

SOUTH AYRSHIRE LOCAL REVIEW BODY.

Minutes of meeting in County Buildings, Wellington Square, Ayr,
on 10th May 2011 at 2.00 p.m.

- Present: Councillors Ian Fitzsimmons (Chair), John Allan, Andy Campbell, Ian Douglas, Ann Galbraith, Bill Grant and Alec Oattes.
- Apology: Councillor Sandra Goldie.
- Attending: W. Carlaw, Acting Legal Manager; A. Browne, Supervisory Planner; A. Cooke, Supervisory Planner; and A. Gibson, Committee Administrative Officer.

1. New Case for Review – Further application for the removal of Conditions 3 and 4 of Planning Permission: Coodham Estate A77T Council Boundary – B730 Junction, Symington (Ref: 09/01177/FUR).

There was submitted the relevant papers (issued) relating to a request to review the decision to refuse an application for the removal of conditions 3 and 4 in respect of a planning permission (Ref.: 08/01385/FUL) granted for the erection of a residential development at Coodham Estate, Symington.

Having heard the Chair, the Legal Adviser to the Body and the Planning Adviser to the Body, the Body considered the papers relating to the Review with particular emphasis on the grounds on which the removal of conditions (3) and (4) had been refused.

Councillor Oattes, seconded by Councillor Grant, moved that the decision of the appointed Officer to refuse the removal of conditions 3 and 4 be overturned in terms of policies STRAT5 (f) of the South Ayrshire Local Plan, TRANS 3 (BIII) of the Ayrshire Joint Structure Plan and the terms of Scottish Planning Policy relating to Transport on the grounds that the proposed twelve houses would not result in significant traffic generation, that satisfactory mitigation measures had been implemented (average speed cameras and reduced speed limit) to the extent that the proposals would not have a detrimental impact on the strategic transport network and there would not be sufficient grounds for refusal of the application on the grounds of road safety.

By way of an Amendment, Councillor Campbell, seconded by Councillor Douglas, moved that the application be continued to allow a representative from Transport Scotland to attend a Hearing Session of this Body.

On a vote being taken by a show of hands, four members voted for the Amendment and three for the Motion. The Amendment was accordingly declared to be carried.

Decided: to continue consideration of this Review to a hearing of this Body to allow a representative from Transport Scotland to be present and to be heard in relation to the following issues:-

- (1) the apparent inconsistency of Transport Scotland's position concerning the application for residential development at Coodham in relation to applications for residential and other developments within the area, all of which will access the A77 within the vicinity of the Bogend Toll junction eg Townend Terrace, Symington.
- (2) an explanation for the delay in implementing the closure of the central reserves on the A77 in the vicinity of Symington given the views of Transport Scotland that that section of the A77 is considered to have a high accident record. Estimation of the timescale for closure of the central reserves on that section of the A77.
- (3) clarification of the accident statistics for that section of the A77 between Spittalhill and Bogend Toll and Bogend Toll and Dutch House Roundabout is required for the periods prior to and succeeding the installation of the Bogend Toll safety measures comprising the SPECS enforcement cameras and the 50 mph speed limit.
- (4) would Transport Scotland have arrived at the same decision had the now installed Bogend Toll safety measures referred to in (3) above been in place?

2. New Case for Review – Alterations to access and erection of dwellinghouse at 8 Regent Park, Station Road, Prestwick (Ref: 010/01507/APP).

There was submitted the relevant papers (issued) relating to a request to review the decision to refuse an application for alterations to access and erection of dwellinghouse at 8 Regent Park, Station Road, Prestwick.

Having heard the Chair, the Legal Adviser to the Body and the 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.

Decided:- to uphold the decision to refuse the application.

3. New Case for Review – Installation of solar panels and replacement windows at 6 Alloway, Ayr (Ref: 010/01510/APP).

There was submitted the relevant papers (issued) relating to a request to review the imposition of condition (3), namely "that notwithstanding the plans hereby approved, the proposed side window on the north facing gable shall open in the traditional sliding sash manner, have a top over bottom profile and be finished in white to the satisfaction of the Planning Authority" relating to a planning application that had previously been approved for the installation of solar panels and replacement windows at 6 Alloway, Ayr.

Having heard the Chair, the Legal Adviser to the Body and the Planning Adviser to the Body, the Body considered the papers relating to the Review with particular emphasis on the imposition of condition (3).

Councillor Douglas, seconded by Councillor Grant, moved that condition (3) be removed as the new window was not detrimental to the character of the listed building.

By way of Amendment, Councillor Fitzsimmons, seconded by Councillor Campbell, moved that the imposition of condition (3) be upheld.

On a vote being taken by a show of hands, two Members voted for the Amendment and five for the Motion, which was accordingly declared to be carried.

Decided: that the imposition of condition (3) be removed from the previously approved planning application.

The meeting ended at 3.25 p.m.