

**Local Review Body  
20 March 2019**

**Irvine, 20 March 2019** - At a Meeting of the Local Review Body of North Ayrshire Council at 2.15 p.m.

**Present**

Tom Marshall, Robert Barr, Ian Clarkson, Christina Larsen, Ellen McMaster, Ronnie McNicol and Donald Reid.

**In Attendance**

I. Davies, Planning Adviser to the LRB (Economy and Communities); J. Law, Legal Adviser to the LRB (Legal Services); and E. Gray, Committee Services Officer (Chief Executive's Service).

**Chair**

Councillor Marshall in the Chair.

**Apologies for Absence**

Timothy Billings, Robert Foster and Shaun Macaulay.

**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. Minutes**

The Minutes of the meeting of the Local Review Body held on 20 February 2019 were confirmed and the Minutes signed in accordance with Paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973.

**3. Notice of Review: 19/00023/PP - BP Girdle Toll Service Station, Long Drive, Irvine**

Submitted a report by the Head of Service (Democratic Services) on a Notice of Review submitted by the applicant in respect of an application for planning permission refused by officers under delegated powers for the erection of a Class 1/Class 3 coffee shop unit with drive-through and associated parking at the BP Girdle Toll Service Station, Long Drive, Irvine.

The Notice of Review documentation, the Planning Officer's Report of Handling, a copy of the Decision Notice and a location plan were provided as appendices to the report. There were no interested parties and therefore no further comments or responses.

The Legal Adviser to the Local Review Body advised of the appropriate procedure for consideration of the review request. The Planning Adviser to the Local Review Body summarised the Notice of Review for the applicant and the Report of Handling for the appointed officer. Photographs and plans of the site were displayed. The Planning Adviser referred to the applicant's request for a site visit.

The Committee unanimously agreed that there was enough information provided to determine the review request without a site visit.

Members asked questions and were provided with further information in relation to existing provision of coffee shops in the area; site access and egress and confusion around the existing road layout within the service station; the impact the proposal would have on Irvine town centre; and the potential for screening to be added to the roundabout to reduce the visual impact of the proposed development.

Councillor Reid, seconded by Councillor McMaster, moved that the Local Review Body uphold the decision taken by the Planning Officer to refuse the application for planning permission. There being no amendment the motion was declared carried.

Accordingly, the Local Review Body agreed to uphold the Planning Officer's decision to refuse planning permission on the following grounds:

1. That the proposal would be contrary to Policies TC 4 and TC 5 of the adopted North Ayrshire Council Local Development Plan in that no local need for the development has been adequately demonstrated for an additional Class 1/Class 3 development outwith the Irvine town centre boundary and outwith Commercial Centre allocations. Whilst the proposed 140 square metres of additional Class 1/Class 3 floorspace would be adjacent to an existing petrol filling station (PFS), its siting to the north of the PFS via dedicated vehicular access and egress routes with separate parking provision demonstrates that the development would be capable of operation independently of the PFS at a location which cannot be conveniently reached on foot from the surrounding residential areas. As such, the proposed development cannot be justified either as a local shop nor as a facility that would exclusively serve the needs of motorists using the local road network, resulting in the potential for detrimental impacts on the vitality and viability of Irvine town centre.
2. That the proposal would be contrary to criterion (a) siting, design and external appearance, (b) amenity and (d) access of the General Policy contained in the adopted North Ayrshire Council Local Development Plan in that:
  - the proposed building would appear out of scale for its context and setting, resulting in over-development of the petrol filling station site;
  - the prominent siting of the proposed building and drive-thru facility on an elevated roadside site at the edge of the Hill Roundabout would have an adverse visual impact on the 'parkland' landscape design of the Long Drive area, to the detriment of visual amenity; and

- there would not be a pedestrian footpath connection between the site and the surrounding residential areas, to the detriment of active travel, and road safety in the area.

The Meeting ended at 2:40 p.m.