

SOUTH AYRSHIRE LOCAL REVIEW BODY.

Minutes of meeting in County Buildings, Wellington Square, Ayr,
on 10 December 2019 at 2.00 p.m.

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

Apologies: Councillors Ian Cavana and Craig Mackay.

Attending: L. McChristie, Solicitor (Legal Adviser); A. Cooke, Planning Co-ordinator (Planning Adviser) (For Item 5); A. Edgar, Supervisory Planner (Planning Adviser) (For Item 3 and 4) and D. Mulgrew, 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 20 November 2019 (issued) were submitted and approved.

Councillors Campbell and Fitzsimmons did not participate in consideration of the following Review as they had not been present at the Local Review Body meeting of 29 October 2019 when this Review had been considered and subsequent site visit.

3. Continuation of Review following a site visit – Erection of boundary fence at 2 Beagle Crescent, Ayr, South Ayrshire, KA7 4EX (19/00413/APP).

Reference was made to the Minutes of 29 October 2019 (Page 1, paragraph 3) when it had been agreed that the Review be continued to a further meeting of this Body to allow an accompanied site visit to assess the application site in its setting and the surrounding area.

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 overturn the decision of the Appointed Officer and to 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 is required by a condition or a non-material variation has been agreed in writing with the Planning Authority;
- (2) that the partially completed proposed access shall be finished in accordance with the specifications in the Council's Road Development Guide, and be surfaced for a minimum of 2 metres, as measured from the rear of the public footway prior to operation;
- (3) the existing footway crossing shall be removed and the footway reinstated in accordance with the specifications in the Council's Roads Development Guide before completion of the development;
- (4) that prior to completion of the development any gates shall open inwards away from the public roadway;

- (5) that within one month of the date of this permission, details of measures to soften the visual appearance of the fence shall be submitted to and approved by the Planning Authority. Such measures shall include painting of the fence in a suitable muted colour and scalloping of the top edge of the fence over its entire length;
- (6) That within three months of the date of this permission the measures approved under condition 5 of this permission shall be fully implemented 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) in the interest of road safety and to ensure an acceptable standard of construction;
- (3) in the interest of road safety and to ensure an acceptable standard of construction;
- (4) in the interest of road safety;
- (5) in the interest of visual amenity; and
- (6) in the interest of visual amenity.

Advisory Notes:

- 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 Council as Roads Authority advises that any costs associated with the relocation of any street furniture will require to be borne by the applicant / developer.
- In order to comply with the requirements of the New Roads and Street Works Act 1991, all works carried out in association with the development on the public road network, including those involving the connection of any utility to the site, must be co-ordinated so as to minimise their disruptive impact. This co-ordination shall be undertaken by the developer and his contractors in liaison with the local roads authority and the relevant utility companies.
- The Council as Roads Authority advises that access to the site shall be by way of dropped kerbs, in accordance with the Council's Roads Development Guide before completion of the development.
- That a Road Opening Permit shall be applied for, and obtained from the Roads Authority, for any work within the public road limits prior to works commencing on site.

Reason for Decision:

The siting and design of the development hereby approved, subject to modification to reduce its industrial appearance as required by condition, 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): LOCATION PLAN;
Drawing - Reference No (or Description): BLOCK PLAN;
Drawing - Reference No (or Description): FENCE DETAILS; and
Drawing - Reference No (or Description): PHOTOGRAPHS AS EXISTING.

Councillors Campbell and Fitzsimmons re-joined the meeting at this point.

4. New Case for Review – Further application so as not to comply with Condition 8 of Consent 98/01051/FUL at Proposed Private Housing development, Hole Road, Coylton, South Ayrshire (19/00451/FUR).

There were submitted the relevant papers (issued) relating to a request to review the decision to refuse a planning application for further application so as not to comply with Condition 8 of Consent 98/01051/FUL at Proposed Private Housing development, Hole Road, Coylton, South Ayrshire.

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.

5. New Case for Review – Alterations and extension to dwellinghouse at 77 Wallacefield Road, Troon, South Ayrshire, KA10 6PL (19/00613/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 77 Wallacefield Road, Troon, South Ayrshire, KA10 6PL.

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 2.25 p.m.