

Local Review Body
2 February 2010

IRVINE, 2 February 2010 - At a Meeting of the Local Review Body of North Ayrshire Council at 3.05 p.m.

Present

Elizabeth McLardy, Margie Currie, Robert Barr, Matthew Brown, Ian Clarkson, John Ferguson, Ronnie McNicol, Pat McPhee and Ryan Oldfather.

In Attendance

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

Chair

Councillor McLardy in the Chair.

Apologies for Absence

John Moffat, David Munn and Robert Rae.

1. Declarations of Interest

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

2. Isle of Arran: 09/00604/PP: Arran: High Kildonan: JJ Market Garden

Submitted report by the Chief Executive on a request for review of a decision taken by officers under delegated authority to refuse planning permission for the siting of a static caravan. 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.

A procedural guidance note and an extract from the North Ayrshire (Isle of Arran) Local Plan showing the Development Control Statement and Policy ENV1, were circulated at the meeting for the information of Members. Photographs and plans of the site were displayed. Members of the Local Review Body were also given sight of commercially sensitive background information provided by the applicant's agent on a strictly confidential basis.

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.

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

Councillor Currie, seconded by Councillor McLardy, moved that the Local Review Body agree to (a) uphold the review request; and (b) grant the application, subject to conditions to restrict occupancy of the static caravan, limit the duration of planning permission to a period of 3 years and secure adequate parking and turning provision for the occupants of the static caravan and customers of the market garden business.

As an amendment, Councillor Brown, seconded by Councillor McNicol, moved that the Local Review Body agree to uphold the decision to refuse planning permission for the reason set out in the Decision Notice (Appendix 4 to the report).

On a division, there voted for the amendment 4 and for the motion 5 and the motion was declared carried.

Accordingly, the Local Review Body agreed to (a) uphold the review request; and (b) grant the application, subject to the following conditions:-

1. The static caravan shall be occupied solely by Mrs Joyce Miller and/or members of her immediate household or an employee, and solely in connection with the cultivation of crops and the supervision of crops and livestock in the market garden within which the static caravan is sited.
2. This planning permission shall last for three years from the date of this notice, after which the caravan shall be permanently removed from the holding within one month, unless the Planning Authority has granted, in writing, an extension of the period for lawful occupation.
3. That, prior to the siting of the static caravan, hereby approved, (i) amended plans showing parking and turning arrangements for the residents of the static caravan and separate parking and turning arrangements for customers attending the market garden shall be submitted to, and approved in writing by, North Ayrshire Council as Planning Authority, and (ii) the approved parking and turning arrangements shall be implemented and thereafter maintained, all to the satisfaction of North Ayrshire Council as Planning Authority.

3. Irvine/Kilwinning: 09/00478/PPP: Irvine: Land at Williamfield Park

Submitted report by the Chief Executive on a request for review of a decision taken by officers under delegated authority to refuse planning permission for the erection of a dwellinghouse. The Notice of Review documentation, representation received from interested parties, the applicant's response to representation, the Planning Officer's Report of Handling, a location plan and copy of the Decision Notice, were provided as Appendices 1-6 of 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.

The Local Review Body agreed (a) that, subject to a site familiarisation visit being undertaken, it had sufficient information before it to determine the matter without further procedure; and (b) to note that only those Members of the LRB who attended the site visit would be eligible to participate in the determination of the review request.

The Meeting ended at 3.45 p.m.