

SOUTH AYRSHIRE LOCAL REVIEW BODY.

Minutes of meeting in County Buildings, Wellington Square, Ayr,
on 12 March 2019 at 2.00 p.m.

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

Attending: L. McPartlin, Solicitor (Legal Adviser); A. Cooke, Planning Co-ordinator (Planning Adviser) 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 29 January 2019 and 19 February 2019 (issued) were submitted and approved.

3. New Case for Review – Change of use of part of residential to form ancillary public house accommodation, alterations to building, formation of beer garden and associated works at Harbour Bar, 167, 169 – 173 Templehill, Troon, South Ayrshire, KA10 6BH (18/00744/APP).

There were submitted the relevant papers (issued) relating to a request to review the decision to refuse a planning application for change of use of part of residential to form ancillary public house accommodation, alterations to building, formation of beer garden and associated works at Harbour Bar, 167, 169 – 173 Templehill, Troon, South Ayrshire, KA10 6BH.

Having heard the Chair, the Legal 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 a community group and from Councillor Saxton; and
- (2) that thereafter the Review be continued to a future meeting of the Review Body for further consideration and decision.

4. New Case for Review – Proposed erection of dwellinghouse at B7035 Junction with A77T North of St Quivox – B734 Junction at Slatehall, St Quivox, South Ayrshire (18/00865/APP).

There were submitted the relevant papers (issued) relating to a request to review the decision to refuse a planning application for proposed erection of dwellinghouse at B7035 Junction with A77T North of St Quivox – B734 Junction at Slatehall, St Quivox, 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 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 required by a condition of the permission or a non-material variation has been agreed in writing by the Planning Authority;
- (2) that the first 10 metres of the access road from its junction with the public road shall be resurfaced in accordance with the specifications in the Council's Roads Development Guide prior to occupation. A detailed specification shall be submitted for the prior written approval of the Planning Authority prior to commencement;
- (3) that the discharge of water onto the public road carriageway shall be prevented by drainage or other means. Precise details and specifications of how this is to be achieved shall be submitted for the prior written approval of the Planning Authority before any work commences on site;
- (4) that 3 no. off road parking spaces shall be provided within the existing site boundary in accordance with the Council's Roads Development Guide, prior to completion of the development;
- (5) that parking bays shall be a minimum 5.5 metres x 3.0 metres, internal dimensions of an integral garage shall be 7.0 metres x 3.0 metres to count toward required parking provision;
- (6) that a lockable and covered cycle stand accommodating a minimum of 1 no. cycle shall be provided within the site boundaries. Precise details of the siting and specifications of the required cycle stand shall be submitted for the formal prior written approval of the Planning Authority before any work commences on site;
- (7) that prior to the commencement of development, details of the location, height and materials of all new boundary fences, gates or other means of enclosure shall be submitted to the Planning Authority for written approval;
- (8) 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;
- (9) that before any works start on site a scheme of landscaping indicating the siting, numbers, species and heights (at time of planting) of all trees, shrubs and hedges to be planted, and the extent and profile of any areas of earthmounding, shall be submitted for the prior written approval of the Planning Authority. The scheme as approved shall be implemented within / first planting season following the completion or occupation of the development, whichever is the sooner. The open space/landscaped area shall be retained as open space and to this approved standard; and

- (10) surface water from the site shall be treated in accordance with the principles of the Sustainable Urban Drainage Systems (SUDS) Manual published by CIRIA in March 2007. Full details of the methods to be employed, following discussions with SEPA, and including where appropriate calculations, along with details of how these measures will be maintained in perpetuity, shall be submitted for approval in writing by this Planning Authority prior to the commencement of any works on site.

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 avoid the discharge of water on to the public road.
- (4) in the interest of road safety and to ensure adequate off-street parking provision.
- (5) in the interest of road safety and to ensure that there is adequate space for manoeuvring and turning;
- (6) to ensure adequate provision of lockable and covered cycle storage on site. To encourage sustainable means of travel;
- (7) in the interests of visual and residential amenity;
- (8) in the interests of visual amenity;
- (9) in the interests of visual amenity and to ensure a satisfactory standard of local environmental quality; and
- (10) to ensure the site is drained in an acceptably sustainable manner and the drainage infrastructure is properly maintained.

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 reason for the decision is that 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): 1803-SL001;
 Drawing - Reference No (or Description): 1803-SL004;
 Drawing - Reference No (or Description): 1803-P001;
 Drawing - Reference No (or Description): 1803-SL002; and
 Drawing - Reference No (or Description): 1803-SL003.

5. New Case for Review – Planning Permission in Principle for erection of dwellinghouse at 33 Bentinck Crescent, Troon, South Ayrshire, KA10 6JN (18/00764/PPP).

There were submitted the relevant papers (issued) relating to a request to review the decision to refuse a planning application for Planning Permission in Principle for erection of dwellinghouse at 33 Bentinck Crescent, Troon, South Ayrshire, KA10 6JN.

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 in principle.

The meeting ended at 2.55 p.m.