

SOUTH AYRSHIRE LOCAL REVIEW BODY.

Minutes of meeting held remotely
on 20 April 2022 at 10.00 a.m.

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

Attending: L. McPartlin, Solicitor (Legal Adviser), D. Hearton, Lead Conservation Planner (Planning Adviser); C. Buchanan, Committee Services Officer and E. Moore, Clerical Assistant.

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.

1. 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.

2. Minutes of previous meetings.

The minutes of 1 February 2022, 22 February 2022, 15 March 2022 and 29 March 2022 were submitted and approved at this meeting.

3. New Case for Review – 21/00776/APP - Application for Planning Permission for Alterations and Extension to Dwellinghouse and erection of Garage at 48 Fullarton Crescent Troon South Ayrshire KA10 6LL.

There were submitted the relevant papers (issued) relating to a request to review the decision to refuse planning permission for alterations and extension to dwellinghouse and erection of a garage on land at 48 Fullarton Crescent Troon South Ayrshire KA10 6LL.

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.
- (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 prior written approval of the Planning Authority and thereafter implemented as approved.

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.

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.

List of Plans Determined:

Drawing - Reference No (or Description): **Approved** EX001
Drawing - Reference No (or Description): **Approved** EX002
Drawing - Reference No (or Description): **Approved** P001
Drawing - Reference No (or Description): **Approved** P002
Drawing - Reference No (or Description): **Approved** SL001
Drawing - Reference No (or Description): **Approved** DRAWN PROPOSAL
Drawing - Reference No (or Description): **Approved** DRAWN PROPOSAL II
Drawing - Reference No (or Description): **Approved** DRAWN PROPOSAL III
Drawing - Reference No (or Description): **Approved** DRAWN PROPOSAL IV

4. New Case for Review – 21/00933/PPP – Application for Planning Permission in Principle for the erection of 2 new Dwellinghouses at Former Adamton Cottages C106 from B739 Junction near Adamton House to C138 Junction South of Langlands North East of Prestwick Monkton South Ayrshire.

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 two new dwellinghouses on land at Former Adamton Cottages C106 from B739 Junction near Adamton House to C138 Junction South of Langlands North East of Prestwick Monkton South Ayrshire.

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 full details of the proposed development, 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 this planning permission in principle, subject to the specified planning conditions, relates to the plan(s) as listed below.
- (4) 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 character of the surrounding area. The design statement shall have 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.
- (5) That at the Approval of Matters Specified in Conditions stage details shall be submitted of the proposed houses which shall not exceed one and a half storeys in height with the wall-head not extending above ground level ceiling level.
- (6) That the proposed access shall be constructed in accordance with the specifications in the Council's National Roads Development Guide and be a minimum of 5.5 metres wide over the initial 10 metres as measured from the rear of the public roadway and be formed with 6 metre radius curves. The access shall be constructed, as approved, prior to completion of the development.
- (7) That the private access shall be surfaced for a minimum of 10 metres as measured from the rear of the public roadway, prior to occupation. Precise detail and specifications of the required surfacing shall be submitted for the prior written approval of the Council as Planning Authority (in consultation with the Council as Roads Authority) before any work commences on site.
- (8) That junction access visibility sightline splays of 2.4 metres by 43 meters shall be maintained in both directions at the junction with the public road. There shall be no obstacle greater than 1.05 metres in height within the visibility sightline splays.
- (9) That the discharge of water onto the public road carriageway shall be prevented by drainage or other means. Precise details and specifications of how this is to be achieved shall be submitted for the prior written approval of the Council as Planning Authority (in consultation with the Council as Roads Authority) before any work commences on site.
- (10) That off-road parking spaces shall be provided within the existing site boundary to satisfy provision levels as defined within the Council's adopted National Roads Development Guide, with parking layouts designed to comply with the guidance set out in the National Roads Development Guide, and within the Designing Streets publication as National Policy.
- (11) That the dwelling houses shall comply 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. At the Approval of Matters Specified in Conditions stage detailed supporting information illustrating compliance with this supplementary planning guidance shall be submitted for the approval of the Planning Authority.
- (12) That at the Approval of Matters Specified in Conditions stage details shall be submitted of the proposed Sustainable Urban Drainage Systems (SUDS) which shall be prepared in accordance with the provisions of Scottish Environment Protection Agency (SEPA) Guidance Note No.8.
- (13) That at the Approval of Matters Specified in Conditions stage details shall be submitted of the all the proposed boundary treatments.

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) To clarify the extent of the planning permission and to be in compliance with Section 59 of The Town and Country Planning (Scotland) Act 1997 as amended by section 20 of the Planning etc. (Scotland) Act 2006.
- (4) In order to retain the rural character and amenity of the area.
- (5) In the interest of visual amenity, and so as to retain the rural character and setting of the locality.
- (6) In the interest of road safety and to ensure an acceptable standard of construction.
- (7) In the interest of road safety and to ensure an acceptable standard of construction.
- (8) In the interest of road safety and to ensure an acceptable standard of construction. To avoid the possibility of unnecessary reversing of vehicles onto the public road.
- (9) In the interest of road safety and to avoid the discharge of water onto the public road.
- (10) In the interest of road safety and to ensure adequate off-street parking provision.
- (11) To comply with the Council's supplementary planning policy guidance in relation to open space and in the interests of the proper planning of the area.
- (12) To ensure the site is drained in an acceptably sustainable manner and the drainage infrastructure is properly maintained.
- (13) In the interests of visual amenity.

Reason for Decision:

Subject to appropriate conditions and the submission of application(s) for the Approval of Matters Specified in Conditions, there is no significant adverse impact on the amenity of neighbouring land and buildings.

Although the development does not on balance accord with LDP1, there are material considerations in this particular application which indicate it should be approved – including the flexibility for rural areas included in LDP2, that the development would round off and complete the cluster of houses in this area. The LRB wished to record its view that the development of this particular site would encapsulate the Cluster as well as the natural boundaries in the area and conclude expansion of the Cluster.

List of Plans Determined:

Drawing - Reference No (or Description): **Approved 01**
Drawing - Reference No (or Description): **Approved 02**
Drawing - Reference No (or Description): **Approved 03**
Drawing - Reference No (or Description): **Approved 04**
Drawing - Reference No (or Description): **Approved 05**

The meeting ended at 11:18 a.m.