

**Local Review Body
24 April 2019**

Irvine, 24 April 2019 - At a Special Meeting of the Local Review Body of North Ayrshire Council at 2.20 p.m.

Present

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

In Attendance

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

Chair

Councillor Marshall in the Chair.

Apologies for Absence

Shaun Macaulay.

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 20 March 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: 18/01120/PP – The Rustics, Brodick, 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 an application for planning permission refused by officers under delegated powers for formation of two dormer extension to the front and one dormer extension and roof terrace to the rear of a detached dwelling at The Rustics, Brodick, Isle of Arran.

The Notice of Review documentation, the Planning Officer's Report of Handling, a copy of the Decision Notice and a location plan were provided as appendices to the report. There were no interested parties and therefore no further comments or responses.

The Legal Adviser to the Local Review Body advised of the appropriate procedure for consideration of the review request. 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 Planning Adviser referred to the applicant's request for a site visit and request for hearing sessions.

Councillor Larsen left the meeting at this point.

The Local Review Body unanimously agreed that there was enough information provided to determine the review request without a site visit or hearing sessions.

Members asked questions and were provided with further information on:-

- the neighbour notification exercise and whether any objections had been received in respect of the application;
- the photographs and plans shown in relation to siting design, external appearance and amenity;
- discussions which had taken place between the Planning Officer and the applicant prior to the application being determined; and
- the processes for submitting an amended application and the fact that the applicant could do so without being charged within a year of determination.

Members discussed the proposal thereafter. Councillor McNicol, seconded by Councillor Reid, moved that the Local Review Body uphold the decision taken by the Planning Officer to refuse the application for planning permission for the reasons given in the decision notice. There being no amendment the motion was declared carried.

Accordingly, the Local Review Body agreed to uphold the Planning Officer's decision to refuse planning permission on the following grounds:

1. That the development would be contrary to criteria (a) Siting, Design and External Appearance, and (b) Amenity, of the General Policy of the adopted North Ayrshire Council Local Development Plan as the proposed dormer extension and balcony on the north roof slope would represent overdevelopment and be both oversized and unduly visually prominent to the detriment of visual amenity; and would overlook gardens and windows of neighbouring properties to the detriment of residential amenity in the area.

The Meeting ended at 2:40 p.m.