

**PRC18. APPLICATION FOR REVIEW – PLANNING APPLICATION P/12/0585/FUL, CHANGE OF USE FROM PRIVATE OPEN SPACE TO ENCLOSED GARDEN GROUND, ERECTION OF RAISED DECKING AND ERECTION OF BOUNDARY FENCE (PARTLY RETROSPECTIVE) AT 27 AVONBANK GARDENS, DUNIPACE**

The Committee considered documents which related to the Application for Review for planning application P/12/0585/FUL for the change of use from private open space to enclosed garden ground, erection of raised decking and erection of boundary fence (partly retrospective) at a property at 27 Avonbank Gardens, Dunipace.

The Committee heard a short presentation from Mr Whittle, who provided a summary of the application, the papers before the Committee, referring to the Report of Handling and the reasons for refusal of the application now being reviewed.

After discussion, and having heard advice from Mr Blyth, the Committee **AGREED** that they did not have sufficient information to allow them to make a determination and that the meeting would be adjourned to allow Members to conduct an inspection of the site.

The meeting adjourned at 9.50 a.m. for the purpose of conducting the site inspection and reconvened at 11.05 a.m. with all those present as per the sederunt.

After further discussion and having heard advice from Mr Blyth and Mr Whittle, Councillor Mahoney seconded by Councillor McLuckie, moved:-

“that the application be refused for the reasons outlined in the Report of Handling”

By way of an amendment, Baillie Buchanan seconded by Councillor Nimmo, moved:-

“that the Committee continue deliberation of the matter to allow for further information to be provided by the applicant on the condition of the embankment and ground stability and for information to be provided relating to the biodiversity of the area”

On a division, 2 Members voted for the motion and 3 for the amendment. Thereafter the Committee **AGREED**:-

- (1) that the matter be continued to a future meeting of the Committee on a date to be agreed,
- (2) that further information in the form of written submissions, be submitted by:-
  - (a) the applicant, providing a report on the following:-
    - (i) the condition of the ground where the development is proposed, and
    - (ii) on the stability of the concrete posts which are already in place, and their suitability for implementation of the proposed development.

- (b) the Council's Biodiversity Officer providing information on the impact on the biodiversity of the area of the proposed development.
- (3) that the written submissions requested be provided within a period of 14 days from receipt of the request, and
- (4) that the written submissions requested from the Council's Biodiversity Officer be copied to the applicant in order that the applicant may make comments in reply.