

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

Minutes of meeting in County Buildings, Wellington Square, Ayr,  
on 17 March 2020 at 2.00 p.m.

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

Apologies: Councillors Alec Clark and Craig Mackay.

Attending: L. McChristie, 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 [4 February 2020](#) and [25 February 2020](#) (issued) were submitted and approved.

### **3. New Case for Review – Erection of dwellinghouse at Tannockhill Farm, C114 from B743 Junction East of Failford, North to C35 Junction South East of Largietoll Cottage, Mauchline, South Ayrshire, KA5 5TJ (19/00787/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 Tannockhill Farm, C114 from B743 Junction East of Failford, North to C35 Junction South East of Largietoll Cottage, Mauchline, South Ayrshire, KA5 5TJ (19/00787/APP).

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 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;
- (3) that, prior to the commencement of work on-site, details shall be submitted for the prior written approval of the Planning Authority of the all the proposed boundary treatments. Thereafter, the proposed boundaries shall be installed as per the agreed specification, to the satisfaction of the Council, as Planning Authority;
- (4) that 2 off road parking spaces shall be provided within the existing site boundary in accordance with the Council's Roads Development Guide as shown on the submitted plan, prior to completion of the development;

- (5) that parking bays shall be a minimum 5.5 metres x 3.0 metres with minimum aisle widths of 6m;
- (6) that no work shall commence on the proposed house hereby approved before completion of the authorised agricultural shed on the application site identified in Prior Notification approval reference number 19/00352/PNF.

**Reasons:**

- (1) to ensure that the development is carried out in accordance with the approved plans unless otherwise agreed;
- (2) in the interests of visual and residential amenity;
- (3) in the interests of visual and residential amenity;
- (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; and
- (6) in the interests of the proper planning of the area and visual amenity. To ensure compliance with Rural Housing Policy and specifically that the proposed house forms or complements a coherent group of buildings and is not isolated.

**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](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:**

Subject to the recommended planning conditions, 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): 0636 PP 01;  
Drawing – Reference No (or Description): 0636 PP 02;  
Drawing - Reference No (or Description): 0636 PP 03;  
Drawing - Reference No (or Description): 0636 PP 04;  
Drawing - Reference No (or Description): 0636 PP 05;  
Drawing - Reference No (or Description): 0636 PP 06; and  
Drawing - Reference No (or Description): 0636 PP 07.

4. **New Case for Review – Sub-division of the existing dwellinghouse and domestic integral garage to form an additional and separate dwellingflat, and associated alterations at 15 Union Street, Troon, South Ayrshire, KA10 6BS (19/00706/APP).**

There were submitted the relevant papers ([issued](#)) relating to a request to review the decision to refuse a planning application for sub-division of the existing dwellinghouse and domestic integral garage to form an additional and separate dwellingflat, and associated alterations at 15 Union Street, Troon, South Ayrshire, KA10 6BS (19/00706/APP).

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 3.10 p.m.