

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

Minutes of meeting in County Buildings, Wellington Square, Ayr,  
on 27th November 2018 at 2.00 p.m.

Present: Councillors Brian Connolly (Chair), Andy Campbell, Ian Cavana, Peter Convery.

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

Apologies: Councillors Ian Fitzsimmons, Mary Kilpatrick, Craig Mackay and Margaret Toner.

### **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 panel agreed that minutes of 6th November 2018 would be submitted for approval at the next meeting of this panel.

### **3. New Case for Review – Sub-division, change of use of industrial land for sale of motor vehicles and erection of associated vehicle preparation building at 3 Somerset Road, Ayr, KA8 9NA (18/00285/APP).**

There were submitted the relevant papers (issued) relating to a request to review the decision to refuse a planning application for Sub-division, change of use of industrial land for sale of motor vehicles and erection of associated vehicle preparation building at 3 Somerset Road, Ayr, KA8 9NA.

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 made by the appointed officer and approve planning permission for a temporary period of 5 years 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 the approval for the proposed use is limited to 27 November 2023 at which date the use of the land for sale of motor vehicles and associated vehicle preparation shall be terminated and the site shall 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. The restoration specification shall be submitted within 2 months of the date of this planning approval.

**Reasons:**

- (1) to ensure that the development is carried out in accordance with the approved plans unless otherwise agreed;
- (2) as proposed by the applicant, to allow beneficial economic use of the site while allowing the site to be marketed for a reasonable period for industrial use. To ensure that the site is restored after the period of temporary use.

**Advisory Notes:**

- 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): 17.37(10)02 C;  
 Drawing - Reference No (or Description): 17.37(10)04;  
 Drawing - Reference No (or Description): 17.37(LP)01 B;  
 Drawing - Reference No (or Description): 17.37(LP)01 B (2);  
 Drawing - Reference No (or Description): 17.37(10)01 B;  
 Drawing - Reference No (or Description): 17.37(10)03; and  
 Drawing - Reference No (or Description): 17.37(LP)02.

**4. New Case for Review – Alterations and extension to dwellinghouse at Burnside Cottage, Poundland, Pinwherry, KA26 0RU (18/00419/APP).**

There were submitted the relevant papers (issued) relating to a request to review the decision to refuse a planning application for alterations and extension to dwellinghouse at Burnside Cottage, Poundland, Pinwherry, KA26 0RU.

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) that a Procedure Notice be issued to the Appointed Officer for response to supporting statements from neighbours; 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 garage at 7 Longhill Avenue, Ayr, KA7 4DY (17/01373/APP).**

David Love took over as Planning Advisor for Agenda Item 5.

There were submitted the relevant papers (issued) relating to a request to review the decision to refuse a planning application for erection of garage at 7 Longhill Avenue, Ayr, KA7 4DY.

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;
- (2) that a Procedure Notice be issued to the Appointed Officer for response to supporting statements from neighbours; and
- (3) that thereafter the Review be continued to a future meeting of the Review Body for further consideration and decision.

The meeting ended at 3.10 p.m.