

SOUTH AYRSHIRE LOCAL REVIEW BODY.

Minutes of meeting held remotely
on 1 February 2022 at 2.00 p.m.

Present: Councillors Brian Connolly, Ian Cavana, Alec Clark, Ian Fitzsimmons, Mary Kilpatrick, and Margaret Toner.

Apologies: Councillors Iain Campbell, Craig Mackay and Brian McGinley.

Attending: L. McChristie, Solicitor (Legal Adviser), C. Iles Service Lead Planning and Building Standards (Planning Adviser); A. Gibson, Committee Services Officer; and E. Moore, Clerical Assistant.

1. Opening Remarks.

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

2. 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.

3. Minutes of previous meetings.

It was noted that the previous minutes which had been submitted required amendment and would subsequently be considered for approval at a future meeting of this Body.

4. Variation in Order of Business.

In terms of Council Standing Order No 13.3, the Body agreed to vary the order of business as hereinafter minuted.

5. New Case for Review – Jellieston Farm B742 from Council Boundary to A70 Junction at Hillhead, Coylton (21/00705/APP).

It was noted that there was further information required to be submitted to Members of this Body to allow a decision to be made on this Review.

Decided: to continue consideration of this Review to the next meeting of this Body.

Councillor Cavana lost connectivity during consideration of the undernoted Review and subsequently did not participate in the decision of the Body.

6. New Case for Review – Land at Catcraig Farm, C8 from A719 Junction at Adamhill to Council Boundary, Craigie, Kilmarnock (21/00644/PPP).

There were submitted the relevant papers (issued) relating to a request to review the decision to refuse planning permission in principle for the erection of a dwellinghouse and agricultural shed on land at land at Catcraig Farm, C8 from A719 junction at Adamhill to council boundary, Craigie, Kilmarnock.

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 grant planning permission in principle, subject to the following conditions:-

- (1) That formal application(s) for the Approval of Matters Specified in Conditions shall be submitted to, and approved by, the Council before commencement of development. Such application(s) shall be made not later than three years from the date of this permission or, if later, within 6 months from when an earlier approval for the same matters was refused or dismissed on appeal. The proposed development shall commence within two years from the approval of the requisite Matters Specified in Condition application, or in the case of approval of different matters on different dates, from the requisite approval for the last such matter being obtained.
- (2) That at the Approval of Matters Specified in Conditions stage full details of the proposed development comprising the dwellinghouse and shed, including the siting, design, external appearance, means of access, landscaping measures, and any other matters specified in conditions below, shall be submitted for the approval of the Planning Authority as outlined in Condition 1 of this planning permission.
- (3) That at the Approval of Matters Specified in Conditions stage details shall be submitted 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.
- (4) That the dwelling shall not exceed one and a half storeys in height with the wall-head not extending above ground level ceiling level.
- (5) That at the Approval of Matters Specified in Conditions stage details shall be submitted of private garden ground for the new dwelling which shall be in accordance with the Council's supplementary planning guidance in relation to 'Open Space and Designing New Residential Developments' and/ or any subsequent document prepared by the Council in relation to the provision of open space for residential areas.
- (6) That at the Approval of Matters Specified in Conditions stage details shall be submitted of; the proposed new access arrangements which shall include the widening of the existing access to a minimum distance of 5.5 metres for a distance of 10.0 metres from the rear of the public carriageway, and which shall meet with the specification of the Roads Development Guide, the surfacing arrangements, and parking and turning arrangements for the proposed house, and drainage details which shall prevent the discharge of water onto the public road carriageway, which shall be to the satisfaction of the Ayrshire Roads Alliance.
- (7) That at the Approval of Matters Specified in Conditions stage a design statement shall be submitted which demonstrates how the design and siting of the development takes cognisance of the Council's supplementary guidance in relation to Rural Housing and/ or any subsequent document prepared by the Council in relation to rural housing.
- (8) That at the Approval of Matters Specified in Conditions stage, 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.
- (9) That at the Approval of Matters Specified in Conditions stage, details shall be submitted of the proposed septic tank which shall be constructed and installed in accordance with BS6297 Code of Practice for Design and Installation of drainage fields for use in wastewater treatment (as amended).

Reasons

- (1) To be in compliance with Section 59 of The Town and Country Planning (Scotland) Act 1997 as amended by section 21 of the Planning Etc. (Scotland) Act 2006.
- (2) To be in compliance with Section 59 of The Town and Country Planning (Scotland) Act 1997 as amended by section 21 of the Planning Etc. (Scotland) Act 2006.
- (3) In the interest of visual amenity.
- (4) To accord with the Council's supplementary planning guidance in relation to Rural Housing.
- (5) To comply with the Council's supplementary planning policy guidance in relation to open space, and to ensure that the extent of land to be used as garden ground is commensurate with the locality.
- (6) In the interest of road safety.
- (7) In order to retain the rural character and amenity of the area, and to accord with the Council's supplementary planning guidance in relation to Rural Housing.
- (8) In order to retain the rural character and amenity of the area, and to accord with the Council's supplementary planning guidance in relation to Rural Housing.
- (9) To ensure the development can be adequately serviced.

Reason for Decision

Following discussion, the LRB concluded that the proposal was acceptable in the context of the application site and surrounding area. The LRB acknowledged that the Report of Handling did not raise issues with the principle of erecting a new dwellinghouse, as the labour justification demonstrated that an additional accommodation for a farm worker was necessary for the farm unit. The LRB concluded that the location of the new farm house away from the existing farm steading was necessary for the business and acceptable in landscape capacity terms.

The meeting ended at 2.50 p.m.

SOUTH AYRSHIRE LOCAL REVIEW BODY.

Minutes of meeting held remotely
on 22 February 2022 at 2.00 p.m.

Present: Councillors Brian Connolly, Iain Campbell, Ian Cavana, Alec Clark, Ian Fitzsimmons, Mary Kilpatrick and Craig Mackay.

Apology: Councillors Margaret Toner and Brian McGinley.

Attending: L. McChristie, Solicitor (Legal Adviser), A. McGuinness, Planning Co-ordinator (Planning Strategy); C. Buchanan, Committee Services Officer; and C. McCallum, Clerical Assistant.

1. Opening Remarks.

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

2. 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.

3. Minutes of previous meetings.

The minutes of 26 October 2021 and 16 November 2021 (issued) were submitted and approved.

4. New Case for Review – Jellieston Farm from B742 from Council Boundary to A70 Junction at Hillhead Coynton, Ayr, South Ayrshire, KA66ES (21/00705/APP)

There were submitted the relevant papers (issued) relating to a request to review the decision to refuse planning permission in principle for the erection of a dwellinghouse and garage on land at Jellieston Farm from B742 from Council Boundary to A70 Junction at Hillhead Coynton, Ayr, South Ayrshire, KA6 6ES.

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 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. And;
- (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 written prior approval of the Planning Authority.

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 amenity.

Advisory Notes:

- (1) 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.
- (2) 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 'Notice to be displayed while development is in progress'.
- (3) 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).
- (4) 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).
- (5) 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:

The LRB therefore decided that the proposal is accords with LDP Policy: Spatial Strategy (Core Investment Area); LDP Policy: Sustainable Development; LDP Policy: Rural Housing; and LDP Policy Landscape Quality and decided that the proposal is considered to be within an existing cluster and therefore in compliance with LDP policies and considered that as the design of the house of is a contemporary nature and is of an acceptable design for a rural location that the proposed dwellinghouse could be consider an acceptable departure from Design Policy 1(f) Supplementary Guidance (SG) on Rural Housing.

The meeting ended at 2:45 p.m.

SOUTH AYRSHIRE LOCAL REVIEW BODY.

Minutes of meeting held remotely
on 15 March 2022 at 2.00 p.m.

Present: Councillors Brian Connolly, Iain Campbell, Ian Cavana, Alec Clark, Ian Fitzsimmons, Mary Kilpatrick, Craig Mackay and Brian McGinley.

Apology: Councillor Margaret Toner.

Attending: L. McPartlin, Solicitor (Legal Adviser), A. McGuinness, Planning Co-ordinator (Planning Strategy); C. Buchanan, Committee Services Officer; C. McCallum, Clerical Assistant and E. Moore, Clerical Assistant.

1. Opening Remarks.

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

2. 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.

3. Minutes of previous meetings.

There were no minutes to be approved at this meeting.

4. New Case for Review – 1 Stairgillan House B730 from Council Boundary at Stair Bridge to B743 at Carngillan Cottages Tarbolton, Mauchline, South Ayrshire, KA5 5NN (21/00682/APP).

There were submitted the relevant papers (issued) relating to a request to review the decision to refuse planning permission for the erection of a storage shed on land at 1 Stairgillan House B730 from Council Boundary at Stair Bridge to B743 at Carngillan Cottages Tarbolton, Mauchline, South Ayrshire, KA5 5NN (21/00682/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 of the Appointed Officer to refuse planning permission.

The meeting ended at 2:32 p.m.

SOUTH AYRSHIRE LOCAL REVIEW BODY.

Minutes of meeting held remotely
on 29 March 2022 at 2.00 p.m.

Present: Councillors Brian Connolly, Iain Campbell, Ian Cavana, Alec Clark, Ian Fitzsimmons, Mary Kilpatrick, Craig Mackay, Brian McGinley and Margaret Toner.

Attending: L. McChristie, Solicitor (Legal Adviser), A. McGuinness, Planning Co-ordinator (Planning Strategy); C. Buchanan, Committee Services Officer; C. McCallum, Clerical Assistant and E. Moore, Clerical Assistant.

1. Opening Remarks.

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

2. 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.

3. Minutes of previous meetings.

The minutes of 7 December 2021 and 11 January 2022 were submitted and approved at this meeting.

4. New Case for Review – Application for Planning Permission for erection of Garage at Blairston B7024 from High Maybole Road Ayr to Alloway Road, Maybole South from Ayr, South Ayrshire, KA7 4EF (21/00551/APP).

There were submitted the relevant papers (issued) relating to a request to review the decision to refuse planning permission for the erection of a garage on land Blairston B7024 from High Maybole Road Ayr to Alloway Road, Maybole South from Ayr, South Ayrshire, KA7 4EF.

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 of the Appointed Officer to refuse planning permission.

The meeting ended at 3:05 p.m.