication of willingness for a housing burden to be put on development by the applicant and said that given the current housing situation, the application should be approved.

Councillor Green advised that his view was similar to that of Councillor Irvine. He said that they he had looked at the layout, he was aware that the housing emergency had been raised and there was a recognition of the need for housing; however, he said that the proposed development did remind him of other urban developments within Argyll and Bute, such as the type of development you could see in Minard and Furnace which were very much an urban character within an Argyll and Bute context. He added that if perhaps a development had been proposed that was in keeping with traditional farm buildings, he may have had a different view, but this particular development had reminded him of other urban developments within Argyll and Bute which were geared up to those living in these particular places. He advised that he was minded to reject the appeal.

Councillor Irvine acknowledged Councillor Kain's comments around the housing emergency but advised that he felt officers had appropriately determined refusal of the application and did not feel this particular development met enough criteria to meet the need for approval in terms of a housing emergency.

Councillor Kain said that he had been given no reason to change his view, and that they were now faced with the issue that planning was now becoming a barrier to achieving both Council objectives and Government objectives. He repeated the population figures he had given from the present time and from 1830, highlighting that the population had been declining ever since then. He said that one of only ways to reverse depopulation was with housing provision, adding that employers could not get housing for their employees on Islay.

Councillor Green said that the population point was valid, and that in some circumstances it was helpful to look at historical population figures, he provided an example on the island of Lismore where the population had been 8 times what it was now. He said that he had looked at the ruined buildings that had been in use from when population was higher and there could be no comparison made, as the demographics were different, there had been more children back then who may not have survived, and there had been a history of emigration. In addition, the buildings that people had lived in at that time would not be suitable in the present day as properties were much smaller, and vastly smaller populations would be able to live in these properties now. He said that the type of properties suitable to house 6 or 8 people now would be massive. Councillor Green said that they were required to deal with how people live these days and to take account of the economic situation on the island. He agreed that there was a need for housing but it could not be intrusive on the landscape and advised that the proposed development was very prominent.

Councillor Kain agreed that families were now structured differently and said that it was economic circumstances that had driven decline. He advised that it was down to the whisky trade, and that the development of the blue economy was bringing

business to all islands but employers were constrained as there wasn't the housing for new employees. He said the economic potential was there but was constrained by lack of house building.

Councillor Irvine moved that the Local Review Body uphold the officer decision and refuse the appeal and this was seconded by Councillor Green.

Decision

The Argyll and Bute Local Review Body, having considered the merits of the case de novo, agreed to refuse the application and uphold the decision of the Planning authority to refuse planning permission for the following reason(s):-

1. The proposed development, by reason of its scale, form, layout and location, would introduce an urban character/form of development into this countryside setting which would have an adverse visual impact which would, as a result, have a significant adverse impact on the character of the landscape. Consequently, the proposal would be contrary to Policies LDP DM1, LDP 3, LDP 9, SG LDP HOU (A) (B), LDP ACE 1, SG LDP Sustainable, SG LDP ENV 14 of the Argyll and Bute Local Development Plan 2015, NPF4 policies 4a, 9b, 14, 16f) 17c) iii, and emerging LDP2 policies 02, 04, 05, and 08.

Having moved an amendment that failed to find a seconder, Councillor Kain requested that his dissent be recorded from the foregoing decision.

(Reference: Notice of Review and Supporting Documentation; comments from Interested Parties and comments from Applicant, submitted)