

Local Review Body
18 May 2010

IRVINE, 18 May 2010 - At a Meeting of the Local Review Body of North Ayrshire Council at 3.45 p.m.

Present

Elizabeth McLardy, Margie Currie, Robert Barr, Ian Clarkson, John Ferguson, Ronnie McNicol, Pat McPhee and John Moffat.

In Attendance

R. Forrest, Planning Services Manager, A Craig, Senior Solicitor and J. Law, Solicitor (Corporate Services); and M. Anderson, Committee Services Officer (Chief Executive's Service).

Chair

Councillor McLardy in the Chair.

Apologies for Absence

David Munn and Robert Rae.

1. Declarations of Interest

There were no declarations of interest by Members in terms of Standing Order 16.

2. Garnock Valley: 09/00747/PP: Beith: Threepwood Road: Site to East of Woodlands

Submitted report by the Chief Executive on a request for review of Conditions 1 and 3 (relating to floodlighting and passing places, respectively) imposed by officers under delegated powers in respect of planning consent for the erection of a driving range enclosure with associated car parking and access road on an existing golf course on a site to the east of Woodlands, Threepwood Road, Beith. The Notice of Review documentation, further representations received from interested parties, the applicant's response to the representations, the Planning Officer's Report of Handling, a location plan and copy of the Decision Notice, were provided as Appendices 1-6 to the report.

The Planning Services Manager, as Planning Adviser to the LRB, introduced the matter under review, confirming that the Notice of Review was in order and had been submitted timeously by the applicant. Photographs and plans of the site were displayed, together with a drafting lighting plan submitted as part of the Notice of Review.

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

Thereafter, Members discussed and formed the view that the specialised lighting provision and proposed hours of usage of the proposed floodlighting (namely, not in use in the mornings and up to 8pm in the evenings during the winter season, as set out in the applicant's statement) were such that the amenity of neighbouring properties could be safeguarded, subject to imposing the 2 provisions recommended by Environmental Health in their letter to the applicant dated 2 December 2009. Members further expressed the view that the provision of passing places was required in the interests of road safety.

The Local Review Body, having considered the provisions of the Development Plan and other material considerations, agreed (a) to grant the request to remove Condition 1 of the planning consent N/09/00747/PP in order to permit the proposed floodlights, subject to the following replacement condition:-

1. That (i) the car park/security/driving range lighting shall be designed and installed with reference to the guidance issued by the Institute of Lighting Engineers to minimise the intensity of useful light and spill light and (ii) light trespass into windows of nearby dwellings, within the line of illumination from the artificial lighting being provided shall be limited to 10EV(Lux) (0700-2300 hours).

(b) to uphold the decision to impose Condition 3, in respect of the provision of passing places between the A737 and the entrance to the golf course; and

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

3. Isle of Arran: 09/00804/PP: Arran: Whiting Bay: Silverhill: Plot 9

Submitted report by the Chief Executive on a request for review of Conditions 1-4 (inclusive) (relating broadly to the provision of road access, parking, boundary enclosures and drainage arrangements) imposed by officers under delegated powers in respect of the granting of planning permission for the erection of a detached dwellinghouse on Plot 9, Silverhill, Whiting Bay, Isle of Arran. The Notice of Review documentation, the Planning Officer's Report of Handling, a location plan and copy of the Decision Notice, were provided as Appendices 1-4 of the report. The report noted that interested parties had been invited to submit representations in respect of the Notice of Review, but that no representations had been received.

The Planning Services Manager, as Planning Adviser to the LRB, introduced the matter under review, confirming that the Notice of Review was in order and had been submitted timeously by the applicant. Photographs and plans of the site were displayed.

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

Thereafter, Members discussed and formed the view that, although similar conditions imposed historically in respect of neighbouring plots had not been implemented, it was proper that conditions be attached to the current consent to secure appropriate access and parking arrangements in accordance with the recommendation of Infrastructure and Design Services (Roads). Members also agreed that it was reasonable and proper that conditions in respect of boundary enclosures and drainage be imposed in the interests of the amenity of the proposed dwellinghouse and its vicinity and, in addition, in respect of drainage, to meet the requirements of Scottish Water.

The Local Review Body, having considered the provisions of the Development Plan and other material considerations, agreed (a) to uphold decision to impose Conditions 1-4 (inclusive) to planning consent N/09/00804/PP; 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 and interested parties.

The meeting ended at 4.25 p.m.