

**Local Review Body
24 October 2022**

At a Meeting of the Local Review Body of North Ayrshire Council at 10.15 a.m. involving a combination of participation by remote electronic means and physical attendance within the Council Chambers, Irvine.

Present (Physical Participation)

Timothy Billings, Stewart Ferguson, Cameron Inglis and Jim Montgomerie.

Present (Remote Participation)

Davina McTiernan.

In Attendance (Physical Participation)

A. Gemmell, Planning Adviser to the LRB (Place); R. Lynch and J. Niven, Legal Adviser to the LRB (Legal Services); and A. Little and H. Clancy, Committee Services Officers (Chief Executive's Service).

Also in Attendance (Physical Participation)

G. Owens and C McLaughlan (Applicants) and B. Young (Associate).

Apologies

Robert Foster, Scott Davidson and Ian Murdoch.

Chair

Councillor Billings in the Chair.

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. Notice of Review: 22/00063/PP - Jarvie Plant, Corsehill Mount Road, Dreghorn

Submitted report by the Head of Service (Democratic Services) on a Notice of Review submitted by the applicant in respect of planning permission refused by officers under delegated powers in respect of Planning Application 22/00063/PP - Jarvie Plant, Corsehill Mount Road, Dreghorn for the change of use of vacant plant hire premises to a retail outlet for the sale of food and drink from vending machines at that address.

The Notice of Review documentation, Planning Officer's Report of Handling, Location Plan, Planning decision notice, hearing statements from the applicant and North Ayrshire Council Planning service, were provided as appendices to the report.

At its meeting on 28 September 2022, the Local Review Body agreed that a hearing be held before the review request was determined, to provide the applicant an opportunity to explain their views and provide information on why (i) the application would not be contrary to the Towns and Villages Objective of Strategic Policy 1 (Spatial Strategy) and Policy 3 (Town Centres and Retail) of the adopted North Ayrshire Local Development Plan; and (ii) the proposal would not undermine the Council's town centre first principle which gives priority to supporting the social and economic functions of town centres.

In accordance with the hearing procedure and rules, the applicants and an officer of the Council's Planning Service were invited to attend the Hearing Session and to submit a Hearing Statement and supporting documentation in advance of the session.

The Planning Adviser advised the Local Review Body of the background to the application. The applicants then addressed the Local Review Body.

Members asked questions of the applicants and the Planning Service and were provided with further information on:

- the unique nature of the business that required to be located in a semi-rural location such as Jarvie Plant, Corsehill Mount Road, Dreghorn and that no other suitable affordable spacious premises with car parking had been available in the local area;
- that the application met the objectives of the Towns and Villages objectives in that it would generate employment opportunities and regenerate a vacant and derelict building and would meet the qualities of what makes a successful place by creating a pleasant and positive space that offered healthy options not available elsewhere;
- future expansion plans for educational days and market days that would showcase fresh, handmade and niche products and that these events would offer local suppliers, not within the town centre, a shopfront within the local area.
- that the premises would be staffed to monitor and restock the vending machines and additional staff brought in when the business expanded; and
- deliveries to the site by small, refrigerated vans and on-site parking for up to 16 cars.

Councillor Inglis, seconded by Councillor Ferguson, moved that the Local Review Body grant the application on the basis that the Committee, having weighed up all the evidence, identified material considerations that warranted departure from the Local Development Plan in this case.

There being no amendment the motion was declared carried.

The meeting ended at 11.00 a.m.