

SOUTH AYRSHIRE LOCAL REVIEW BODY.

Minutes of meeting in County Buildings, Wellington Square, Ayr,
on 7th November 2017 at 2.00 p.m.

Present: Councillors Craig Mackay (Chair), Ian Cavana, Peter Convery, Ian Fitzsimmons, Mary Kilpatrick and Margaret Toner.

Apologies: Councillors Andy Campbell and Brian Connolly.

Attending: L. McChristie, Solicitor (Legal Adviser); N. Feggans, Planning Co-ordinator (Planning Adviser); S. Smith, Administrative Assistant; and L. Sands, 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 3rd October 2017 were submitted and approved ([issued](#)).

With regard to item 3 below, Councillor Kilpatrick left the meeting at this point as she could not take part in consideration of the Review as she had not been present at the site visit.

3. Continuation of Review – Erection of Dwellinghouse at 3 Longbank Drive, Ayr (17/00207/APP).

Reference was made to the Minutes of 3rd October 2017 (Page 2, paragraph 9) when it had been agreed that the Review be continued to a further meeting of this Body to allow further information to be sought by way of an accompanied site visit by Members of the Body, which had been held on 1st November 2017.

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.

Decided: to uphold the appointed officer's decision to refuse the application.

Councillor Kilpatrick re-joined the meeting at this point.

4. New Case for Review – Erection of Building to form Class 1 Retail unit and Class 11 Health and Leisure unit at 5-11 Kyle Street, Ayr (17/00133/APP).

There were submitted the relevant papers ([issued](#)) relating to a request to review the decision to refuse an application for the erection of a building to form a Class 1 retail unit and class 11 health and leisure unit at 5-11 Kyle Street, Ayr.

Having heard the Chair, the Legal Adviser to the Body and the Planning Adviser to the Body advise that a new material consideration had arisen in the form of a Decision Notice (CAC-370-2000), dated 28 September 2017, from the Scottish Government's Directorate of Planning and Environmental Appeals dismissing the applicant's appeal against the Council's decision to refuse conservation area consent (17/00176/CON) for the demolition of the existing buildings at 5-11 Kyle Street, Ayr, the Body considered the papers relating to the Review.

A Member of the Body raised their concerns regarding the safety of the structure of the buildings by leaving them as they were.

Decided:

- (1) that a Procedure Notice be issued to the appointed officer and the applicant to request their comments on the said Decision Notice; and
- (2) that thereafter the Review be continued to a future meeting of the Review Body for further consideration and decision.

5. New Case for Review – Erection of Dwellinghouse at U99 from Junction with C32, Dundonald – Junction with U98, Dundonald (17/00222/APP).

There were submitted the relevant papers ([issued](#)) relating to a request to review the decision to refuse an application for the erection of a dwellinghouse at U99 from Junction with C32, Dundonald – Junction with U98, 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 with particular emphasis on the grounds on which the application had been refused.

Decided: to uphold the appointed officer's decision to refuse the application.

6. New Case for Review – Alterations and Extension to Dwellinghouse at 8 Doune Street, Girvan (17/00230/APP).

There were submitted the relevant papers ([issued](#)) relating to a request to review the decision to approve with conditions an application for alterations and extension to a Dwellinghouse at 8 Doune Street, Girvan.

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 vary the determination of the appointed officer and grant planning permission 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 notwithstanding the plans hereby approved, all proposed materials to be used on external surfaces shall match the existing dwellinghouse to the satisfaction of the Planning Authority; and

- (3) that notwithstanding the plans hereby approved, the first-floor window on the side elevation of the extension shall be glazed in obscured glass to the satisfaction of the Planning Authority. Full details of the obscured glazing shall be submitted for the prior written approval of the Planning Authority prior to the commencement of works on site. Thereafter, the window shall be installed as agreed, and retained as such for the lifetime of the development. When replacement of the window becomes necessary, the replacement window shall also be obscurely glazed. No additional window openings shall be formed at first-floor level on the side elevation of this extension to the satisfaction of the Planning Authority.

Reasons:

- (1) to ensure that the development is carried out in accordance with the approved plans unless otherwise agreed;
- (2) to ensure that materials are appropriate for the site and in the interests of visual amenity; and
- (3) in the interests of residential 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): 01;
Drawing - Reference No (or Description): 02;
Drawing - Reference No (or Description): 03;
Drawing - Reference No (or Description): 04;
Drawing - Reference No (or Description): 05;
Drawing - Reference No (or Description): 06;
Drawing - Reference No (or Description): 07;
Drawing - Reference No (or Description): 08;
Drawing - Reference No (or Description): 09; and
Drawing - Reference No (or Description): 10.

The meeting finished at 2.50 p.m.