

## **SOUTH AYRSHIRE LOCAL REVIEW BODY.**

Minutes of meeting in County Buildings, Wellington Square, Ayr,  
on 15th February 2017 at 2.00 p.m.

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

Apologies: Councillors Andy Campbell and Ian Cavana.

Attending: L. McChristie, Solicitor (Legal Adviser); A. Cooke, Planning Co-Ordinator (Priority Projects) (Planning Advisor - in attendance for items 3 and 4); S. Curran, Planning Development Case Officer (Planning Advisor - in attendance for item 5); S. Smith, Administrative Assistant; and D. Moore, Committee Services Assistant.

### **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 24th January 2017 were submitted and approved ([issued](#)).

### **3. New Case for Review – Alterations and Extension to Dwellinghouse at 39 Kilnford Drive, Dundonald, KA2 9EU (16/00547/APP).**

There were submitted the relevant papers ([issued](#)) relating to a request to review the decision to refuse an application for alterations and extension to a dwellinghouse at 39 Kilnford Drive, Dundonald.

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.

**Decided:** to overturn the decision of the appointed officer and to grant the application subject to the following conditions:-

- (1) 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; and
- (2) that three off road parking spaces shall be provided within the existing site boundary in accordance with the Council's Roads Development Guide.

### **Reasons:**

- (1) in the interests of visual amenity; and
- (2) in the interest of road safety and to ensure adequate off-street parking provision. To reduce the potential for congestion and obstruction caused by off site car parking.

### **Advisory Notes:**

- In accordance with Section 58 of the Town and Country Planning (Scotland) Act 1997 (as amended), this planning permission lapses on the expiration of a period of 3 years beginning with the date on which the permission is granted unless development to which the permission relates is begun before that expiration.
- A site notice to be displayed in accordance with Section 27C(1) of The Town and Country Planning (Scotland) Act 1997 and Regulation 38 and Schedule 7 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2008 shall be completed, printed on durable material, and be displayed in a prominent place (readily visible to members of the public) at or in the vicinity of the site while the development hereby approved is in progress. This requirement is in order to ensure that members of the public are made aware of the background to the development in progress and have access to the necessary contact details. A template for the Site Notice is attached to this decision notice. An electronic version is also available on the Council's web site as follows; [www.south-ayrshire.gov.uk/planning/forms.aspx](http://www.south-ayrshire.gov.uk/planning/forms.aspx) 'Notice to be displayed while development is in progress'.
- The person who intends to carry out the development hereby approved shall, as soon as practicable after deciding on a date on which to initiate the development, complete the attached form entitled 'Notification of Initiation of Development' and submit it to the Planning Authority before commencement of the development. For the avoidance of doubt, failure to submit the required notice would constitute a breach of planning control under S123(1) of the Town and Country Planning (Scotland) Act 1997 (as amended). This notification is required to ensure compliance with the requirements of planning legislation as contained in Section 27A of the Town and Country Planning (Scotland) Act 1997 (as amended).
- The developer is required in carrying out the development hereby approved to submit to the Planning Authority a formal written 'Notification of Completion of Development' as soon as practicable after the development has been completed. This notification shall include the reference number of the planning permission, the site address and the date of completion. This requirement is to ensure compliance with the requirements of planning legislation as contained in Section 27B(1) of the Town and Country Planning (Scotland) Act 1997 (as amended).
- The developer is required in carrying out the development hereby approved to submit to the Planning Authority a formal written Notification of Completion of Phases of Development as soon as practicable after completion of each phase of the development and subsequently a Notification of Completion of Development as soon as practicable after the whole development has been completed. These notifications shall include the reference number of the planning permission, the site address and the date of completion of the relevant phase. This requirement is to ensure compliance with the requirements of planning legislation as contained in Section

27B(1) and Section 27B(2) of the Town and Country Planning (Scotland) Act 1997 (as amended).

**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): Refused ADNR 198 – 001;  
Drawing - Reference No (or Description): Refused ADNR 198-002;  
Drawing - Reference No (or Description): Refused ADNR 198-003;  
Drawing - Reference No (or Description): Refused ADNR 198-004C;  
Drawing - Reference No (or Description): Refused ADNR 198-005A;  
Drawing - Reference No (or Description): Refused ADNR 198-006A;  
Drawing - Reference No (or Description): Refused ADNR 198-007; and  
Drawing - Reference No (or Description): Refused ADNR 198-008.

4. **New Case for Review – Erection of Stable Block/Storage Building for Personal Use at 1 Shieldyards, B744 Junction at B742 North of Annbank – B743 Annbank KA6 5AP (16/00495/APP).**

There were submitted the relevant papers ([issued](#)) relating to an request to review the decision to refuse an application for the erection of a stable block/storage building for personal use at 1 Shieldyards, B744 Junction at B742 North of Annbank – B743 Annbank.

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.

**Decided:** to overturn the decision of the appointed officer and to grant the application subject to the condition as follows:

- (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.

**Reason:**

- (1) to ensure that the development is carried out in accordance with the approved plans unless otherwise agreed.

### **List of Approved Plans:**

Drawing - Reference No (or Description): LOCATION AND BLOCK PLANS;  
Drawing - Reference No (or Description): LAND OWNER DETAILS;  
Drawing - Reference No (or Description): FLOOR PLANS;  
Drawing - Reference No (or Description): ELEVATIONS; and  
Other - Reference No (or Description): PROPOSED DESIGN / STYLE

### **Advisory Notes:**

- In accordance with Section 58 of the Town and Country Planning (Scotland) Act 1997 (as amended), this planning permission lapses on the expiration of a period of 3 years beginning with the date on which the permission is granted unless development to which the permission relates is begun before that expiration.
- A site notice to be displayed in accordance with Section 27C(1) of The Town and Country Planning (Scotland) Act 1997 and Regulation 38 and Schedule 7 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2008 shall be completed, printed on durable material, and be displayed in a prominent place (readily visible to members of the public) at or in the vicinity of the site while the development hereby approved is in progress. This requirement is in order to ensure that members of the public are made aware of the background to the development in progress and have access to the necessary contact details. A template for the Site Notice is attached to this decision notice. An electronic version is also available on the Council's web site as follows [www.south-ayrshire.gov.uk/planning/forms.aspx](http://www.south-ayrshire.gov.uk/planning/forms.aspx) 'Notice to be displayed while development is in progress'.
- The person who intends to carry out the development hereby approved shall, as soon as practicable after deciding on a date on which to initiate the development, complete the attached form entitled 'Notification of Initiation of Development' and submit it to the Planning Authority before commencement of the development. For the avoidance of doubt, failure to submit the required notice would constitute a breach of planning control under S123(1) of the Town and Country Planning (Scotland) Act 1997 (as amended). This notification is required to ensure compliance with the requirements of planning legislation as contained in Section 27A of the Town and Country Planning (Scotland) Act 1997 (as amended).
- The developer is required in carrying out the development hereby approved to submit to the Planning Authority a formal written 'Notification of Completion of Development' as soon as practicable after the development has been completed. This notification shall include the reference number of the planning permission, the site address and the date of completion. This requirement is to ensure compliance with the requirements of planning legislation as contained in Section 27B(1) of the Town and Country Planning (Scotland) Act 1997 (as amended).
- The developer is required in carrying out the development hereby approved to submit to the Planning Authority a formal written Notification of Completion of Phases of Development as soon as practicable after completion of each phase of the development and subsequently a Notification of Completion of Development as soon as practicable after the whole development has been completed. These notifications shall include the reference number of the planning permission, the

site address and the date of completion of the relevant phase. This requirement is to ensure compliance with the requirements of planning legislation as contained in Section 27B(1) and Section 27B(2) of the Town and Country Planning (Scotland) Act 1997 (as amended).

**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.

**5. New Case for Review – Installation of Replacement Windows at Creggan Bahn Care Home, 2 Seafield Road, Ayr (16/00916/APP).**

There were submitted the relevant papers ([issued](#)) relating to a request to review the conditions on an application that had been granted planning permission for the installation of replacement windows at Creggan Bahn Care Home, 2 Seafield 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.

**Decided:** to overturn the decision of the appointed officer and to agree that condition (2) of the planning permission previously granted (Ref:16/00916/APP) be removed. The LRB also agreed that the following conditions should be applicable:

- (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 full details and specifications of the proposed replacement windows, including 1:20 scale elevation plans and typical 1:1 scale cross-sectional plans of the framing and astragals, shall be submitted for the prior written approval of the Planning Authority prior to the commencement of work on site.

**Reasons**

- (1) To ensure that the development is carried out in accordance with the approved plans unless otherwise agreed.
- (2) To safeguard the character and appearance of the Conservation Area.

**List of Approved Plans:**

Drawing - Reference No (or Description): 16.24.01  
Drawing - Reference No (or Description): 16.24.02  
Drawing - Reference No (or Description): 16.24.03  
Drawing - Reference No (or Description): 16.24.LP

**Advisory Notes**

- (1) In accordance with Section 58 of the Town and Country Planning (Scotland) Act 1997 (as amended), this planning permission lapses on the expiration of a

period of 3 years beginning with the date on which the permission is granted unless development to which the permission relates is begun before that expiration.

- (2) A site notice to be displayed in accordance with Section 27C(1) of The Town and Country Planning (Scotland) Act 1997 and Regulation 38 and Schedule 7 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2008 shall be completed, printed on durable material, and be displayed in a prominent place (readily visible to members of the public) at or in the vicinity of the site while the development hereby approved is in progress. This requirement is in order to ensure that members of the public are made aware of the background to the development in progress and have access to the necessary contact details. A template for the Site Notice is attached to this decision notice. An electronic version is also available on the Council's web site as follows [www.south-ayrshire.gov.uk/planning/forms.aspx](http://www.south-ayrshire.gov.uk/planning/forms.aspx) 'Notice to be displayed while development is in progress'.
- (3) The person who intends to carry out the development hereby approved shall, as soon as practicable after deciding on a date on which to initiate the development, complete the attached form entitled 'Notification of Initiation of Development' and submit it to the Planning Authority before commencement of the development. For the avoidance of doubt, failure to submit the required notice would constitute a breach of planning control under S123(1) of the Town and Country Planning (Scotland) Act 1997 (as amended). This notification is required to ensure compliance with the requirements of planning legislation as contained in Section 27A of the Town and Country Planning (Scotland) Act 1997 (as amended).
- (4) The developer is required in carrying out the development hereby approved to submit to the Planning Authority a formal written 'Notification of Completion of Development' as soon as practicable after the development has been completed. This notification shall include the reference number of the planning permission, the site address and the date of completion. This requirement is to ensure compliance with the requirements of planning legislation as contained in Section 27B(1) of the Town and Country Planning (Scotland) Act 1997 (as amended).
- (5) The developer is required in carrying out the development hereby approved to submit to the Planning Authority a formal written 'Notification of Completion of Phases of Development' as soon as practicable after completion of each phase of the development and subsequently a 'Notification of Completion of Development' as soon as practicable after the whole development has been completed. These notifications shall include the reference number of the planning permission, the site address and the date of completion of the relevant phase. This requirement is to ensure compliance with the requirements of planning legislation as contained in Section 27B(1) and

Section 27B(2) of the Town and Country Planning (Scotland) Act 1997 (as amended).

**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 finished at 2:45 p.m.