

REGULATORY PANEL (PLANNING)

Minutes of a hybrid webcast meeting
on 25 June 2024 at 10.00 a.m.

Present
in County
Buildings: Councillors Kenneth Bell (Chair), Ian Cavana, Martin Kilbride, Mary Kilpatrick,
Alan Lamont and Duncan Townson.

Present
Remotely: Councillor Craig Mackay.

Apologies: Councillors Alec Clark and Mark Dixon.

Attending
in County
Buildings: K. Briggs, Service Lead – Legal and Licensing; C. Iles, Service Lead – Planning
and Building Standards; F. Ross, Co-ordinator, Legal Services (Property and
Contracts); E. Goldie, Co-ordinator (Development Management); A. McGibbon,
Supervisory Planner; J. Corrie, Ayrshire Roads Alliance; and A. Gibson,
Committee Services Officer.

Chair's Remarks.

The Chair

- (1) welcomed everyone to the meeting; and
- (2) outlined the procedures for conducting this meeting, including that this meeting would be recorded and placed on the Council's website at a later date; and that all votes would be taken by means of a roll call; and

1. Sederunt and Declarations of Interest.

The Service Lead – Legal and Licensing called the Sederunt for the meeting and having called the roll, Councillor Kilpatrick advised that, in terms of Council Standing Order No. 17 and the Councillors' Code of Conduct, she would declare an interest in item 2(1) below as she would address the Panel as an interested party. No further declarations of interest by Members of the Panel were made.

2. Hearings relating to Applications for Planning Permission.

There were submitted reports ([issued](#)) of June 2024 by the Housing, Operations and Development Directorate on planning applications for determination.

The Panel considered the following applications:-

Having previously declared an interest, Councillor Kilpatrick left the meeting at this point.

- (1) [23/00864/APP](#) – AYR – 36A Alloway, KA7 4PQ – Change of use of existing dwellinghouse to form ancillary hotel accommodation and additional car parking.

The Panel heard from Councillor Kilpatrick, who had previously declared an interest in this application. She then left the meeting for the further consideration of this application. The Panel also heard from the applicant's agent.

Councillor Cavana, seconded by Councillor MacKay, moved that the application be approved as recommended in the Report of Handling and subject to the condition detailed in the report. There was no amendment proposed. In terms of Standing Order No. 19.9, there was no general agreement to the unopposed motion to approve the application, subject to the conditions as detailed in the report, therefore, the Council moved to a vote for or against the Motion. Three Members voted for the Motion and three against. The Chair used his casting vote to vote against the Motion, and accordingly the Motion fell.

At this point, the Panel adjourned, to allow Members to discuss a further Motion.

Upon reconvening, Councillor Bell, seconded by Councillor Townson moved to refuse this application on the basis that the proposed change of use would have a detrimental impact on the local residential amenity, as well as having a negative impact on the overall Conservation area.

By way of an Amendment, Councillor Cavana, seconded by Councillor Mackay moved that the application be approved, subject to the conditions as detailed in the report. Three Members voted for the Amendment and three for the Motion. The Chair exercised his casting vote in favour of the Motion.

The Panel

Decided: to refuse this application on the basis that the proposed change of use would have a detrimental impact on the local residential amenity, as well as having a negative impact on the overall Conservation area.

At this point, Councillor Kilpatrick re-joined the meeting. The Service Lead – Legal and Licensing left the meeting at this point.

- (2) [22/00302/PPPM](#) – AYR – Land to the east of A77T From Holmston Roundabout to Bankfield Roundabout – Planning permission in principle for residential development and neighbourhood commercial development (class 1 retail, class 2 professional services, class 3 food and drink, class 4 office), access, landscaping, drainage and associated works.

The Panel heard from an interested party and the applicant's agent.

The time being 12.35 a.m., the Panel agreed to adjourn for fifteen minutes. The Panel re-convened at 12.50 p.m.

The Panel, at this point, adjourned to discuss the terms of a proposed Motion.

Upon reconvening, Councillor Kilpatrick, seconded by Councillor Lamont moved

- (1) that the Panel be minded to grant the application subject to identification of appropriate conditions and subject to legal agreements as required. This was mainly to contribute to addressing the housing crisis declared by the Scottish Government; and
- (2) that the matter be referred back to Panel for further consideration.

By way of an Amendment, Councillor Cavana, seconded by Councillor Townson moved that the application be refused for the reasons as stated in the report.

Three Members voted for the Amendment and four for the Motion, which was accordingly declared to be carried.

Decided:

- (a) that the Panel be minded to grant the application subject to identification of appropriate conditions and subject to legal agreements as required. This was mainly to contribute to addressing the housing crisis declared by the Scottish Government; and
- (b) that the matter be referred back to Panel for further consideration.

The meeting ended at 1.07 p.m.