

**LOCAL REVIEW BODY - 5 DECEMBER 2012**

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**Local Review Body**

**Wednesday 5 December 2012 at 4pm**

**Present:** Provost Moran, Councillors McColgan (for Dorrian), Loughran, Nelson and Wilson.

**Chair:** Councillor Wilson presided.

**In attendance:** Mr R Gimby (Regeneration & Planning Services) and Mr J Kerr (for Head of Legal & Democratic Services).

**The following paragraphs are submitted for information only, having been dealt with under the powers delegated to the Local Review Body.**

**720 APOLOGIES, SUBSTITUTIONS AND DECLARATIONS OF INTEREST 720**

An apology for absence was intimated on behalf of Councillor Dorrian, with Councillor McColgan substituting.

Councillors Nelson and Wilson declared an interest in Agenda Item 2(a) (erection of two 33m high wind 50kw turbines with associated works at Kellybank Cottage, Kelly Road, Wemyss Bay (12/0085/IC)).

**721 PLANNING APPLICATIONS FOR REVIEW 721**

**(a) Erection of two 33m high wind 50kw turbines with associated works: Kellybank Cottage, Kelly Road, Wemyss Bay (12/0085/IC)**

There were submitted papers relative to the application for review of the refusal of planning permission for the erection of two 33m high wind 50kw turbines with associated works at Kellybank Cottage, Kelly Road, Wemyss Bay (12/0085/IC).

Councillors Nelson and Wilson declared non-financial interests in this matter as Board Members of Clyde Muirshiel Regional Park and left the meeting. Provost Moran assumed the Chair for this item of business.

**Decided:**

(1) that sufficient information had not been submitted to allow the Local Review Body to decide the matter without further procedure; and

(2) that, in terms of Regulation 16 of the Town & Country Planning (Schemes of Delegation and Local Review Procedure) (Scotland) Regulations 2008, consideration of the application for review be continued for an accompanied site inspection to be arranged by the Head of Legal & Democratic Services in consultation with the Chair.

Councillors Nelson and Wilson returned to the meeting at this juncture and Councillor Wilson resumed the Chair.

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(b) **Proposed mobile home garage:  
Woodbourne, Wemyss Bay Road, Wemyss Bay (12/0131/IC)**

There were submitted papers relative to the application for review of the refusal of planning permission for a proposed mobile home garage at Woodbourne, Wemyss Bay Road, Wemyss Bay (12/0131/IC).

After discussion, Councillor Wilson moved:-

- (1) that sufficient information had been submitted to allow the Local Review Body to decide the matter without further procedure; and
- (2) that the application for review be dismissed and that planning permission be refused (upholding the appointed officer's determination) for the following reason as set out in the Decision Notice dated 6 June 2012:-
  - (i) the overall profiled metal sheet finish gives the garage an industrial character and appearance, with an adverse visual impact, unexpected within a domestic garden and, as such, fails to meet Local Plan policy H1's aim of safeguarding residential character and amenity.

As an amendment, Councillor Loughran moved:-

- (1) that sufficient information had not been submitted to allow the Local Review Body to decide the matter without further procedure; and
- (2) that, in terms of Regulation 16 of the Town & Country Planning (Schemes of Delegation and Local Review Procedure) (Scotland) Regulations 2008, consideration of the application for review be continued for an unaccompanied site inspection to be arranged by the Head of Legal & Democratic Services in consultation with the Chair.

On a vote, 2 Members voted for the motion and 3 for the amendment which was declared carried.

**Decided:**

- (1) that sufficient information had not been submitted to allow the Local Review Body to decide the matter without further procedure; and
- (2) that, in terms of Regulation 16 of the Town & Country Planning (Schemes of Delegation and Local Review Procedure) (Scotland) Regulations 2008, consideration of the application for review be continued for an unaccompanied site inspection to be arranged by the Head of Legal & Democratic Services in consultation with the Chair.