

**Local Review Body
5 December 2018**

Irvine, 5 December 2018 - At a Meeting of the Local Review Body of North Ayrshire Council at 4.05 p.m.

Present

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

In Attendance

A. Hume, Senior Development Management Officer (Economy and Communities); M. Barbour, Solicitor (Legal Services); and E. Gray, Committee Services Officer (Chief Executive's Service).

Chair

Councillor Marshall in the Chair.

Apologies for Absence

Robert Foster, Christina Larsen

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 31 October 2018 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: 18/00559/PP - Croftlands, Lamlash, Isle of Arran

Submitted report by the Chief Executive on a Notice of Review submitted by the applicant in respect of a condition attached to a planning permission approved by officers under delegated powers to re-roof a building and convert the attic to provide additional living accommodation.

Condition 2 of planning permission 18/00559/PP states:-

"That, for the avoidance of doubt, the development hereby approved shall function only as an annexe of the existing dwelling at Croftlands and not as a separate independent dwellinghouse. The annexe shall not be let or sold separately from the existing dwellinghouse known as Croftlands."

The notice of review set out the appellant's request that Condition 2 be amended to read:-

"The annexe will not be sold separately from the property known as Croftlands"

The Notice of Review documentation, the Planning Officer's Report of Handling, a copy of the Decision Notice, further representations by interested parties and the appellant's response to the further representations were provided as appendices to the report.

The Planning Adviser to the Local Review Body introduced the matter under review, confirming that the Notice of Review had been submitted timeously by the applicant and went on to summarise the Notice of Review for the applicant and the Report of Handling of the appointed officer. Photographs and plans of the site were displayed.

Members asked questions and were provided with further information on the procedure around applying for the removal of conditions from planning permissions.

The Local Review Body unanimously agreed to uphold the officer's decision to attach a condition to planning permission 18/00559/PP to the effect that the sale or letting of the annexe separately from the existing dwellinghouse is restricted. Accordingly, the review was dismissed.

The Meeting ended at 4:15 p.m.