

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.