

SOUTH AYRSHIRE LOCAL REVIEW BODY.

Minutes of a hybrid webcast meeting held on
25 February 2025 at 2.00 p.m.

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

Remote: N/A

Apologies: Councillors Mary Kilpatrick and Craig Mackay.

Councillors Lee Lyons and Duncan Townson were not present at the Local Review Body on 28 January 2025 or the site visit on 25 February 2025 so could not participate in the meeting.

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 28 January 2025 (issued) were submitted and approved.

3. Continued Case for Review from Local Review Body on 28 January 2025 and subsequent site visit on 25 February 2025 – 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 continued from the Local Review Body on 28 January 2025 and subsequent site visit on 25 February 2025 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.

In terms of Standing Order 19.9, there was no general agreement to the unopposed

Motion by Councillor Dixon, seconded by Councillor Kilbride, to overturn the Appointed Officer's decision and grant the application, therefore, the Review Body moved to a vote for or against the Motion, or abstain.

By a majority, the Body

Decided:

To overturn the Appointed Officer's decision and grant Planning Permission for Formation of Access, Replacement of wall, railings, and gate at 38 Park Circus, Ayr, South Ayrshire, KA7 2DL, 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, a detailed methodology statement of the proposed stonework repairs required for the existing post to form the proposed vehicular access shall be submitted to and agreed in writing by the Planning Authority prior to commencement of works on site.
- (4) That prior to the commencement of development, full details of the proposed boundary wall, railings and gates shall be submitted for the prior written approval of the Planning Authority.
- (5) That the private access shall be surfaced for a minimum of 2 metres as measured from the rear of the public roadway, prior to operation. 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.
- (6) 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.

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 safeguard the character and appearance of the conservation area.
- (4) To safeguard the character and appearance of the conservation area.

- (5) In the interest of road safety and to ensure an acceptable standard of construction.
- (6) In the interest of road safety and to avoid the discharge of water onto the public road.

List of Approved Plans:

Plan Type	Reference	Received Date
Drawing	23021/01	07.06.2024
Drawing	23021/02	07.06.2024
Drawing	23021/03	07.06.2024
Drawing	23021/04	07.06.2024
Drawing	23021/05	07.06.2024
Drawing	23021/06	07.06.2024
Supporting Information	Design Statement	07.06.2024

Advisory Notes:

- (1) That a Road Opening Permit shall be applied for, and obtained from the Council as Roads Authority, for any work within the public road limits, prior to works commencing on site.
- (2) 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.
- (3) 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.
- (4) 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.

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 character and appearance of the Ayr II Conservation Area.

The meeting ended at 2:26pm.

DRAFT