

Local Review Body

19 June 2019

Irvine, 19 June 2019 - At a Meeting of the Local Review Body of North Ayrshire Council at 2.55 p.m.

Present

Tom Marshall, Timothy Billings, Robert Barr, Robert Foster, Shaun Macaulay, and Ronnie McNicol.

In Attendance

A. Hume, Planning Adviser to the LRB (Economy and Communities); A. Craig, Legal Adviser to the LRB (Legal Services); and E. Gray and H. Clancy, Committee Services Officers (Chief Executive's Service).

Chair

Councillor Marshall in the Chair.

Apologies for Absence

Ian Clarkson, Christina Larsen and Donald Reid.

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 Local Review Body held on 22 May 2019 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:

Submitted a report by the Head of Service (Democratic Services) on a Notice of Review submitted by the applicant in respect of an application for planning permission refused by officers under delegated powers for the conversion of redundant agricultural building to form dwelling-house at a site to the West of Pirogue, Whiting Bay, Isle of Arran.

The Notice of Review documentation, Planning Officer's Report of Handling, Planning decision notice, location plan, further representations by interested parties and the applicant's response to the further representations were provided as appendices to the report.

The Planning Adviser to the Local Review Body summarised the Notice of Review for the applicant and the Report of Handling for the appointed officer. Photographs and plans of the site were displayed.

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

Members asked questions and were provided with further information on:

- the surface material of the site access which was detailed in the application to be paving stones around the property and gravel on the access road and received no objection from the Council's Active Travel and Transportation team;
- similar cases of converted properties on Arran and whether these set a precedent; and
- the proposed design of the property, similar new build properties on the island and the setting of the proposed development.

Councillor Foster, seconded by Councillor McNicol, moved that the Local Review Body uphold the decision taken by the Planning Officer to refuse the application for planning permission for the reasons set out in the planning decision notice.

As an amendment, Councillor Barr, seconded by Councillor Billings, moved that the Local Review Body overturn the decision taken by the Planning Officer and grant planning permission on the grounds that the proposed design would not look out of place and would increase the visual amenity of the site.

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

Accordingly, the Local Review Body agreed to uphold the decision taken by the Planning Officer to refuse the application for planning permission on the following grounds:

1. That the proposed development would be contrary to criterion (a), (b) and (f) of policy ENV3 of the North Ayrshire Council Local Development Plan as: (a) the existing building is not in an acceptable location or of appropriate scale and character for conversion to a dwellinghouse; (b) the building does not possess sufficient architectural or historic interest to make a significant positive contribution to the visual amenity of the rural landscape; and (f) the proposals do not take cognisance of the Rural Design Guidance.
2. That the proposed development would be contrary to criteria (a) and (c) of the General Policy of the North Ayrshire Council Local Development Plan as: (a) the proposed siting does not have regard to the visual effects of the development on the surrounding landscape; and (c) the development would have a significant adverse impact on the landscape character of the area.

The Meeting ended at 3.20 p.m.