

SOUTH AYRSHIRE LOCAL REVIEW BODY.

Minutes of meeting in County Buildings, Wellington Square, Ayr,
on 25th September 2018 at 10.00 a.m.

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

Attending: L. McChristie, Solicitor (Legal Adviser); A. Cooke, Planning Co-ordinator (Planning Adviser); A. Edgar, Supervisory Planner (Planning Adviser), S. Smith, Administrative Assistant and D. Mulgrew, Committee Services Assistant.

1. Declarations of Interest.

In terms of Council Standing Order No. 17 and the Councillors' Code of Conduct, Councillor Campbell declared an interest in the item below entitled "Erection of dwellinghouse at The Walled Garden, Monkton" as the applicants were known to him and advised that he would withdraw from the meeting during discussion of this item.

2. Minutes of previous meeting.

The panel agreed that minute of 11th September 2018 would be submitted for approval at the next meeting of this panel.

3. New Case for Review – Installation of Replacement windows at 5 Seaview, Dunure (18/00116/APP).

There were submitted the relevant papers (issued) relating to a request to review the decision on conditions imposed on consent by Appointed Officer for installation of replacement windows at Kennedy Hall, 5 Seaview, Dunure, KA7 4LX.

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 decision made by the Appointed officer, and approve 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; and
- (2) that notwithstanding the plans hereby approved, precise details and specifications of the colour of the windows 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.

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 '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 Plans Determined/or List of Approved Plans:

Drawing - Reference No (or Description): **Approved** 18.105.LP A;
Drawing - Reference No (or Description): **Approved** 18.105.100 A; and
Drawing - Reference No (or Description): **Approved** 18.105.101 A.

Councillor Campbell having previously declared an interest left the meeting at this point.

4. **New Case for Review – Erection of dwellinghouse at The Walled Garden, B739 Tarbolton Road, Monkton, A719 Junction, Monkton (18/00304/APP).**

There were submitted the relevant papers (issued) relating to a request to review the decision to refuse a planning application for erection of dwellinghouse at The Walled Garden, B739 Tarbolton Road, Monkton, A719 Junction, 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.

Decided:

- (1) to hold an accompanied site visit to assess the application site in its setting and the surrounding area; and
- (2) that a Procedure Notice be issued to the Appointed Officer for response to queries and statements made in the Applicant's review documentation.
- (3) that thereafter the Review be 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 – Erection of 2 dwellinghouses (demolition of existing dwelling) at Shiloh, Rabbit Wood at A719 – A77T Junction at Bogend, Symington (18/00049/APP).**

There were submitted the relevant papers (issued) relating to a request to review the decision to refuse a planning application for erection of two dwellinghouses (demolition of existing dwelling) at Shiloh, Rabbit Wood at A719 – A77T Junction at Bogend, Symington.

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 uphold the decision made by the Appointed Officer to refuse planning permission.

The meeting ended at 10.50 a.m.