

Local Review Body  
5 December 2012

**IRVINE, 5 December 2012** - At a Meeting of the Local Review Body of North Ayrshire Council at 2.30 p.m.

**Present**

Matthew Brown, John Ferguson, Robert Barr, John Bruce, Joe Cullinane and Tom Marshall.

**In Attendance**

D. Hammond, Planning Adviser to the Local Review Body (Development and Environment); J. Law, Legal Adviser to the Local Review Body (Corporate Services); and D. McCaw Committee Services Officer (Chief Executive's Service).

**Chair**

Councillor Brown in the Chair.

**Apologies for Absence**

John Bell, Ronnie McNicol, Jim Montgomerie and Robert Steel.

**1. Declarations of Interest**

There were no declarations of interest by Members in terms of Standing Order 16 and Section 5 of the Code of Conduct for Councillors.

**2. Minutes**

The Minutes of the previous (i) meeting of the Committee; and (ii) Pre Examination Meeting of the Committee, the held on 14 November 2012 were signed in accordance with paragraph 7(1) of Schedule 7 of the Local Government (Scotland) Act 1973.

**3. Notice of Review: 12/00098/PP: Erection of Detached Dwellinghouse and Refurbishment of Existing Outbuilding with the Addition of a Greenhouse and Landscaping: Land Adjacent to Myrtle Cottage, Whiting Bay, Isle of Arran**

Submitted report by the Chief Executive on a Notice of Review by the applicant in respect of the refusal of a planning application by officers under delegated powers for erection of a detached dwellinghouse and the refurbishment of the existing outbuilding with the addition of a greenhouse and landscaping on land adjacent to Myrtle Cottage, Whiting Bay, Isle of Arran. The Notice of Review documentation, a further representation from an interested party, the applicant's response to the additional representation, the Planning Officer's Report of Handling, a location plan and a copy of the Decision Notice, were provided as Appendices 1-6 to the report.

The Chair advised that, due to illnesses, the Local Review Body was inquorate in terms of the Members who attended the site visit on 16 November 2012 and recommended continuing the case to a Special Meeting to determine.

The Local Review Body agreed to continue consideration of this item to a Special Meeting of the Local Review Body to be held on Wednesday 19 December 2012 at 11.30 a.m.

**4. Notice of Review: 12/00308/PP: Erection of detached dwellinghouse and formation of access: Site to East of Shore Cottage, Blackwaterfoot, Isle of Arran**

Submitted report by the Chief Executive on a Notice of Review by the applicant in respect of the refusal of a planning application by officers under delegated powers for the erection of a detached dwellinghouse and formation of access on a site to the east of Shore Cottage, Blackwaterfoot, Isle of Arran. The Notice of Review documentation, the Planning Officer's Report of Handling, a point of clarification on the report of handling, a location plan and a copy of the Decision Notice, were provided as Appendices 1-4 to the report.

The Planning Adviser to the Local Review Body introduced the matter under review, confirming that the Notice of Review had been submitted timeously by the applicant. Photographs and plans of the proposed development were displayed and the Planning Adviser provided the LRB with a verbal summary of the review documents.

Members agreed that the Local Review Body had sufficient information before it to determine the matter without further procedure.

Accordingly, having considered all the information, the Local Review Body agreed (a) to uphold the decision to refuse planning permission on the following grounds:-

1. That, the proposed development would be contrary to criteria (b) and (c) of Policy H1 of Alteration No. 1 of the adopted Isle of Arran Local Plan and criterion (a) of the Development Control Statement of the adopted Isle of Arran Local Plan, by reason of its location to the rear of existing developments on the south side of the access road serving the group of houses at South Feorline, which would (a) be out of character with the established pattern of development at South Feorline and represent an unnecessary intrusion into the countryside, to the detriment of visual amenity and the appearance of the countryside, (b) not be in the interests of the proper planning of the area and (c) prejudice a future development opportunity, as there are other sites within the housing group that could be developed in accordance with the aims of Policy H1.

2. That, the proposed development would be contrary to Policies RES 1 and ENV 1 of the adopted Isle of Arran Local Plan, in that it would comprise residential development within the countryside for which there is no specific locational need. The proposed dwellinghouse would not be required for persons employed in agriculture, forestry or an established rural business and consequently there is no justification for the dwellinghouse which, if approved, would establish an undesirable precedent for unnecessary development within the countryside, to the detriment of the appearance and amenity of the countryside.

and (b) that the Decision Notice be drafted by Officers, agreed by the Chair and, thereafter, signed by the Proper Officer for issue to the applicant.

The meeting ended at 2.50 p.m.