

SOUTH AYRSHIRE LOCAL REVIEW BODY.

Minutes of a hybrid webcast meeting held
on 19 March 2024 at 2.00 p.m.

Present: Councillors Kenneth Bell (Chair), Alec Clark, Mark Dixon, Martin Kilbride, Mary Kilpatrick, Alan Lamont and Duncan Townson.

Remote: Councillor Craig MacKay

Apology: Councillor Ian Cavana

Attending: M. Vance, Solicitor, Legal and Licensing (Legal Adviser); J. Hall, Planning Strategy Co-ordinator (Planning Adviser); J. McClure, Committee Services Lead Officer; 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 20 February 2024 (issued) were submitted and approved.

3. Continuation of Review following a site visit – 23/00189/APP – Application for Alterations and Extension to Dwellinghouse at 63 Greenfield Avenue, Ayr KA7 4NT

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 at 63 Greenfield Avenue, Ayr.

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 the application for alterations and extension to the dwellinghouse at 63 Greenfield Avenue, Ayr, subject to the following conditions:-

Conditions

1) That the development hereby permitted must be begun within three years of 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) That notwithstanding the plans hereby approved, all proposed materials to be used on external surfaces shall match the existing dwellinghouse to the satisfaction of the Planning Authority.

Reasons

- 1) 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.
- 2) To ensure that the development is carried out in accordance with the approved plans unless otherwise agreed.
- 3) To ensure that materials are appropriate for the site and in the interests of visual amenity.

List of Approved Plans

Drawing - Reference No (or Description): 2023-01-010

Drawing - Reference No (or Description): 2023-01-001

Drawing - Reference No (or Description): 2023-01-002

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.

4. New Case for Review – 23/00594/APP – Application for Part Change of use of Retail Unit to Incorporate Hot Food Take Away at 23 Adamton Road North, Prestwick, South Ayrshire, KA9 2HY.

There were submitted the relevant [papers](#) (issued) relating to a request to review the decision to refuse part change of use of retail unit to incorporate hot food takeaway at 23 Adamton Road North, Prestwick, KA9 2HY.

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 the application for part change of use of retail unit to incorporate hot food takeaway at 23 Adamton Road North, Prestwick, South Ayrshire KA9 2HY, subject to the following conditions:-

Conditions

- 1) That the development hereby permitted must be begun within **three years** of 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) That within three months of the date of issue of planning consent a scheme of parking mitigation shall require to be agreed and implemented on-street. The parking mitigation scheme shall be submitted for the prior written approval of the Council as Planning Authority (in consultation with the Council as Roads Authority). It is anticipated that the scheme would consist of a combination of bollards, road marking and signage.

Reasons

- 1) 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.
- 2) To ensure that the development is carried out in accordance with the approved plans unless otherwise agreed.
- 3) In the interest of road safety.

List of Plans Determined

Drawing - Reference No (or Description): Location Plan

Drawing - Reference No (or Description): KK/FP1

Drawing - Reference No (or Description): KK/FP-02

Drawing - Reference No (or Description): Ground Floor Plan

Other - Reference No (or Description): Noise Impact Assessment

Advisory Notes

- 1) The Council as Roads Authority advises that all works on the carriageway to be carried out in accordance with the requirements of the Transport (Scotland) Act 2005 and the Roads (Scotland) Act 1984.
- 2) In order to comply with the requirements of the New Roads and Street Works Act 1991, all works carried out in association with the development on the public road network, including those involving the connection of any utility to the site, must be co-ordinated so as to minimise their disruptive impact. This co-ordination shall be undertaken by the developer and his contractors in liaison with the local roads authority and the relevant utility companies.
- 3) The Council as Roads Authority advises that any costs associated with the relocation of any street furniture shall require to be borne by the applicant / developer.
- 4) The Council as Roads Authority advises that promotion of Traffic Regulation Orders resulting from this development shall require to be fully funded by the applicant – including any relevant road signs and markings.

- 5) The Council as Roads Authority advises that only signs complying with the requirements of 'The Traffic Signs Regulations and General Directions 2016' are permitted within public road limits.

Reason for Decision

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.

The meeting ended at 2:40 p.m.