

**MINUTES of MEETING of ARGYLL AND BUTE LOCAL REVIEW BODY held in the
COMMITTEE ROOM 1, KILMORY, LOCHGILPHEAD
on MONDAY, 9 MARCH 2015**

Present: Councillor David Kinniburgh (Chair)
Councillor Alex McNaughton Councillor Sandy Taylor

Attending: Charles Reppke, Head of Governance and Law (Adviser)
Fiona McCallum, Committee Services Officer (Minute Taker)

1. APOLOGIES FOR ABSENCE

Advance notification of Councillor Mary- Jean Devon's apologies were submitted due to the adverse weather conditions and it was agreed that Councillor Alex McNaughton would substitute for Councillor Devon on this occasion.

2. DECLARATIONS OF INTEREST

There were no declarations of interest.

3. CONSIDER NOTICE OF REVIEW REQUEST: LAND EAST OF HERONS REACH, KILCHRENAN, TAYNUILT (REF: 15/0001/LRB)

The Chair welcomed everyone to the meeting and advised that his first task would be to establish if the Members of the Argyll and Bute Local Review Body (ABLRB) felt they had sufficient information before them to come to a decision on the Review and they all confirmed this to be the case.

Councillor Taylor confirmed that he did not support this planning application for the reasons set out in the report of handling.

Councillor McNaughton confirmed that he supported the Planner's decision to refuse this planning application for the reasons set out in the report of handling.

Councillor Kinniburgh confirmed that he too supported the Planning decision to refuse the planning application. He noted that temporary permission had been previously granted to provide caravan accommodation for the work force associated with construction of a near by wind farm due to there being a locational need at that time. He further noted that this temporary consent had since expired that that it was a condition of that planning consent that the land be fully reinstated to its previous condition. He confirmed that he supported the reasons for the Planner's decision to refuse this application to retain the site for agricultural and landscaping storage space and agreed that no locational need had been identified and that there was nothing on the land to justify supporting a locational need.

Decision

The ABLRB unanimously agreed to uphold the decision to refuse planning permission for the following reasons:-

The proposal lies within land allocated as Sensitive Countryside in the adopted Argyll and Bute Local Plan, whereby Structure Plan Policy STRAT DC 5 applies a presumption against development, other than small scale infill, rounding-off, redevelopment or change of use development.

The proposal does not constitute a form of infill, rounding-off, redevelopment, or a change of use development, given that the former planning permission 12/00642/PP was only granted on a short term temporary basis and came with a requirement to entirely reinstate the site once that permission lapsed.

The site area is such that the proposal represents medium scale development as defined in the Development Plan, which further confirms that if consideration were being given to supporting the application, such support could only come on the basis of an evidenced locational need for the development and by the proposal being subject to an Area Capacity Evaluation to establish whether the site was a suitable location for the specific development proposed.

No claim of locational need has been made or evidenced and no special case has been identified that would trigger the undertaking of an Area Capacity Evaluation. No locational need or exceptional circumstance has been identified to the Planning Authority that could justify the development. The proposal is contrary to Structure Plan Policy STRAT DC 5 and Local Plan Policy LP BUS 2.

(Reference: Notice of Review and written submissions, submitted)