

REGULATORY PANEL (PLANNING)

Minutes of a hybrid webcast meeting
on 12 September 2024 at 10.00 a.m.

Present

in County

Buildings: Councillors Martin Kilbride (Chair), Ian Cavana, Mark Dixon, Alec Clark, Alan Lamont and Duncan Townson.

Present

Remotely:

Councillor Craig Mackay.

Apologies:

Councillors Kenneth Bell and Mary Kilpatrick.

Attending

in County

Buildings:

K. Briggs, Service Lead – Legal and Licensing; C. Iles, Service Lead – Planning and Building Standards; E. Goldie, Co-ordinator (Place Planning); D. Clark, Supervisory Planner; A. Gibson, Committee Services Officer; and C. McCallum, 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.

- (1) The Minutes of previous meeting of 3 June 2024 (issued) were submitted and approved (issued).

- (2) The Minutes of previous meeting of 6 June 2024 (issued) were submitted.

In terms of Standing Order No. 19.9, there was no general agreement to the unopposed motion, therefore, the Council moved to a vote for or against the Motion.

By a majority, the Panel

Decided: to approve the minutes.

- (3) The Minutes of previous meeting of 25 June 2024 (issued) were submitted.

Decided: to agree to continue consideration of the minutes to a future meeting of this Panel.

3. Hearings relating to Applications for Planning Permission.

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

The Panel considered the following applications: -

- (1) **24/00324/APP – AYR – 5 Trenchard Court, South Harbour Street – Change of use of dwelling flat to form short term let.**

Having heard a Local Member address the Panel on this and the next application on the agenda, he left the meeting.

The Panel also heard from various interested parties and the applicant.

The Panel adjourned to discuss procedural matters relating to this application.

Upon reconvening and in terms of Standing Order No. 19.9, there was no general agreement to the unopposed motion by Councillor Townson, seconded by Councillor Kilbride, to agree the recommendation in the report and approve the application, therefore, the Council moved to a vote for or against the Motion, or abstain.

By a majority, 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 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.

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) to define the terms of this planning permission, and to retain proper planning control over the development.

List of determined Plans:

Drawing - Reference No (or Description): Floor Plan (No change);
 Drawing - Reference No (or Description): Location Plan; and
 Supporting Information - Reference No (or Description): Operational 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 which forms a part of the Planning Register.

- (2) 24/00486/APP – AYR - 8 Rowallan Court, South Beach Road - Change of use from flat to short term let.**

The Panel heard from various interested parties.

The Panel adjourned to discuss the terms of a Motion proposed by a Member.

Upon reconvening, Councillor Dixon, seconded by Councillor Cavana moved that the application be refused on the grounds that the proposed change of use of a 3-bed dwelling flat to a short term let would have the significant potential to create an unacceptable impact on local amenity due to increased activity and movement within the flatted block, and significant potential for pressure on existing parking provision. Therefore, the application proposals were considered to be contrary to policy 30 of NPF4.

By way of an Amendment, Councillor Kilbride, seconded by Councillor Townson, moved that the application be approved, subject to the conditions as detailed in the report.

Following a vote, two Members voted for the Amendment and five for the Motion, which was declared to be carried.

Accordingly, by a majority, the Panel

Decided: that the application be refused on the grounds detailed above.

4. Closing Remarks.

The Chair, on behalf of the Panel, thanked the Clerk, Andrew Gibson , who would shortly be leaving the employment of this Council, for his contribution to this Panel over the years.

The meeting ended at 11.50 a.m.