

SOUTH AYRSHIRE LOCAL REVIEW BODY.

Minutes of a hybrid webcast meeting held on
6 May 2025 at 2.00 p.m.

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

Remote: Councillor Lee Lyons.

Apologies: Councillors Martin Kilbride, Mary Kilpatrick, Craig Mackay, and 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.

As Councillor Lyons was not present at the meeting of 25 February 2025, he was not eligible to vote on this item.

The [minutes](#) of 25 February 2025 (issued) were submitted and approved.

3. New Case for Review – 24/00757/APP- Application for Erection of a Dwellinghouse, formation of access and associated development at Land at Pierhill Farm U91 from B730 Junction Near Stair to B744 Junction Near Commonsides Annbank, South Ayrshire, KA6 5AW.

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, formation of access and associated development at Land at Pierhill Farm U91 from B730 Junction near Stair to B744 Junction near Commonsides Annbank, South Ayrshire, KA6 5AW.

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, formation of access and associated development At Land at Pierhill Farm U91 from B730 Junction near Stair to B744 Junction near Commonsides Annbank South Ayrshire, KA6 5AW, 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. 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.
4. 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.
5. The recommended ecological mitigation measures and biodiversity enhancement measures set out within the Preliminary Ecological Appraisal Report by Machars Ecology Ltd dated August 2024 shall be implemented in full during the construction phase of the development and operation of the development hereby permitted.
6. The planting illustrated within drawing no.0880 PP 01 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.
7. 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.

8. 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 7.3 metres wide over the initial 10 metres as measured from the rear of the public roadway. The access shall be constructed, as approved, prior to completion of the development.
9. 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.
10. That junction access visibility sightline splays of 2.5 metres by 90 metres 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.
11. 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.
12. That a minimum of 3 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. Details of parking layouts designed to comply with the guidance set out in the Council's National Roads Development Guide, and Designing Streets as National Policy, shall be submitted for the prior written approval of the Council as Planning Authority (in consultation with the Council as Roads Authority).

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. To ensure that materials are appropriate for the site and in the interests of visual amenity.
4. To ensure that the design, height and materials are appropriate for the site and in the interests of visual amenity.
5. To ensure no adverse impact on European Protected Species including bats and other native mammals. In the interests of ecology and so as to retain and improve biodiversity at the site.

6. 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.
7. To demonstrate any level changes within the site and any associated retention is acceptable and does not adversely impact the surrounding area or landscape.
8. In the interest of road safety and to ensure an acceptable standard of construction.
9. In the interest of road safety and to ensure an acceptable standard of construction.
10. 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.
11. In the interest of road safety and to avoid the discharge of water onto the public road.
12. In the interest of road safety and to ensure adequate off-street parking provision.

List of Approved Plans

List of Plans determined: Plan Type	Reference:	Version No:	Received Date:
Drawing	LOC 01		09.10.2024
Drawing	LOC 02		09.10.2024
Drawing	LOC 03		09.10.2024
Drawing	PL1		09.10.2024
Drawing	PP 01		09.10.2024
Drawing	PP 02		09.10.2024
Drawing	PP 03		09.10.2024
Supporting Information	Preliminary Ecological Appraisal		09.10.2024
Supporting Information	Supporting Statement		09.10.2024

Advice Notes:

1. Scottish Water: There is currently capacity to service the development however Scottish Water are unable to reserve capacity. Further investigations may be required to be carried out once a formal application has been submitted.
2. There are no records of public waste infrastructure within the vicinity of this development.
3. 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.
4. Guidance should be considered relevant to users of all cranes exceeding a height of 10 metres above ground level or that of the surrounding structures or trees, if higher. For guidance to crane users on the crane notification process and obstacle lighting and marking please refer to CAA CAP Document 1096 which is available at: <http://www.caa.co.uk>. Please be aware any crane erected without notification may be considered a hazard to air navigation and such a crane operates at the crane user's risk of endangering the safety of an aircraft.
5. 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.
6. 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.
7. 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.
8. 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.
9. 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.

Reason for Decision:

The development hereby approved is considered to accord with the provisions of the Local Development Plan and would have no significant adverse impact on the rural landscape setting.

The meeting ended at 2.22pm.