

Minute

Local Review Body

Tuesday, 8 March 2022, 15:30.

Microsoft Teams.



Present

Councillors Robin W Crichton, John A R Scott, Alexander G Cowie, Norman R Craigie, Barbara Foulkes, Stephen Sankey, Owen Tierney, Duncan A Tullock and Heather N Woodbridge.

Clerk

- Angela Kingston, Committees Officer.

In Attendance

- Roddy Mackay, Planning Advisor.
- Katharine McKerrell, Legal Advisor.

Observing

- Rebecca McAuliffe, Press Officer.
- Lorraine Stout, Press Officer.

Apology

- Councillor David Dawson.

Not Present

- Councillor Magnus O Thomson.

Declarations of Interest

- No declarations of interest were intimated.

Chair

- Councillor Robin W Crichton.

1. Suspension of Standing Orders

The Local Review Body **suspended Standing Order 8.11** to enable members to participate in the meeting from a remote location, as the decision to be made was as a result of a quasi-judicial or regulatory hearings process, such as a planning application or an appeal.

-2. Form of Voting

The Local Review Body resolved that, should a vote be required in respect of the Notice of Review to be considered at this meeting, notwithstanding Standing Order 21.4, the form of voting should be by calling the roll (recorded vote).

3. Planning Application 21/445/PP

Proposed Reinstatement and Extension of House with Air Source Heat Pump and Upgrade of Access at Campston Cottage, Toab

Councillor Stephen Sankey declared a non-financial interest in this item, in that he had a live planning application which might result in similar considerations to those relating to determination of application 21/445/PP. Further, as he had not taken part in the site visit, in terms of Standing Order 8.6, Councillor Sankey could not take part in the deliberations of the Local Review Body and left the meeting at this point.

As Councillor Heather N Woodbridge had been unable to take part in the site visit, in terms of Standing Order 8.6, she could not take part in the deliberations of the Local Review Body and left the meeting at this point.

After consideration of a report by the Corporate Director for Strategy, Performance and Business Solutions, copies of which had been circulated, the Local Review Body:

Noted:

3.1. That planning permission for the proposed reinstatement and extension of a house with air source heat pump and upgrade an access at Campston Cottage, Toab, was granted by the Appointed Officer on 24 January 2022, subject to conditions.

3.2. That the applicant had submitted a Notice of Review requesting that the decision of the Appointed Officer, specifically in respect of Condition 4 attached to the approval, referred to at paragraph 3.1 above, be reviewed.

3.3. That, in accordance with policy, the Local Review Body had undertaken an unaccompanied visit to the site at Campston Cottage, Toab, at 14:15 on 8 March 2022.

After hearing a report from the Planning Advisor, the Local Review Body:

Resolved, in terms of delegated powers:

3.4. That the review in respect of the decision of the Appointed Officer to grant planning permission for the proposed reinstatement and extension of a house with air source heat pump and upgrade an access at Campston Cottage, Toab, should be determined without further procedure.

Councillor Robin W Crichton, seconded by Councillor John A R Scott, moved that the decision of the Appointed Officer to grant planning permission for the proposed reinstatement and extension of a house with air source heat pump and upgrade an access at Campston Cottage, Toab, be upheld but varied by removing Condition 4, as, in their opinion, the built heritage would not be enhanced by requiring the roof of the reinstated building to be finished in a natural stone slate (or applicable substitute) as required by Condition 4 for the following reasons:

- The character of the original building was being retained with the stone walls being pointed with lime mortar.
- The original roof of the building had previously been replaced by the existing corrugated asbestos roof material.
- Use of a similar contemporary profile roofing material for both the reinstated building and the extension would enhance the development.

Councillor Owen Tierney, seconded by Councillor Duncan A Tullock, moved an amendment that the decision of the Appointed Officer to grant planning permission for the proposed reinstatement and extension of a house with air source heat pump and upgrade an access at Campston Cottage, Toab, be upheld, subject to the conditions as originally proposed.

The result of a recorded vote was as follows:

For the Amendment:

Councillors Alexander G Cowie, Norman R Craigie, Owen Tierney and Duncan A Tullock (4).

For the Motion:

Councillors Robin W Crichton, Barbara Foulkes and John A R Scott (3).

The Amendment was therefore carried.

The Local Review Body thereafter resolved, in terms of delegated powers:

3.5. That the decision of the Appointed Officer to grant planning permission for the proposed reinstatement and extension of a house with air source heat pump and upgrade an access at Campston Cottage, Toab, be upheld, subject to the conditions as originally proposed, and attached as Appendix 1 to this Minute.

4. Conclusion of Meeting

At 15:45 the Chair declared the meeting concluded.

Signed: Rob Crichton.