

**SOUTH AYRSHIRE LOCAL REVIEW BODY.**

Minutes of meeting in County Buildings, Wellington Square, Ayr,  
on 28th April 2015 at 2.00 p.m.

Present: Councillors Peter Convery (Chair), Andy Campbell, Ian Cavana, Ian Douglas, Ann Galbraith, Sandra Goldie, William J. Grant and Hugh Hunter.

Attending: M. Vance, Solicitor (Legal Adviser); N. Feggans, Planning Co-ordinator - Development Planning and Customers (Planning Adviser); S. Smith, Clerical Assistant; and A. Gibson, Committee Services Officer.

**1. Declarations of Interest.**

In terms of Council Standing Order No. 17 and the Councillors' Code of Conduct, Councillor Campbell declared an interest in item 4 below as he had had previous involvement with the application.

**2. Minutes of previous meeting.**

The Minutes of 31st March 2015 (tabled) ([link attached](#)) were submitted and approved.

**Councillor Goldie did not participate in consideration of the following Review as she had not been present when the application had previously been considered and Councillor Hunter did not participate as he had not been present at the site visit.**

**3. Continued Review Case – Change of use and alterations to garage/store to form a dwellinghouse at Buchanan Lodge, B741Junction of A77T at Bridge Mill - Main Street, Dailly, Girvan (Ref: 14/00993/APP).**

Reference was made to the Minutes of 31st March 2015 (Page 1, paragraph 3) 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 Buchanan Lodge, B741Junction of A77T at Bridge Mill - Main Street, Dailly, Girvan which had been held on 28th April 2015.

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.

**Decided:** following consideration, to overturn the decision of the appointed officer and to grant the 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;

- (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;
- (3) that 2 off-road parking spaces for both the donor house and the new house shall be provided within the existing site boundary in accordance with the Council's Roads Development Guide, prior to completion of the development;
- (4) details of all walls, fences and boundary treatments to be erected on the site shall be submitted to and approved in writing by the Planning Authority prior to commencement of work on site; and
- (5) the internal noise level (LAeq T dB) within the proposed property shall not exceed 45 dB(A) daytime (07:00 to 23:00 hours) and 35 dB(A) night time (23:00 to 07:00 hours) the internal measurements to be taken with appropriate windows open for ventilation. A daytime/night time assessment by a suitably qualified acoustic consultant or other competent person together with any noise mitigation measures shall be submitted to and agreed in writing by the local planning authority prior to occupation of the dwelling hereby approved. The noise mitigation measures shall be installed as approved prior to occupation and maintained thereafter.

**Reasons:**

- (1) to ensure that the development is carried out in accordance with the approved plans unless otherwise agreed;
- (2) in the interest of visual amenity and to accord with the Council's Supplementary Planning Guidance;
- (3) in the interest of road safety and to ensure adequate off-street parking provision;
- (4) in the interests of visual amenity; and
- (5) to avoid noise disturbance in the interests of residential amenity.

**Reasons for Decision:**

The proposed development is in compliance with:

- the South Ayrshire Local Development Plan's Spatial Strategy, as it constitutes residential development in accordance with the LDP policy: Rural Housing;
- LDP policies Sustainable Development and Rural Housing and South Ayrshire Council's Supplementary Guidance: Rural Housing, as the development would provide adequate open space, both in terms of quantity and quality; and
- South Ayrshire Council's Supplementary Planning Guidance on Open Space and Designing New Residential Developments, as the development would provide adequate open space, both in terms of quantity and quality.

**List of Determined Plans:**

Drawing - Reference No (or Description): Determined (--)02;  
 Drawing - Reference No (or Description): Determined GA-BW-11;  
 Drawing - Reference No (or Description): Determined GA-BW-12 REV C;  
 Drawing - Reference No (or Description): Determined GA-BW-13 REV B; and  
 Drawing - Reference No (or Description): Determined GA-BW-14 REV B.

**Councillor Campbell, having previously declared an interest in the following Review, left the meeting at this point.**

**4. New Case for Review – Planning permission in principle for the erection of a residential development on land adjacent to Walled Garden, Adamton Estate, Monkton (Ref: 14/001662/PPP).**

There was submitted the relevant papers (issued) [\(link attached\)](#) relating to a request to review the decision to refuse an application for planning permission in principle for the erection of a residential development on land adjacent to Walled Garden, Adamton Estate, Monkton.

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 the Review then being continued to a future meeting of the Review Body for further consideration and decision.

**Councillor Campbell re-joined the meeting at this point.**

**5. New Case for Review – Alterations and extension to a nursing home at 28 Titchfield Road, Troon (Ref: 14/01354/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 and extension to a nursing home at 28 Titchfield Road, Troon.

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 the Review then being continued to a future meeting of the Review Body for further consideration and decision.

**Councillors Campbell, Goldie and Hunter left the meeting at this point as they had not been present when the following Review had been determined.**

6. **Water Works, A77T Main Street, Ballantrae - Council Boundary, South of Ballantrae - Notified Application for Planning Permission for change of use, alterations and extension to water tank to form dwellinghouse (Class 9) and associated works (Planning Application Reference 14/00392/APP; Local Review Body Reference LRB/14/10).**

With reference to the Minutes of 10th March 2015 (Page 1, paragraph 4), there was submitted a report (issued) ([link attached](#)) of 21st April 2015 by the Head of Legal and Democratic Services requesting the Body to consider further information issued by Transport Scotland on 1st April 2015 in response to the comments of the Council and the appellants following on the procedure notice issued by the Reporter on 13th February 2015 relating to the application for planning permission for the change of use, alterations and extension to water tank to form a dwellinghouse (Class 9) and associated works at Water Works, A77T Main Street, Ballantrae- Council Boundary, south of Ballantrae.

Having heard the Chair and the Legal Adviser, the Body considered the further comments of Transport Scotland.

**Decided:** to agree

- (1) that the Review Body's response given to the Reporter in its letter of 18th March 2015 still represented the Council's views, having taken into account the further information submitted by Transport Scotland; and
- (2) that the Review Body remained firmly of the view that the proposals for the dwellinghouse should be approved.

The meeting ended at 2.50 p.m.