

Local Review Body
24 January 2012

IRVINE, 24 January 2012 - At a Meeting of the Local Review Body of North Ayrshire Council at 2.30 p.m.

Present

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

In Attendance

R. Forrest, Planning Services Manager and A. Craig, Senior Solicitor (Corporate Services); and A. Wattie, Communications Officer and P. Shiach, Committee Services Officer (Chief Executive's Service).

Chair

Councillor McLardy in the Chair.

Apologies for Absence

Matthew Brown

1. Declarations of Interest

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

2. Minutes

The Minutes of the previous meeting of the Local Review Body held on 13 December 2011 were signed in accordance with Paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973.

3. Notice of Review Procedure

Prior to consideration of the Notices of Review, the Senior Solicitor, as Legal Advisor to the Local Review Body, advised Members of the procedure to be followed.

4. Notice of Review: 11/00364/PP: Erection of 2x27 metre to tip Wind Turbines: Hill of Beith Farm, Beith

Submitted report by the Chief Executive on a Notice of Review by the applicant in respect of a planning application refused by officers under delegated powers for the erection of 2 x 27 metre to tip wind turbines at Hill of Beith Farm, Beith. 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 to the report.

The Planning Services Manager, as Planning Advisor to the Local Review Body, introduced the matter under review, confirming that the Notice of Review had been submitted timeously by the applicant. Plans of the proposed development were displayed.

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

Having considered all the information, the Local Review Body, Councillor Barr dissenting, agreed to uphold the decision to refuse planning permission on the following grounds: -

That the proposed wind turbines would be contrary to policy INF7 (a) and (b), and criteria (a) and (c) of the Development Control Statement of the adopted North Ayrshire Local Plan (excluding Isle of Arran), and the Supplementary Planning Guidance within the Landscape Capacity Study for Wind Farm development in North Ayrshire - Phase Two Report (2009) in that their location, size, scale, form, massing, height and number would have a significant negative impact on the established landscape of the area, to the detriment of the character and amenity of the area.

5. Notice of Review: 11/00490/PP: Erection of 2 no. 15 metre high Turbines (19.25m to blade tip): Hoodsyard Farm: Beith

Submitted report by the Chief Executive on a Notice of Review by the applicant in respect of a planning application refused by officers under delegated powers for the erection of 2 no. 15 metre high turbines (19.25m to blade tip) at Hoodsyard Farm, Beith. 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 to the report.

The Planning Services Manager, as Planning Advisor to the Local Review Body, introduced the matter under review, confirming that the Notice of Review had been submitted timeously by the applicant. Plans of the proposed development were displayed.

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

Having considered all the information, the Local Review Body agreed (a) to uphold the review request; (b) to grant the application subject to the condition that, should they not produce electricity for a period of six months, the wind turbines be dismantled and removed from the site and the land restored to its original condition; and (c) that the Decision Notice be drafted by Officers, agreed by the Chair and, thereafter, signed by the Proper Officer for issue to the applicant.

6. Notice of Review: 11/00383/PP: Installation of 50m Guyed Meteorological Mast for a temporary period of 2 years: Jameston Moss: Dalry

Submitted report by the Chief Executive on a Notice of Review by the applicant in respect of a planning application refused by officers under delegated powers for the installation of a 50 metre guyed meteorological mast for a temporary period of 2 years at Jameston Moss, Dalry. 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 to the report.

The Planning Services Manager, as Planning Advisor to the Local Review Body, introduced the matter under review, confirming that the Notice of Review had been submitted timeously by the applicant. Plans of the proposed development were displayed.

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

Having considered all the information, the Local Review Body agreed (a) to uphold the review request; (b) to grant the application; (c) that their decision was without prejudice to any future windfarm application; (d) that the mast approved shall be removed and the site reinstated to the satisfaction of North Ayrshire Council as Planning Authority within two years of the date of the decision; and (e) 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 3.20 p.m.