

**Local Review Body
15 December 2021**

At a Special Meeting of the Local Review Body of North Ayrshire Council at 11.30 a.m. involving participation by remote electronic means.

Present

Tom Marshall, Timothy Billings, Robert Barr, Robert Foster, Christina Larsen and Ronnie McNicol.

In Attendance

I. Davies, Planning Adviser to the LRB and J. Thompson, Assistant Planning Officer (Economic Development and Regeneration) (Place); J. Law, Legal Adviser to the LRB (Legal Services); and A. Little and H. Clancy, Committee Services Officers (Chief Executive's Service).

Also in Attendance

A. Paterson (Applicant).

Apologies

Ian Clarkson, Shaun Macaulay, Ellen McMaster and Donald Reid.

Chair

Councillor Marshall in the Chair.

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. Notice of Review: 21/00293 – 8 Gray Crescent, Irvine

Submitted report by the Head of Service (Democratic Services) on a Notice of Review submitted by the applicant in respect of a planning permission refused by officers under delegated powers in respect of Planning Application 21/00293 - 8 Gray Crescent, Irvine for the erection of a 2 storey extension to the south side elevation and single storey extension to the north side elevation of the detached dwelling house at 8 Gray Crescent, Irvine.

The Notice of Review documentation, Planning Officer's Report of Handling, Location Plan, Planning decision notice, further representations by interested parties, the applicant's response to further representations from interested parties and hearing statements from the applicant, interested parties and North Ayrshire Council Planning service, were provided as appendices to the report.

At its meeting on 29 September 2021, the Local Review Body agreed that a hearing be held before the review request was determined, on the basis that there had only been one objection to the application and to provide the applicant an opportunity to outline their circumstances of home working as a result of the pandemic. The hearing would also allow the applicant to explain their view on why the application

would not be overdevelopment of the site and the reasons why a rear extension to property would not be suitable.

In accordance with the hearing procedure and rules, the applicant, an officer of the Council's Planning Service and interested parties who made representations on the application were invited to attend the Hearing Session and to submit a Hearing Statement and supporting documentation in advance of the session.

The Planning Adviser advised the Local Review Body of the background to the application and highlighted a statement which had been submitted to the LRB by an objector.

The Council's Planning Service and the applicant then addressed the Local Review Body.

Members asked questions of the applicant and the Planning Service and were provided with further information on:

- Planning regulations that do not prevent development up to the boundary of the site;
- an access gap which would have remained between the boundary and the proposed 1 ½ side extension;
- the applicant's view that the 50-year-old property required updating and refurbishment to make it suitable for modern living, including working from home;
- written confirmation which had not been sought from neighbours who had voiced support for the proposal;
- the property and proposed extension which would be of 1 ½ storeys; and
- the circumstances surrounding a neighbour who had not asked the identity of the person who claimed to be a Council official enquiring about objecting to the application.

Councillor Barr, seconded by Councillor McNicol, moved that the Local Review Body uphold the officer's decision to refuse the application for the reasons outlined in the Decision Notice.

As an amendment, Councillor Larsen, seconded by Councillor Foster, moved that the proposal was not out of character with the local area and to uphold the appeal and grant the application, subject to relevant conditions.

On a division and a roll call vote, there voted for the amendment, Councillor Larsen and Foster (2) and for the motion, Councillors Marshall, Billings, Barr and McNicol (4) and the motion was declared carried.

Accordingly, the Local Review Body agreed to uphold the officer's decision to refuse the application for the reasons outlined in the Decision Notice.

The meeting ended at 12.05 p.m.