

SOUTH AYRSHIRE LOCAL REVIEW BODY.

Minutes of a hybrid webcast meeting held on
28 January 2025 at 2.00 p.m.

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

Remote: Councillor Craig Mackay.

Apologies: Councillor Lee Lyons and Councillor Duncan Townson.

Attending: M. Vance, Solicitor, Legal and Licensing (Legal Adviser); J. Hall, Planning Strategy Co-ordinator (Planning Adviser); R. Anderson, Committee Services Assistant and C. McCallum, Committee Services Assistant.

Opening Remarks.

The Chair confirmed to Members the procedures to conduct this meeting and advised that the meeting was being broadcast live.

1. Declarations of Interest.

The Legal Adviser called the sederunt and, having called the roll, confirmed that 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 Meetings.

The [minutes](#) of 3 December 2024 (issued) were submitted and approved.

3. Continued Case for Review – 24/00127/APP - Application for Planning Permission for the Erection of a Dwellinghouse And Replacement Of Animal Isolation Unit At Laigh Kyleston Farm, A719 From Dunure Road, Ayr to Ayr Road, Fisherton, Ayr, South Ayrshire, KA7 4LD.

There were submitted the relevant [papers](#) (issued) relating to a request to review the decision to refuse Planning Permission for the Erection of a Dwellinghouse and Replacement Of Animal Isolation Unit At Laigh Kyleston Farm, A719 From Dunure Road, Ayr to Ayr Road, Fisherton, Ayr, South Ayrshire, KA7 4LD.

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.

The Body

Decided:

To overturn the Appointed Officer's decision and grant Planning Permission for the Erection of a Dwellinghouse and Replacement Of Animal Isolation Unit At Laigh Kyleston Farm, A719 From Dunure Road, Ayr to Ayr Road, Fisherton, Ayr, South Ayrshire, KA7 4LD subject to the following conditions:-

Conditions

- 1.) The development to which this permission relates must be commenced no later than **five years** from the date of this permission
- 2.) 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.
- 3.) No development shall take place within the development site as outlined in red on the approved plan until the developer has secured the implementation of a programme of archaeological works in accordance with a written scheme of investigation which has been submitted by the applicant, agreed by the West of Scotland Archaeology Service, and approved by the Planning Authority. Thereafter the developer shall ensure that the programme of archaeological works is fully implemented and that all recording and recovery of archaeological resources within the development site is undertaken to the satisfaction of the Planning Authority in agreement with the West of Scotland Archaeology Service.
- 4.) That prior to the commencement of development, samples, or a brochure of all materials to be used on external surfaces including building elevations, roofs and driveway, in respect of type, colour and texture, shall be submitted for the prior written approval of the Planning Authority. Thereafter, the development shall be finished in the materials approved under the terms of this condition.
- 5.) 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 and thereafter shall be implemented as approved.
- 6.) The recommended ecological mitigation measures set out within the Ecology Survey by jkecollogy dated October 2023 shall be implemented in full during the construction phase of the development and operation of the development hereby permitted.
- 7.) In addition to the planting as illustrated on drawing no.SL002, an enhanced scheme of biodiversity planting shall be submitted for the approval in writing of the Planning Authority and shall include proposals for native tree/ shrub planting to enhance and improve the existing network of tree lines/ hedgerows to the north of the site. Thereafter, the planting illustrated within drawing no. SL002 and the enhanced scheme of biodiversity planting to the north of the site shall be implemented in full within the first planting season following occupation of the development, unless otherwise agreed in writing. All planting required under the terms of this condition

shall be permanently retained and any planting which, within a period of 5 years from the occupation of the development, in the opinion of the Planning Authority, is dying, damaged or becoming seriously diseased, shall be replaced by plants of similar size and species to those originally required to be planted.

- 8.) Prior to the commencement of development, a lighting plan and design statement shall be submitted for the approval in writing of the Planning Authority and thereafter shall be implemented as approved. The lighting plan and design statement shall include details of the siting and design of all lighting and demonstrate that it will not artificially illuminate the disused railway area to the north of the site.
- 9.) Prior to the commencement of development, existing and proposed cross section drawings and finished floor levels shall be submitted for the approval in writing of the Planning Authority and thereafter shall be implemented as approved.
- 10.) The integral garage hereby permitted 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.
- 11.) The animal isolation unit shall be used solely for this purpose and shall not be used for commercial activities or be accessible to visiting members of the public.

Reasons:

- 1.) To be in compliance with Section 59 of The Town and Country Planning (Scotland) Act 1997, as amended by The Planning etc. (Scotland) Act 2006.
- 2.) To ensure that the development is carried out in accordance with the approved plans unless otherwise agreed.
- 3.) This application site lies in an area of archaeological sensitivity based on the presence of recorded sites and monuments in the surrounding landscape of prehistoric and medieval date. With the recorded extensive and multi-phase evidence for prehistoric activity in the surrounding landscape the area has potential to produce buried archaeology.
- 4.) To ensure that materials are appropriate for the site and in the interests of visual amenity.
- 5.) To ensure that the design, height and materials are appropriate for the site and in the interests of visual amenity.
- 6.) To ensure no adverse impact on European Protected Species including bats and other native mammals.
- 7.) To ensure compliance with Policy 3 – Biodiversity of National Planning Framework 4 and to provide an improved biodiversity network and links to nearby Sites of Scientific Interest and Local Wildlife.
- 8.) To protect the ecologically green corridor to the north of the site from disturbance.
- 9.) To demonstrate any level changes within the site and any associated retention is acceptable and does not adversely impact the surrounding area or landscape.

- 10.) To define the terms of this permission.
- 11.) To define the terms of this permission.

List of Approved Plans

Plan Type	Reference	Version No.	Received Date
Drawing	P001	rev A	22.02.2024
Drawing	P002		22.02.2024
Drawing	SL001	rev A	22.02.2024
Drawing	SL002	rev A	22.02.2024
Drawing	SL003	rev A	22.02.2024
Supporting Information	Design & Access Statement + Appendix		22.02.2024
Supporting Information	Development Context Statement		22.02.2024
Supporting Information	Ecology Survey		22.02.2024

Advice Notes:

- 1.) Scottish Water: There is currently capacity at the BRADAN Water Treatment Works to service the development however Scottish Water are unable to reserve capacity. A formal connection application requires to be submitted to Scottish Water.
- 2.) Scottish Water: They will not accept any surface water connections to their combined sewer system unless in exceptional circumstances. Scottish Water should be contacted if a connection request is being made.
- 3.) Surface water from the development should be treated through Sustainable Urban Drainage Systems (SUDS).

Reason for Decision

The development hereby approved is considered to accord with the provisions of the development plan and there are no significant adverse impacts on the local character and landscape setting.

4. **New Case for Review – 24/00431/APP- Application for Formation of Access, Replacement of wall, railings, and gate at 38 Park Circus, Ayr, South Ayrshire, KA7 2DL.**

There were submitted the relevant [papers](#) (issued) relating to a request to review the decision to refuse Application for Formation of Access, Replacement of wall, railings, and gate at 38 Park Circus, Ayr, South Ayrshire, KA7 2DL.

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.

The Body

Decided:

1. To hold an accompanied site visit, to assess the application site in its setting and the surrounding area; and
2. that, thereafter, the review be continued to a future meeting of the Local Review Body for further consideration and decision.

The meeting ended at 2:42pm.