

SOUTH AYRSHIRE LOCAL REVIEW BODY.

Minutes of meeting in County Buildings, Wellington Square, Ayr,
on 17th December 2013 at 2.00 p.m.

- Present: Councillors Peter Convery (Chair), Andy Campbell, Ian Douglas, Ann Galbraith, Hugh Hunter, Nan McFarlane and Rita Miller.
- Apology: Councillor Sandra Goldie.
- Attending: M. Vance, Solicitor (Legal Adviser); C. Parish, Priority Projects Team Leader (Planning Adviser); and A. Gibson, Committee Services Officer.

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 26th November 2013 (issued) [\(link attached\)](#) were submitted and approved.

3. Continued Review Case – Alterations and extension to a dwellinghouse at 29 Union Avenue, Ayr (Ref: 13/00750/APP).

Reference was made to the Minutes of 26th November 2013 (Page 1, paragraph 3) [\(link attached\)](#) when it had been agreed that the Review be continued to a further meeting of this Body to allow an accompanied site visit to 29 Union Avenue, Ayr by Members of the Body immediately prior to this meeting.

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, with particular emphasis on the grounds on which the application had been refused.

Councillor Douglas, seconded by Councillor Galbraith, moved that the decision of the appointed Officer be overturned and to grant the planning application subject to conditions.

By way of an Amendment, Councillor Campbell, seconded by Councillor Hunter, moved that the decision to refuse the application 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: to overturn the decision of the appointed Officer and to grant the planning application 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 work is carried out in accordance with the approved plans unless otherwise agreed; and
- (2) to ensure that materials are appropriate for the site and in the interests of visual amenity.

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 Approved Plans:

Drawing - Reference No (or Description): Block Plan;
 Drawing - Reference No (or Description): Part Rear Elevation;
 Drawing -Reference No (or Description): No.1 Rodgers;
 Drawing - Reference No (or Description): No.2 Rodgers; and
 Drawing - Reference No (or Description): No.3 Rodgers.

4. New Case for Review – Planning permission in principle for the erection of a dwellinghouse and garage on land to the north of Straiton Primary School, Newton Stewart Road, Straiton (Ref: 13/00776/PPP).

There was submitted the relevant papers (issued) ([link attached](#)) together with a planning justification report and Farm Business Budget (issued to Members only) relating to a request to review the decision to refuse an application for planning permission in principle for the erection of dwellinghouse and garage on land to the north of Straiton Primary School, Newton Stewart Road, Straiton.

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:- following consideration, to uphold the decision to refuse the application on the following grounds:-

- (1) that the development proposal is contrary to Policy RE2 of the Adopted South Ayrshire Local Plan in that it has not been demonstrated to the satisfaction of the Council that the business cannot operate without continuous on site attendance and that there are no alternative means of operating the business, and that all other means of operating that business or providing alternative additional accommodation have been investigated and proven to be inappropriate for the operation of that business; and
- (2) that the development proposal is contrary to LDP policy Rural Housing and SG Rural Housing in that it has not been demonstrated to the satisfaction of the Council that the business cannot operate without continuous on site attendance and that there are no alternative means of operating the business, and that all other means of operating that business or providing alternative additional accommodation have been investigated and proven to be inappropriate for the operation of that business.

List of Determined Plans:

Drawing - Reference No (or Description): Refused Location Plan 1254-01; and
Drawing - Reference No (or Description): Refused Location and Block Plan 1254-02.

The meeting ended at 2.40 p.m.