

## **SOUTH AYRSHIRE LOCAL REVIEW BODY.**

Minutes of meeting in County Buildings, Wellington Square, Ayr,  
on 4 February 2020 at 2.00 p.m.

Present: Councillors Brian Connolly (Chair), Andy Campbell, Ian Cavana, Alec Clark, Peter Convery, Ian Fitzsimmons (Chair for Bellevue Road, Ayr), Mary Kilpatrick and Margaret Toner.

Apology: Councillor Craig Mackay

Attending: L. McChristie, Solicitor (Legal Adviser); A. Cooke, Planning Co-ordinator (Planning Adviser) and D. Mulgrew, Committee Services Assistant.

### **1. 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.

### **2. Minutes of previous meeting.**

The minutes of [10 December 2019](#) and [14 January 2020](#) (issued) were submitted and approved.

### **3. Variation in order of business.**

In terms of Council Standing Order No. 13(2), the Panel agreed to vary the order of business as hereinafter minuted.

### **4. New Case for Review – Alterations and extension to outbuilding at Drumbarr, A77T from Bankfield Roundabout – B7034 Junction, Ayr, South Ayrshire, KA6 6BN (19/00698/APP)**

There were submitted the relevant papers ([issued](#)) relating to a request to review the decision to refuse a planning application for alterations and extension to outbuilding at Drumbarr, A77T from Bankfield Roundabout – B7034 Junction, Ayr, South Ayrshire, KA6 6BN (19/00698/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 Convery, 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 overturn the decision of the Appointed Officer and to grant 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.

## **Reasons:**

- (1) to ensure that the development is carried out in accordance with the approved plans unless otherwise agreed.

## **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](http://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): 19-0399/PL/LOC-01;  
Drawing - Reference No (or Description): 19-0399/PL/LAY-01; and  
Drawing - Reference No (or Description): 19-0399/PL/LAY-02 Revision A.

**Councillors Connolly, Campbell, Clark, Convery and Mackay did not participate in consideration of the following Review as they had not been present at the Local Review Body meeting of 20 November 2019 when this Review had been considered and subsequent site visit.**

**3. Continuation of Review - Part change of use and alterations to outbuilding to form an office for psychotherapy consultations at 35A Bellevue Road, Ayr, South Ayrshire, KA7 2SA (19/00495/APP).**

Reference was made to the Minutes of 20 November 2019 (Page 1, paragraph 4) when it had been agreed that the Review be continued to a further meeting of this Body to allow an accompanied site visit to assess the application site in its setting and the surrounding area and to allow a Procedure Notice to be issued to the Appointed Officer and the Applicant to provide comments on statement in Notice of Review in relation to the applicant's plans regarding her business.

Having heard the Chair, the Legal Adviser to the Body and the Planning adviser to the Body, the Body again considered the [papers](#) relating to the Review.

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

The meeting ended at 2.40 p.m.