

**SOUTH AYRSHIRE LOCAL REVIEW BODY.**

Minutes of meeting in County Buildings, Wellington Square, Ayr,  
on 30th September 2014 at 2.00 p.m.

- Present: Councillors Peter Convery (Chair), Andy Campbell, Ian Cavana, Ian Douglas, Ann Galbraith and William J. Grant.
- Apologies: Councillors Sandra Goldie and Hugh Hunter.
- Attending: M. Vance, Solicitor (Legal Adviser); A. Cooke, Supervisory Planner (Planning Adviser) (in attendance for item 3); A. Browne, Supervisory Planner (Planning Adviser) (in attendance for items 4 and 5); S. Smith, Clerical Assistant; 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 9th September 2014 (issued) ([link attached](#)) were submitted and approved.

**3. Continued Review Case – Change of use of dwellinghouse to form two stables, tack room and store room, erection of dwellinghouse and siting of temporary caravan at Bow Cottage, Bargenoch Farm, U93 from junction with U 100 – east and north-east to junction with C21 then east to Council boundary, Coylton (Ref: 14/00336/APP).**

Reference was made to the Minutes of 9th September 2014 (Page 2, paragraph 5) when it had been agreed that the Review be continued to a further meeting of this Body to allow an accompanied site visit by Members of the Body to Bow Cottage, Bargenoch Farm, U93 from junction with U 100 – east and north-east to junction with C21 then east to Council boundary, Coylton immediately prior to this meeting on 30th September 2014.

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 ([link attached](#)), 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 planning permission subject to conditions.

By way of an Amendment, Councillor Campbell, seconded by Councillor Grant, moved that the decision to refuse the application be upheld.

On a vote being taken by a show of hand three members voted for the Amendment and three for the Motion. The Chair exercised his casting vote in favour of the Amendment.

**Decided:** to uphold the decision to refuse the application on the following grounds:-

- (1) that the development proposal is contrary to Policy COMM5 of the Approved Ayrshire Joint Structure Plan in that it does not constitute housing development within existing communities, the re-use and redevelopment of redundant buildings for housing, the development of infill sites within existing housing groups and clusters and the development of housing to meet the operational requirements of agriculture and other rural businesses and no justification has been provided for an exception to this policy. The adoption of the South Ayrshire Local Development Plan does not materially alter this assessment of the application;
- (2) that the development proposal is contrary to Strategic Policy STRAT3 of the Adopted South Ayrshire Local Plan as it does not constitute residential development in accordance with policies H8, H9, H10 and H11 which relate to proposals for the conversion and re-use of building, extensions to existing dwellinghouses and the replacement of dwellinghouses, and no justification has been provided for an exception to this policy. The adoption of the South Ayrshire Local Development Plan does not materially alter this assessment of the application; and
- (3) that the development proposal is contrary to the provisions of the Council's finalised Supplementary Planning Guidance in relation to Rural Housing in that the proposed dwellinghouse does not represent a good fit within the landscape setting of the rural area.

**List of Plans Determined/or List of Approved Plans:**

Drawing - Reference No (or Description): 8154/01 REV B;  
 Drawing - Reference No (or Description): 8154/02;  
 Drawing - Reference No (or Description): 8154/03;  
 Drawing - Reference No (or Description): 8154/04; and  
 Drawing - Reference No (or Description): 8154/05.

**4. New Case for Review – Change of use, alterations and extension to water tank to form dwellinghouse (class 9) and associated works at Water Works, A77T Main Street, Ballantrae – Council boundary, south of Ballantrae (Ref: 14/00392/APP).**

There was submitted the relevant papers (issued) [\(link attached\)](#) relating to a request to review the decision to refuse an application for planning permission for the change of use, alterations and extension to water tank to form dwellinghouse (class 9) and associated works at Water Works, A77T Main Street, Ballantrae – Council boundary, south of Ballantrae.

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 hold an accompanied site visit to assess the application site in its setting and the surrounding area, with particular emphasis on site access and road safety and to continue the Review to a future meeting of the Review Body for further consideration and decision.

5. **New Case for Review – Alterations to dwellinghouse and installation of replacement windows at 14 Springvale Road, Ayr (Ref: 14/00264/APP).**

There was submitted the relevant papers (issued) ([link attached](#)) relating to a request to review the decision to refuse an application for planning permission for alterations to a dwellinghouse and installation of replacement windows at 14 Springvale Road, 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 grounds on which the application had been refused.

**Decided:** to uphold the decision to refuse the application on the grounds that the proposed windows are contrary to the provisions of Ayrshire Joint Structure Plan policy ENV6, South Ayrshire Local Plan policies STRAT5 and BE3, South Ayrshire Council's Window Alterations Policy Guideline for replacement windows in conservation areas, Scottish Planning Policy and Scottish Historic Environment Policy by reason that the windows do not have the appearance or profile of sash and case windows, and do not open in the traditional sash manner or the approved modern tilting sash manner, to the detriment of the character and visual amenity of this unlisted building within Ayr II Conservation Area. The adoption of the South Ayrshire local development Plan does not materially alter this assessment of the application.

**List of Plans Determined/or List of Approved Plans:**

Drawing - Reference No (or Description): Refused 466W/01;  
 Drawing - Reference No (or Description): Refused 466W/02; and  
 Other - Reference No (or Description): Refused proposed windows as installed.

The meeting ended at 3.10 p.m.