

SOUTH AYRSHIRE LOCAL REVIEW BODY.

Minutes of meeting in County Buildings, Wellington Square, Ayr,
on 3rd March 2010 at 2.00 p.m.

- Present: Councillors Ian Fitzsimmons (Chair), John Allan, Ian Douglas, Ann Galbraith, Sandra Goldie, Bill Grant and Alec Oattes.
- Apology: Councillor Andy Campbell.
- Attending: V. Andrews, Head of Legal and Administration; C. Cox, Planning Manager; C. Parish, Priority Projects Team Leader; and A. Gibson, Committee Administrative Officer.

1. New case for review – Erection of a dwellinghouse at 1A Inverkar Road, Ayr (Ref: 09/00836/FUL).

There was submitted the relevant papers (issued) relating to a request to review the decision to refuse an application for planning permission for the erection of a dwellinghouse at 1A Inverkar Road, Ayr.

Having heard the Chair, the Head of Legal and Administration and the Priority Projects Team Leader, as Planning adviser to the Body, the Body considered the papers relating to the Review with particular emphasis on the grounds on which the application had been refused.

Councillor Allan, seconded by Councillor Galbraith, moved that the Body should undertake an accompanied site visit.

By way of an Amendment, Councillor Oattes, seconded by Councillor Goldie, moved that an accompanied site visit was not required.

On a vote being taken by a show of hands, four Members voted for the Amendment and three for the Motion. The Amendment was declared to be carried which accordingly meant that there would not be an accompanied site visit.

Following further discussion, Councillor Fitzsimmons, seconded by Councillor Oattes moved that the decision previously taken by Officers of the Council to refuse the planning application be upheld.

By way of an Amendment, Councillor Grant, seconded by Councillor Allan, moved that the Body be minded to approve the application, subject to conditions to be discussed and agreed on the grounds that the siting and design of the development is considered to accord with the provisions of the development plan and would not significantly adversely impact on the character and amenity of the surrounding area.

On a vote being taken, by a show of hands, four Members voted for the Amendment and three for the Motion. The Amendment was declared to be carried which accordingly meant that the Body were minded to approve the application.

The Body then discussed the appropriate conditions to be attached to the approval.

Decided: to approve the application, subject to the following conditions:-

- (1) that the development hereby permitted shall be begun within three years of the date of this permission;
- (2) that the development hereby granted shall be implemented in accordance with the approved plan(s) as listed below and as forming part of this permission unless a variation required by a condition of the permission or a non-material variation has been agreed in writing by the Planning Authority;
- (3) that the roof of the dwellinghouse hereby granted planning permission shall be clad in either natural slate or reconstituted slate. A sample of the precise material proposed shall be submitted for the prior written approval of the Planning Authority prior to the commencement of work on site;
- (4) that the external walls of the dwellinghouse hereby granted planning permission shall be finished in a painted wet dash render; the colour of which shall be agreed in writing with the Planning Authority prior to the commencement of work on site;
- (5) that, notwithstanding the approved plans, no permission is hereby granted for the siting of the rooflight windows on the southern elevation of the dwellinghouse. The rooflight windows on the southern elevation shall be repositioned on the north and west elevations of the dwellinghouse, full details of which shall be submitted for the prior written approval of the Planning Authority prior to the commencement of work on site;
- (6) that the discharge of water onto the public road carriageway shall be prevented by drainage or other means. Precise details and specifications of how this is to be achieved shall be submitted for the prior written approval of the Planning Authority before any work commences on site;
- (7) that the private access shall be surfaced for a minimum of 2 metres as measured from the rear of the public footway prior to completion of the development. Precise details and specifications of the required surfacing shall be submitted for the prior written approval of the Planning Authority before any work commences on site;
- (8) that junction access visibility sightline splays of 2.5 metres by 35 metres shall be provided in both directions at the junction with the public road. There shall be no obstacle greater than 1.05 metre in height within the visibility sightline splays;
- (9) that 3 off road parking spaces shall be provided within the existing site boundary in accordance with the Council's Roads Development Guide before completion of the development. Precise details and specifications of the required parking provision shall be submitted for the prior written approval of the Planning Authority before any work commences on site;
- (10) that prior to occupation of the development any gates shall open inwards away from the public roadway;
- (11) surface water from the site shall be treated in accordance with the principles of the Sustainable Urban Drainage Systems (SUDS) Manual published by CIRIA in March 2007. Full details of the methods to be employed, following discussions with SEPA, and including where appropriate calculations, along with details of how these measures will be maintained in perpetuity, shall be submitted for approval in writing by this Planning Authority prior to the commencement of any works on site;
- (12) that the existing front boundary wall shall not be altered or lowered other than for the formation of the new vehicular access to the site. The wall ends shall be made good to the satisfaction of the Planning Authority; and

(13) that the existing rear boundary wall shall be retained at its current height.

Reasons:-

- (1) to be in compliance with Section 58 of the Town and Country Planning (Scotland) Act 1997 as amended by section 20 of the Planning Etc. (Scotland) Act 2006;
- (2) to ensure that the development is carried out in accordance with the approved plans unless otherwise agreed;
- (3) in the interests of visual amenity;
- (4) in the interests of visual amenity;
- (5) in the interests of residential amenity;
- (6) in the interest of road safety and avoid the discharge of water on to the public road;
- (7) in the interest of road safety and to ensure an acceptable standard of construction;
- (8) in the interest of road safety and to ensure acceptable visibility at road junctions;
- (9) in the interest of road safety and to ensure adequate off-street parking provision;
- (10) in the interest of road safety;
- (11) to ensure the site is drained in an acceptably sustainable manner and the drainage infrastructure is properly maintained;
- (12) in the interests of visual amenity; and
- (13) in the interests of visual and residential amenity.

Notes:

- (a) The Council as Roads Authority advises that any costs associated with the relocation of any street furniture will require to be borne by the applicant/developer.
- (b) The Council as Roads Authority advises that a Road Opening Permit will be required for any work within the public road limits.
- (c) The Council as Roads Authority advises that the Council will not be liable to adopt the drainage system as it is wholly contained within private ownership.

List of approved drawings:

Location Plan (including neighbour notification) LOC-01 rev. A;

Location Plan LOC-02 rev. A;

Site Plan (existing) 01 rev. A,

Site Plan (proposed) 02 rev. B; and

Proposed Plan PL-02.

The meeting ended at 3.20 p.m.