

Local Review Body  
22 February 2023

At a Meeting of the Local Review Body of North Ayrshire Council at 2.40 p.m. involving a combination of participation by remote electronic means and physical attendance within the Council Chambers, Irvine.

**Present (Physical Participation)**

Robert Foster, Timothy Billings, Stewart Ferguson, Cameron Inglis and Davina McTiernan.

**Present (Remote Participation)**

Scott Davidson, Jim Montgomerie and Chloé Robertson.

**In Attendance**

A. Hume, Senior Development Management Officer (Planning); R. Lynch, Senior Manager, J. Niven, Solicitor (Legal Services), D. McCaw, C. Stewart and S. Wilson, Committee Services Officers (Democratic Services) (Chief Executive's Service).

**Chair**

Councillor Foster in the Chair.

**Apologies**

Ian Murdoch.

**1. Declarations of Interest**

There were no declarations of interest by Members in terms of Standing Order 11 and Section 5 of the Code of Conduct for Councillors.

**2. Minutes**

The Minutes of the Meeting held on 25 January 2023 were confirmed and signed in accordance with Paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973.

**3. Notice of Review: 22/00454/PP- Dippenhead Farm, Whiting Bay, Arran**

Submitted report by the Head of Democratic Services on a Notice of Review by the applicant in respect of a planning application refused by officers under delegated powers. The Notice of Review documentation, applicant's response to the request for further information, Planning Officer's Report of Handling, Location Plan and Planning Decision Notice, were provided as appendices to the report.

The Planning Adviser to the Local Review Body summarised the Notice of Review submitted by the applicant, the Report of Handling submitted by the appointed officer, and the background to the continuation of the Review from the January meeting to request further information which had now been provided by the applicant. Photographs and plans of the site were displayed. The Planning Adviser referred to the applicant's request for a site visit and hearing.

Members asked questions and were provided with further information in relation to conditions which could be appended to any Planning Application approval.

The Local Review Body unanimously agreed that enough information had been provided to determine the review request and that a site visit and hearing were not required.

In terms of Standing Order 6.8, the Chair agreed that the meeting be adjourned at 3.00 p.m. for a short break. The meeting reconvened at 3.10 p.m. with the same Members and Officers present and in attendance.

Councillor Foster, seconded by Councillor Inglis, moved that the Local Review Body uphold the appeal and grant planning permission subject to relevant conditions and on the basis that while the proposal does not fully comply with the relevant provisions of the Local Development Plan, other material considerations indicate otherwise and planning permission should be granted for a temporary period as set out in condition 1.

There being no amendment the motion was declared carried.

Accordingly, the Local Review Body agreed to grant the application, subject to the following conditions:-

1. That the planning permission hereby approved for the siting of a static caravan within Dippenhead Farm shall expire within 3 years of the date of this consent, and the ground reinstated to its former condition.

Reason: To define the scope of this planning permission for a limited period to enable the business to be established.

2. That, within one month of the date of this planning permission, further details of siting, design and external appearance of the static caravan shall be submitted for the written approval of North Ayrshire Council as Planning Authority. These details shall take into account the means of access, surface and waste water drainage, water supply and power supply. Thereafter, the development shall be implemented in accordance with such details as may be approved within 12 months of the date of this planning permission.

Reason: In the interest of the amenity of the area.

The meeting ended at 3.20 p.m.