

## **Local Review Body 02 September 2020**

**02 September 2020** - At a Virtual Meeting of the Local Review Body of North Ayrshire Council at 11.30 a.m.

### **Present**

Tom Marshall, Timothy Billings, Robert Barr, Ian Clarkson, Robert Foster, Christina Larsen, Shaun Macaulay, Ellen McMaster, Ronnie McNicol and Donald Reid.

### **In Attendance**

I. Davies, Planning Adviser to the LRB, A. Hume, Planning Adviser to the LRB (Place); A. Craig, Legal Adviser to the LRB, J. Law, Legal Adviser to the LRB (Legal Services); M. Lindsay, Customer Solutions Supervisor (ICT); M. Anderson, Senior Manager (Committee & Member Services), and D. McCaw and H. Clancy, Committee Services Officers (Chief Executive's Service).

### **Chair**

Councillor Marshall in the Chair.

### **1. Declarations of Interest**

In terms of Standing Order 10 and Section 5 of the Code of Conduct for Councillors, Councillor Billings declared an interest in Agenda Item 3: Notice of Review: 19/00669/PP – Ivybank, Lamlash, Isle of Arran, KA27 8LS, in that the applicant is known to him, left the virtual meeting and took no part in the discussion thereon.

### **2. Minutes**

The Minutes of the meeting of the Local Review Body held on (i) 02 October 2019 and (ii) 30 October 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: 19/00669/PP – Ivybank, Lamlash, Isle of Arran, KA27 8LS**

Submitted a report by the Head of Service (Democratic Services) on a Notice of Review submitted by the applicant in respect of a planning application refused by officers under delegated powers for the erection of detached garden room and decking to the rear of dwelling house (retrospective) at Ivybank, Lamlash, Isle of Arran, KA27 8LS.

The Notice of Review documentation, Planning Officer's Report of Handling, Location Plan, Planning decision notice, 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 submitted by the applicant, the Report of Handling submitted by the appointed officer, the representations received and policies affecting the application. Photographs and plans of the site were displayed.

Councillor Barr seconded by Councillor McMaster, moved that a site visit should be undertaken before the planning application is determined.

As an amendment, Councillor Reid, seconded by Councillor Foster, moved that a site visit should not be undertaken, and the application be determined.

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

Councillor Foster seconded by Councillor Macaulay, moved that the Local Review Body uphold the officer's decision to refuse planning permission for the reasons set out in the officer's report of handling.

There being no amendment the motion was declared carried, Councillor Barr dissenting.

#### **4. Notice of Review: 20/00077/PP – Site to West of Pirogue, Whiting Bay, Isle of Arran**

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

The Notice of Review documentation, Planning Officer's Report of Handling, Location Plan and Planning decision notice, further representations by interested parties 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, the representations received, the policies affecting the application and the Rural Design Guidance. 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.

Councillor McMaster seconded by Councillor Foster, moved that the Local Review Body uphold the officer's decision to refuse planning permission for the reasons set out in the officer's report of handling.

As an amendment, Councillor Billings, moved that the Local Review Body uphold the review and grant planning permission. There being no seconder, the amendment fell.

There being no amendment the motion was declared carried.

**5. Notice of Review: 20/00010/PP - Fir Trees, Lamlash, Brodick, Isle Of Arran, KA27 SJN**

Submitted a report by the Head of Service (Democratic Services) on a Notice of Review submitted by the applicant in respect of a planning application refused by officers under delegated powers for demolition of existing dwelling house and erection of 3 detached dwelling houses at Fir Trees, Lamlash, Brodick, Isle Of Arran, KA27 SJN.

The Notice of Review documentation, Planning Officer's Report of Handling, Location Plan, Planning decision notice, 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 submitted by the applicant, the Report of Handling submitted by the appointed officer, the representations received and policies affecting the application. 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.

Councillor Marshall seconded by Councillor Foster, moved that the Local Review Body uphold the officer's decision to refuse planning permission for the reasons set out in the officer's report of handling.

There being no amendment the motion was declared carried.

**6. Notice of Review: 20/00023/PP - 67 - 71 Dockhead Street, Saltcoats**

Submitted a report by the Head of Service (Democratic Services) on a Notice of Review submitted by the applicant in respect of a condition applied to planning permission granted 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, the Report of Handling submitted by the appointed officer, and policies affecting the application. 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.

Councillor McNicol seconded by Councillor Barr, moved that the Local Review Body uphold the officer's decision and retain condition 5 of the planning permission.

There being no amendment the motion was declared carried.

**6. Notice of Review: 19/00882/PP – Sorbie Farm, Ardrossan, Ayrshire KA22 7NP**

Submitted a report by the Head of Service (Democratic Services) on a Notice of Review submitted by the applicant in respect of a Section 42 application refused by officers under delegated powers to vary condition 2 of planning permission 18/01061/PP to enable an increase of the consented wind turbine tip height from 104.3m to 125m at Sorbie Farm, Ardrossan, Ayrshire.

Councillor Marshall seconded by Councillor McMaster, moved that the Local Review Body continue to a pre-examination meeting to fully consider the Notice of Review.

As an amendment, Councillor Foster, moved that the Local Review Body decide not to continue to a pre-examination meeting and hear the Notice of Review immediately or within the next 7 days. There being no seconder, the amendment fell.

There being no amendment the motion was declared carried, Councillor Foster dissenting.

**7. Notice of Review: 19/00752/PP – Site To North West Of 10 Crompton Way North Newmoor Irvine**

Submitted a report by the Head of Service (Democratic Services) on a Notice of Review submitted by the applicant for the erection of a Lidl foodstore with a sales area of up to 1,257 square metres to include the provision of access, car parking, landscaping and boundary treatment at the Site To North West Of 10 Crompton Way North Newmoor Irvine.

Councillor Marshall seconded by Councillor Larsen, moved that the Local Review Body continue to a pre-examination meeting to fully consider the Notice of Review.

As an amendment, Councillor Foster, moved that the Local Review Body decide not to continue to a pre-examination meeting and hear the notice of review immediately or within the next 7 days. There being no seconder, the amendment fell.

There being no amendment the motion was declared carried, Councillor Foster dissenting.

The Meeting ended at 1.55 p.m.