

Local Review Body 23 August 2023

At a Meeting of the Local Review Body of North Ayrshire Council at 3.15 p.m. involving participation by remote electronic means.

Present

Timothy Billings, Scott Davidson, Cameron Inglis, Jim Montgomerie and Chloé Robertson.

In Attendance

A. Finlayson, Chief Planning Officer, I. Davies and A. Hume, Senior Development Management Officers (Planning) (Place); R. Lynch, Senior Manager, J. Niven, Solicitor (Legal Services) and C. Stewart, H. Clancy and S. Wilson, Committee Services Officers (Democratic Services) (Chief Executive's Service).

Chair

Councillor Billings in the Chair.

Apologies

Robert Foster, Stewart Ferguson, Amanda Kerr, Davina McTiernan and Ian Murdoch.

1. Declarations of Interest

There were no declarations of interest by Members in terms of Standing Order 11 and Section 5 of the Code of Conduct for Councillors.

2. Minutes

The Minutes of the Meeting held on 14 June 2023 were confirmed and signed in accordance with Paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973.

3. Notice of Review: 22/00987/PP – 51 Quarry Road, Irvine

Submitted report by the Head of Democratic Services on a Notice of Review by the applicant in respect of a planning application refused by officers under delegated powers. The Notice of Review documentation, Planning Officer's Report of Handling, Location Plan, Planning Decision Notice and applicant's response to the request for further information, were provided as appendices to the report.

The Planning Adviser to the Local Review Body summarised the Notice of Review submitted by the applicant, the Report of Handling submitted by the appointed officer and the background to the continuation of the Review from the June meeting for the submission of further information relating to neighbouring properties with similar extensions, which had now been provided by the applicant. Photographs and plans of the site were displayed. The Planning Adviser advised that no site visit or hearing had been requested by the applicant.

Members asked questions and were provided with further information in relation to neighbouring properties with different and alternative types of extensions, some of which could have been built under previous permitted development rights legislation.

The Local Review Body unanimously agreed that enough information had been provided to determine the review request.

Councillor Inglis, seconded by Councillor Robertson, moved that the Local Review Body uphold the officer's decision to refuse the application for the reasons outlined in the Decision Notice. There being no amendment the motion was declared carried.

Accordingly, the Local Review Body agreed to uphold the officer's decision and refuse planning permission.

4. Notice of Review: 23/00126/PP: 14A Ferry Road, Fairlie

Submitted report by the Head of Democratic Services on a Notice of Review by the applicant in respect of a planning application refused by officers under delegated powers. The Notice of Review documentation, Planning Officer's Report of Handling, Location Plan and Planning Decision Notice, were provided as appendices to the report.

The Planning Adviser to the Local Review Body summarised the Notice of Review submitted by the applicant and the Report of Handling submitted by the appointed officer. Photographs and plans of the site were displayed. The Planning Adviser referred to the applicant's request for a site visit.

Members asked questions and were provided with further information in relation to the different changes that had taken place in the past to adjacent properties, with various extensions, which had demonstrated a lack of consistency in terms of the overall style of the streetscape.

The Local Review Body unanimously agreed that (a) a site visit was not required and (b) enough information had been provided to determine the review request.

Councillor Inglis, seconded by Councillor Montgomerie, moved that the Local Review Body uphold the appeal and grant planning permission. There being no amendment the motion was declared carried.

Accordingly, the Local Review Body agreed to grant the application, for the following reason:-

1. The proposal does not comply with the relevant provisions of the development plan, however other material considerations indicate otherwise and planning permission can be granted.

5. Notice of Review: 23/00309/PPP: Mid Lambroughton Farm: by Cunninghamhead

Submitted report by the Head of Democratic Services on a Notice of Review by the applicant in respect of a planning application refused by officers under delegated powers. The Notice of Review documentation, Planning Officer's Report of

Handling, Location Plan and Planning Decision Notice, were provided as appendices to the report.

After hearing the Legal Adviser, it was agreed that information relating to the statement of case, as submitted by the agent for the applicant, had been inadvertently omitted from the report. Accordingly, the Local Review Body agreed to continue consideration of the Notice of Review to the next meeting of the LRB to enable this information to be included in the report.

6. Notice of Review: 23/00249/PP: 33 High Road, Saltcoats

Submitted report by the Head of Democratic Services on a Notice of Review by the applicant in respect of a planning application refused by officers under delegated powers. The Notice of Review documentation, Planning Officer's Report of Handling, Location Plan and Planning Decision Notice, were provided as appendices to the report.

The Planning Adviser to the Local Review Body summarised the Notice of Review submitted by the applicant and the Report of Handling submitted by the appointed officer. Photographs and plans of the site were displayed. The Planning Adviser advised that no site visit of hearing had been requested by the applicant.

Members asked questions and were provided with further information in relation to the nature and design of roof styles of similar properties in the surrounding area, in terms of visual impact and in terms of consistency of design.

The Local Review Body unanimously agreed that enough information had been provided to determine the review request.

Councillor Montgomerie, seconded by Councillor Inglis, moved that the Local Review Body uphold the appeal and grant planning permission, subject to appropriate conditions.

As an amendment, Councillor Billings, seconded by Councillor Davidson, moved that the Local Review Body uphold the officer's decision to refuse the application for the reasons outlined in the Decision Notice.

On a division and roll call vote, there voted for the amendment Councillors Billing, Davidson and Robertson (3) and for the motion, Councillors Inglis and Montgomerie (2). The amendment was declared carried.

Accordingly, the Local Review body agreed to uphold the officer's decision and refuse planning permission.

The meeting ended at 4.20 p.m.