

## **Local Review Body 26 September 2018**

**Irvine, 26 September 2018** - At a Meeting of the Local Review Body of North Ayrshire Council at 2.15 p.m.

### **Present**

Tom Marshall, Timothy Billings, Robert Barr, Christina Larsen, Ellen McMaster, Ronnie McNicol and Donald Reid.

### **In Attendance**

A. Hume, Senior Development Management Officer (Economy and Communities); M. Barbour, Solicitor (Legal Services); and E. Gray, Committee Services Officer (Chief Executive's Service).

### **Chair**

Councillor Marshall in the Chair.

### **Apologies for Absence**

Ian Clarkson, Robert Foster and Shaun Macaulay

### **1. Declarations of Interest**

There were no declarations of interest by Members in terms of Standing Order 10 and Section 5 of the Code of Conduct for Councillors.

### **2. Minutes**

The Minutes of the meeting of the Committee held on 13 June 2018 were confirmed and the Minutes signed in accordance with Paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973.

### **3. Notice of Review: 18/00287/99 - 12 Haylie Gardens, Largs**

Submitted report by the Chief Executive on a Notice of Review by the applicant in respect of an application for planning permission refused by officers under delegated powers for formation of a two storey side extension including balconies to the front and rear and installation of dormer extension to front of the dwellinghouse.

The Notice of Review documentation, the Planning Officer's Report of Handling, a copy of the Decision Notice, location plan, further representations from interested parties and the appellant's responses to further representations were provided as appendices to the report.

The Planning Adviser summarised the Notice of Review for the applicant and the Report of Handling of the appointed officer. Photographs and plans of the site were displayed. The Committee were informed of the appellant's request for a site visit.

The Chair asked if the Committee felt enough information had been provided to determine the appeal without a site visit.

Councillor McNicol, seconded by Councillor McMaster, moved that enough information had been provided and the review request should be determined without a site visit.

As an amendment, Councillor Billings moved that a site visit should be undertaken by the Committee before the review request was considered. There being no seconder the amendment fell.

Accordingly, the Committee agreed to determine the review request without a site visit.

Members asked questions and were provided with further information on possible conditions which could be put in place to address issues around overlooking arising from the rear balcony, similar developments elsewhere in Haylie Gardens, and inaccuracies in the Report of Handling which were highlighted by the applicant.

Councillor McNicol, seconded by Councillor Reid, moved that the Local Review Body uphold the decision to refuse planning permission for the reason set out in the report.

As an amendment, Councillor Larsen, seconded by Councillor McMaster, moved that the Local Review Body overturn the decision taken by the planning officer and grant the application.

On a division there voted for the amendment three and for the motion four, and the motion was declared carried.

Accordingly, the Committee agreed to uphold the decision to refuse planning permission on the following grounds:

1. That the proposed development would be contrary to criteria (a) and (b) of the General Policy in the adopted North Ayrshire Council Local Development Plan. The development would not have regard to its relationship with existing buildings; the size, scale and massing is out of keeping with the host property; and it would have a negative visual effect on the surrounding area. The development would also have an adverse impact on the established residential amenity of the property to the south by way of overlooking.

The Meeting ended at 2.45 p.m.