

REGULATORY PANEL (PLANNING)

Minutes of a hybrid webcast meeting
on 16 November 2023 at 10.00 a.m.

Present
In County
Buildings: Councillors Kenneth Bell (Chair), Ian Cavana, Alec Clark, Mark Dixon, Mary Kilpatrick, Alan Lamont and Martin Kilbride.

Present
Remotely: Councillor Craig Mackay.

Apology: Councillor Duncan Townson.

Attending
in County
Buildings: K. Briggs, Service Lead – Legal and Licensing; E. Goldie, Co-ordinator (Place Planning); D. Clark, Supervisory Planner; D. Lewis, Planner; A. Gibson, Committee Services Officer; and E. Moore, Clerical Assistant.

Chair's Remarks.

The Chair

- (1) welcomed everyone to the meeting; and
- (2) outlined the procedures for conducting this meeting and advised that this meeting would be broadcast live.

1. Sederunt and Declarations of Interest.

The Service Lead – Legal and Licensing called the Sederunt for the meeting and having called the roll, confirmed that there were no declarations of interest by Members of the Panel in terms of Council Standing Order No. 17 and the Councillors' Code of Conduct.

2. Minutes of previous meetings.

The minutes of 11 October 2023 ([issued](#)) were submitted and approved.

3. Hearings relating to Applications for Planning Permission -

There were submitted reports ([issued](#)) of November 2023 by the Housing, Operations and Development Directorate on planning applications for determination.

At this point the Chair indicated that an e-mail had been issued to Members advising that the three planning applications on the agenda relating to Brig O'Doon House Hotel would not be considered at this meeting today.

The Panel considered the following applications:-

- (1) [23/00656/APP – AYR – 1A Cassillis Street, South Ayrshire, KA7 1DN](#) – Change of use of existing dwellingflat for use as short-term let/holiday accommodation.

The Panel heard from an interested party and the applicant.

Decided: to approve the planning application subject to the following conditions:-

- (a) that the development hereby permitted must be begun within three years of the date of this permission;
- (b) 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;
- (c) that the accommodation hereby approved shall not be promoted, advertised, let, or used for any purpose other than as holiday accommodation, to the satisfaction of the Planning Authority; and
- (d) that the dedicated parking space within the application site shall be retained for use by the occupiers of 1A Cassillis Street only.

Reasons:

- (a) to be in compliance with Section 58 of The Town and Country Planning (Scotland) Act 1997 as amended by Section 32 of The Planning (Scotland) Act 2019;
- (b) to ensure that the development is carried out in accordance with the approved plans unless otherwise agreed;
- (c) to define the terms of this planning permission, and to retain proper planning control over the development; and
- (d) to ensure the minimum parking standards for the property are retained.

List of Determined Plans:

Drawing - Reference No (or Description): Layout Plan;

Drawing - Reference No (or Description): Location Plan; and

Other - Reference No (or Description): Operating Statement.

Reason for Decision:

The proposed change of use proposal is supported by the framework of planning policy including National Planning Framework 4 and Local Development Plan 2 in that it could bring economic benefits to the area and is not expected to have a detrimental impact on residential amenity or the character of the surrounding area. Should any residential amenity issues arise in the future, it would be for Police Scotland, the Council's Environmental Health Service or Licensing Team to pursue through their regulatory powers.

The explanation for reaching this view is set out in the Report of Handling and which forms a part of the Planning Register

- (2) [23/00684/APP – MAYBOLE – 10 Cargill Avenue, South Ayrshire, KA19 8AD –](#)
Erection of garage.

The Panel

Decided: to approve the application subject to the following conditions:-

- (a) that the development hereby permitted must be begun within three years of the date of this permission;
- (b) 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
- (c) that the garage shall be used solely for domestic purposes incidental to the use of the dwellinghouse and no commercial activities shall be undertaken to the satisfaction of the Planning Authority.

Reasons:

- (a) to be in compliance with Section 58 of The Town and Country Planning (Scotland) Act 1997 as amended by Section 32 of The Planning (Scotland) Act 2019;
- (b) to ensure that the development is carried out in accordance with the approved plans unless otherwise agreed; and
- (c) in the interest of residential amenity.

List of Determined Plans:

Drawing - Reference No (or Description): 23-73-P01;
Drawing - Reference No (or Description): -23-713-P02;
Drawing - Reference No (or Description): 23-713-P03; and
Drawing - Reference No (or Description): 23-713-P04.

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.

The explanation for reaching this view is set out in the Report of Handling and which forms a part of the Planning Register.

The meeting ended at 10.30 a.m.