

SOUTH AYRSHIRE LOCAL REVIEW BODY.

Minutes of meeting held remotely
on 7 December 2021 at 2.00 p.m.

Present Councillors Brian Connolly, Alec Clark, Ian Fitzsimmons, Mary Kilpatrick, Brian McGinley and Margaret Toner.

Apologies: Councillors Iain Campbell, Ian Cavana and Craig Mackay.

Attending L. McChristie, Solicitor (Legal Adviser); D. Hearton, Planning Adviser; and C. McCallum, Committee Services Assistant.

1. **Chair's Remarks.**

The Chair took the sederunt, confirmed to Members the procedures to conduct this meeting and advised that the meeting was being broadcast live.

2. **Declarations of Interest.**

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

3. **New Case for Review – Erection of Dwellinghouse at Land at Powmill Road, Prestwick (21/00404/PPP).**

There was submitted the relevant papers (issued) relating to a request to review the decision to refuse a planning application in principle for the erection of a dwellinghouse at land at Powmill Road, Prestwick (21/00404/PPP).

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.

The Body

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

4. **New Case for Review – Erection of 3 Dwellinghouses at Kirkmichael House, Straiton Road, Kirkmichael, South Ayrshire, KA19 7PR (21/00076/PPP).**

There was submitted the relevant papers (issued) relating to a request to review the decision to refuse a planning application in principle for the erection of 3 dwellinghouses at Kirkmichael House, Straiton Road, Kirkmichael, South Ayrshire, KA19 7PR (21/00076/PPP)

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.

The Body, having noted that the Rural Housing Policy had been adhered to by the Planning Officers,

Decided: to overturn the decision of the Appointed Officer and to grant planning permission subject to the following conditions:-

- (1) requires that the formal applications for approval of matters specified in conditions shall be submitted to and approved by the Council before development. Such application(s) shall be made not later than three years from the date of this permission or, if later, within six months from when an earlier approval for the same matters was refused or dismissed on appeal. The proposed development shall commence within two years from the approval of the requisite Matters Specified I Condition Application, or in the case of approval of different matters on different dates, from the requisite approval for the last such matter being obtained;
- (2) that at the Approval of Matters Specified in Conditions stage, full details of the proposed development comprising the dwellinghouses, including siting design, external appearance, means of access, landscaping measures, and any other items specified in conditions below, shall be submitted for the approval of the Planning Authority as outlined in permission 1 of this planning permission;
- (3) that the Approval of Matters Specified in Conditions stage details shall be submitted of all materials to be used on external surfaces in respect of type, colour and texture, shall be submitted for the prior written approval of the Planning Authority;
- (4) that at the Approval of Matters Specified in Conditions stage, details of the location, height and materials of all new boundary fences, gates or other means of enclosure, shall be submitted to the Planning Authority for written approval;
- (5) that off-road parking spaces shall be provided within the existing site boundary to satisfy provision levels as defined within the Council's adopted National Roads Development Guide, with parking layouts designed to comply with the guidance set out in the National Roads Development Guide and within the Designing Streets Publication as National Policy; and
- (6) that integral or detached garages within the curtilage of a property intended to form part of the parking provision for the dwelling shall have internal garage dimensions of a minimum of 7m x3m per vehicle;

- (7) that the Approval of Matters Specified in Conditions stage, the developer shall institute an accurate survey and tree protection plan, in accordance with the current British standards, to be carried out by a qualified arboriculturist of all trees existing on the site and all trees adjacent to or overhanging the site and submit details of those trees proposed to be felled or lopped and those to the precise location of the trees. The survey shall contain details of tree species, height, crown spread, diameter at breast height (DBH), age, physiological condition, general condition and management recommendations. The approved tree protection plan shall be implemented and no trees shall be felled, topped, lopped or have roots cut or damaged without the prior written approval of the Planning Authority.

Reasons

- (1) To be in compliance with Section 59 of the Town and Country Planning (Scotland) Act 1997 as amended by Section 21 of the Planning Etc (Scotland) Act 2006;
- (2) To be in compliance with Section 59 of the Town and Country Planning (Scotland) Act 1997 as amended by Section 21 of the Planning Etc (Scotland) Act 2006;
- (3) in the interest of visual amenity;
- (4) in order to retain the rural character and amenity of the area and to accord with the Council's supplementary planning guidance in relation to Rural Housing;
- (5) in the interest of road safety and to ensure adequate off-street parking provision;
- (6) in the interest of road safety and to ensure adequate off-street parking provision;
- (7) in the interests of visual amenity, to ensure that all trees worthy of retention are satisfactorily protected before and during works on site.

5. New Case for Review – Erection of Dwellinghouse at High Greenan Lodge, Dunure Road, Ayr, South Ayrshire, KA7 4HU (20/01076/APP).

There was submitted the relevant papers (issued) relating to a request to review the decision to refuse a planning application for the erection of a dwellinghouse at High Greenan Lodge, Dunure Road, Ayr, South Ayrshire, KA7 4HU (20/01076/APP).

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.

The Body, having agreed that the dwellinghouse was reasonable in scale, massing and proportions and in keeping with the surrounding areas, therefore, complied with the relevant policies,

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; and

- (2) that prior to the commencement of development, samples or a brochure of all materials to be used on external surfaces, in respect of type, colour and texture shall be submitted for the prior written approval of the Planning Authority.

Reasons

- (1) to ensure that the development is carried out in accordance with the approved plans unless otherwise agreed; and
- (2) in the interest of visual amenity.

The meeting ended at 3.05 p.m.