

SOUTH AYRSHIRE LOCAL REVIEW BODY.

Minutes of meeting held in County Buildings, Wellington Square, Ayr and remotely on 21 July 2020 at 10.00 a.m.

Present: Councillor Brian Connolly (Chair).

Present

Remotely: Councillors Andy Campbell, Ian Cavana, Alec Clark, Peter Convery, Ian Fitzsimmons, Mary Kilpatrick and Margaret Toner.

Attending: D. Mulgrew, Committee Services Assistant.

Attending

Remotely: L. McChristie, Solicitor (Legal Adviser) and A. Cooke, Co-ordinator (Planning)

Apology: Councillor Craig Mackay.

1. Opening Remarks.

The Chair took the sederunt and confirmed that today's meeting was not open to the press and public, which was permissible under the COVID-19 legislation. He also confirmed to Members the procedures to conduct this meeting.

2. Declarations of Interest.

There were no declarations of interest by Members of the Body in terms of Council Standing Order No. 17 and the Councillors' Code of Conduct.

3. New Case for Review – Planning Permission in Principle for erection of 7 dwellinghouses at Woodend, C106 from B739 Junction near Adamton House to C138 Junction South of Langlands, North East of Prestwick, Monkton, South Ayrshire, KA9 2SQ (19/00911/PPP).

There were submitted the relevant papers ([issued](#)) relating to a request to review the decision to refuse a planning application for Planning Permission in Principle for erection of 7 dwellinghouses at Woodend, C106 from B739 Junction near Adamton House to C138 Junction South of Langlands, North East of Prestwick, Monkton, South Ayrshire, KA9 2SQ (19/00911/PPP).

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.

Decided: to uphold the decision made by the Appointed Officer to refuse planning permission.

4. New Case for Review – New Case for Review – Planning Permission in Principle for erection of a dwellinghouse and shed at Land to the North of 40 Kilmarnock Road, Symington, South Ayrshire (19/01025/PPP).

There were submitted the relevant papers ([issued](#)) relating to a request to review the decision to refuse a planning application for Planning Permission in Principle for erection of a dwellinghouse and shed at Land to the North of 40 Kilmarnock Road, Symington, South Ayrshire (19/01025/PPP).

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.

Decided:

- (1) to hold an accompanied site visit to assess the application site in its setting and the surrounding area; and
- (2) that a Procedure Notice be issued to the Agent and Appointed Officer for response to SEPA regarding foul drainage arrangements and to Environmental Health regarding a noise impact assessment.
- (3) that thereafter the Review be continued to a future meeting of the Review Body for further consideration and decision.

5. New Case for Review – Alterations to existing dwellinghouse at 10 Queen’s Terrace, Ayr, South Ayrshire, KA7 1DU (20/00021/APP).

There were submitted the relevant papers ([issued](#)) relating to a request to review the decision on conditions imposed on consent by Appointed Officer for alterations to existing dwellinghouse at 10 Queen’s Terrace, Ayr, South Ayrshire, KA7 1DU (20/00021/APP).

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.

Councillor Clark, seconded by Councillor Kilpatrick, moved that the decision of the Appointed Officer to refuse the application be overturned. By way of an amendment, Councillor Campbell, seconded by Councillor Toner, moved that the application be upheld.

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

Decided: to vary the decision made by the Appointed Officer, and approve planning permission subject to the following conditions:-

- (1) 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;
- (2) that notwithstanding the plans hereby approved, the French door openings permitted to the rear elevation shall not be finished in grey uPVC. Precise details and specifications of the French door openings, to include samples or a brochure of all materials to be used on external surfaces, in respect of type, colour and texture; and typical 1:1 scale sectional detail on the door frame profile and proportions, shall be submitted for the prior written approval of the Planning Authority prior to the commencement of works on site. Thereafter the proposals shall be implemented as per the agreed specification;
- (3) that notwithstanding the plans hereby approved, no permission is hereby granted for the materials proposed for the rear extension's door-to-window conversion. Instead, the proposed door-to-window conversion shall be finished in aluminium to match the adjacent bi-fold doors proposed.

Reasons:

- (1) to ensure that the development is carried out in accordance with the approved plans unless otherwise agreed;
- (2) to safeguard the character and appearance of the conservation area and in order that the works do not detract from the setting or special interest of the building; and
- (3) to safeguard the character and appearance of the conservation area and in order that the works do not detract from the setting or special interest of the building.

Advisory Notes:

- In accordance with Section 58 of the Town and Country Planning (Scotland) Act 1997 (as amended), this planning permission lapses on the expiration of a period of 3 years beginning with the date on which the permission is granted unless development to which the permission relates is begun before that expiration.
- A site notice to be displayed in accordance with Section 27C(1) of The Town and Country Planning (Scotland) Act 1997 and Regulation 38 and Schedule 7 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2008 shall be completed, printed on durable material, and be displayed in a prominent place (readily visible to members of the public) at or in the vicinity of the site while the development hereby approved is in progress. This requirement is in order to ensure that members of the public are made aware of the background to the development in progress and have access to the necessary contact details. A template for the Site Notice is attached to this decision notice. An electronic version is also available on the Council's web site as follows www.south-ayrshire.gov.uk/planning/forms.aspx 'Notice to be displayed while development is in progress'.
- The person who intends to carry out the development hereby approved shall, as soon as practicable after deciding on a date on which to initiate the development, complete the attached form entitled 'Notification of Initiation of Development' and submit it to the Planning Authority before commencement of the development. For the avoidance of doubt, failure to submit the required notice would constitute a breach of planning control under S123(1) of the Town and Country Planning (Scotland) Act 1997 (as amended). This notification is required to ensure compliance with the requirements of planning legislation as contained in Section 27A of the Town and Country Planning (Scotland) Act 1997 (as amended).
- The developer is required in carrying out the development hereby approved to submit to the Planning Authority a formal written 'Notification of Completion of Development' as soon as practicable after the development has been completed. This notification shall include the reference number of the planning permission, the site address and the date of completion. This requirement is to ensure compliance with the requirements of planning legislation as contained in Section 27B(1) of the Town and Country Planning (Scotland) Act 1997 (as amended).
- The developer is required in carrying out the development hereby approved to submit to the Planning Authority a formal written 'Notification of Completion of Phases of Development' as soon as practicable after completion of each phase of the development and subsequently a 'Notification of Completion of Development' as soon as practicable after the whole development has been completed. These notifications shall include the reference number of the planning permission, the site address and the date of completion of the relevant phase. This requirement is to ensure compliance with the requirements of planning legislation as contained in Section 27B(1) and Section 27B(2) of the Town and Country Planning (Scotland) Act 1997 (as amended).

Reason for Decision:

The siting and design of the development hereby approved is considered to accord with the provisions of the development plan and there is no significant adverse impact on the amenity of neighbouring land and buildings.

List of Plans Determined/or List of Approved Plans:

Drawing - Reference No (or Description): **Approved** (--)01;
Drawing - Reference No (or Description): **Approved** (2-)01;
Drawing - Reference No (or Description): **Approved** (2-)02;
Drawing - Reference No (or Description): **Approved** (2-)02; and
Drawing - Reference No (or Description): **Approved** (2-)03.

The meeting ended at 11.45 a.m.