

## REGULATORY PANEL.

Minutes of meeting in County Buildings, Wellington Square, Ayr  
on 4th October 2017 at 10.00 a.m.

- Present: Councillors Brian Connolly (Chair), Ian Cavana, Peter Convery, Ian Fitzsimmons, Craig Mackay and Margaret Toner.
- Apologies: Councillors Andy Campbell and Mary Kilpatrick.
- Attending: F. Mullen, Planning Manager; K. Briggs, Legal and Licensing Manager; D. Clark, Supervisory Planner (Planning and Development); G. Lauder, Team Leader (Trading Standards and Environmental Health); A. Noble Environmental Health Officer; and J. McClure, Committee Services Lead Officer.

### 1. 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.

### 2. Minutes of previous meetings.

The Minutes of 31st August and 15th September 2017 (Site Visit) (issued) were submitted and approved.

**As Councillor Mackay had not been present when this matter had previously been considered, he did not take part in the consideration of the following application.**

### 3. Application for Planning Permission continued from the Regulatory Panel (Site Visit) of 15th September 2017:- Change of use of open space to form car parking and formation of vehicular access at 90 Doonfoot Road, Ayr (Ref: 17/00356/APP).

Reference was made to the Minutes of the Regulatory Panel (Site Visit) of 15th September 2017 (Page 1, paragraph 2) when it had been agreed, following the site visit, to continue consideration of planning permission to this meeting for the change of use of open space to form car parking and formation of vehicular access at 90 Doonfoot Road, Ayr.

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

- (1) that the development proposal is contrary to the South Ayrshire Local Development Plan, specifically policies in relation to; Spatial Strategy Open Space and Sustainable Development by reason of the loss of open space and trees which makes a valued and valuable contribution to the wider environment and that the development proposal is unrelated to the use of the open space, and the expanded business operation would compromise the amenity of nearby residential properties located on Cunning Park Road; and

- (2) that the development proposal is contrary to Scottish Planning Policy in that the proposal will result in the loss of green infrastructure for an unrelated purpose and that a satisfactory justification has not been provided which would merit the loss of such open space.

**List of Determined Plans:**

Drawing - Reference No (or Description): 0800 REV A01;  
 Drawing - Reference No (or Description): 0802 REV A01;  
 Drawing - Reference No (or Description): 0701 REV A01;  
 Drawing - Reference No (or Description): 0800 REV A01;  
 Drawing - Reference No (or Description): 0803 REV A01;  
 Drawing - Reference No (or Description): 1142-S201 REV A;  
 Drawing - Reference No (or Description): 1142-S401 REV A;  
 Drawing - Reference No (or Description): 1142-D201 REV B;  
 Drawing - Reference No (or Description): WIE-12640-SA-92-0700 A01;  
 Drawing - Reference No (or Description): WIE-12640-SA-92-0800-A02;  
 Drawing - Reference No (or Description): WIE-12640-SA-92-0802-A01;  
 Drawing - Reference No (or Description): WIE-12640-SA-92-0803-A01; and  
 Drawing - Reference No (or Description): WIE12640-SA-92-0700 REV A01.

**Councillor Mackay re-joined the discussions at this point.**

**4. Applications for Planning Permission.**

There were submitted reports (issued) of September 2017 by the Executive Director – Economy, Neighbourhood and Environment on current applications for determination.

The Panel decided as follows:-

- (1) **17/00625/APP – COYLTON – Enterkine House, B742 A70 Hillhead – B744 Junction north of Annbank** – Erection of temporary marquee.

**Decided:** to approve the application subject to the following conditions:-

- (a) 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;
- (b) that the approval for the proposed structure is limited to 3 years from the date of this permission when the structure shall be removed from the site and the land be restored to its former condition in accordance with a written specification, including a timescale within which the works shall be implemented, to be submitted for the prior written approval of the Planning Authority;

- (c) that a noise limiter shall be installed within the marquee and shall be set to a decibel level which is to the satisfaction of the Environmental Health Service. Once set, the noise limiter shall be sealed and shall remain operational for the duration of this permission;
- (d) that there shall be no live amplified music from the marquee after 11pm unless otherwise granted a license; and
- (e) that, within 4 weeks of the date of this decision, an operating plan shall be submitted for the prior written approval of the Council's Environmental Health Service. The operating plan shall include details of how noise disturbance from the marquee is to be addressed and managed by the hotel operator during any event.

**Reasons:**

- (a) to ensure that the development is carried out in accordance with the approved plans unless otherwise agreed;
- (b) this is a temporary permission;
- (c) in order to avoid noise disturbance;
- (d) in order to avoid noise disturbance; and
- (e) in order to avoid noise disturbance.

**List of Determined Plans:**

Drawing - Reference No (or Description): 15/180/01;  
 Drawing - Reference No (or Description): 15/180/02;  
 Drawing - Reference No (or Description): 07/175 02;  
 Drawing - Reference No (or Description): 07/176 01 (C); and  
 Drawing - Reference No (or Description): 07/176 03 (A).

**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.

- (2) **17/00663/APP – PRESTWICK – 3 St Quivox Road, Prestwick** – Change of use and alterations and extension to garage/car sales building to form 6 no. shops (class 1) and 1 no. professional service (class 2 ) unit and formation of car parking.

**Decided:** to note that this application would be continued to a future meeting of this Panel.

**(3) 17/00686/APP – LOANS – 26 Main Street –Erection of garage.**

The time being 11.02 a.m., the Panel adjourned to allow a Member of the Panel to discuss, in conjunction with officers, a proposal which was contrary to the recommendation of the report.

The time being 11.07 a.m., the Panel re-adjourned.

**Decided:** to approve the application subject to the following conditions:-

- (a) 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;
- (b) that the garage shall be used solely for domestic purposes incidental to the use of the dwellinghouse and no commercial activities shall be undertaken to the satisfaction of the Planning Authority; and
- (c) that the development hereby granted planning permission shall form part of the single planning unit of the site unless granted planning permission for a sub-division of the plot and shall not be sold or disposed of separately in any other way from the existing dwellinghouse.

**Reasons:**

- (a) to ensure that the development is carried out in accordance with the approved plans unless otherwise agreed;
- (b) in the interests of residential amenity; and
- (c) in order to retain full control over the development.

**List of Determined Plans:**

Drawing - Reference No (or Description): A001;  
 Drawing - Reference No (or Description): A002; and  
 Drawing - Reference No (or Description): A003.

**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.

The meeting ended at 11.10 a.m.