

SOUTH AYRSHIRE LOCAL REVIEW BODY.

Minutes of a hybrid webcast meeting held
on 22 August 2023 at 2.00 p.m.

Present: Councillors Kenneth Bell (Chair), Ian Cavana, Martin Kilbride and Mary Kilpatrick.

Apologies: Councillors Mark Dixon and Duncan Townson.

(Councillors Alec Clark and Craig Mackay were not in attendance as they had not participated in the previous meetings on 20 June 2023 and 18 August 2023 (Site Visit) when the following Reviews had been considered. As a new member of the Local Review Body, Councillor Hugh Hunter had not been present for previous meetings when the two cases were initially considered)

Attending: M. Vance, Solicitor, Legal and Licensing (Legal Adviser); J. Hall, Planning Strategy Co-ordinator (Planning Adviser); J. McClure, Committee Services Lead Officer; and C. Buchanan, Committee Services Officer.

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 9 May 2023 and 20 June 2023 (issued) were submitted.

The Chair advised that, as only Councillors Clark, Cavana and Kilbride had been present at the meeting of 9 May 2023 and Councillor Clark had submitted his apologies for this meeting, there was the lack of a quorum to approve these minutes, therefore these Minutes would be submitted to the next meeting of this Body for approval.

The minutes of 20 June 2023 were submitted and approved.

3. Continuation of Review following a Site Visit - 22/01049/APP – Application for Planning Permission for erection of Garage at Blairston B7024 from High Maybole Road Ayr to Alloway Road, Maybole South from Ayr, South Ayrshire, KA7 4EF.

Reference was made to the Meeting of 20 June 2023 (Page 1, paragraph 2) when it had been decided

- (1) to hold an accompanied site visit to assess the application site in its setting and the surrounding area; and

- (2) that, thereafter, the review be continued to a future meeting of the Local Review Body for further consideration and decision.

The Legal Adviser advised that a site visit had taken place on 18 August 2023 when Members of the Body had viewed the site and surrounding area to enable them to make a decision on this Review.

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 decision of the Appointed Officer and to grant planning permission for the erection of a Garage at Blairston B7024 from High Maybole Road Ayr to Alloway Road, Maybole South from Ayr, South Ayrshire, KA7 4EF, 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; and
- (3) The garage shall be used solely for domestic purposes incidental to the use of the dwellinghouse and no commercial activities shall be undertaken 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; and
- (3) In the interests of residential amenity.

List of Approved Plans:

Drawing - Reference No (or Description): Approved 1211-01
 Drawing - Reference No (or Description): Approved 1211-02
 Drawing - Reference No (or Description): Approved 1211-03
 Drawing - Reference No (or Description): Approved 1211-04
 Drawing - Reference No (or Description): Approved 1211-05
 Drawing - Reference No (or Description): Approved 1211-06
 Drawing - Reference No (or Description): Approved 1211-07
 Drawing - Reference No (or Description): Approved 1211-08
 Drawing - Reference No (or Description): Approved 1211-09
 Drawing - Reference No (or Description): Approved 1211-10
 Other - Reference No (or Description): Approved Statement in Support
 Other - Reference No (or Description): Approved Statement in Support Appendices

Reason for Decision:

The development hereby approved is considered to accord with the provisions of the development plan and there is no significant detrimental visual impact on the rural area.

4. Continuation of Review following Request for a Procedure Notice - 22/00634/APP – Application for Planning Permission for erection of residential development at Kilmarnock Road Monkton South Ayrshire.

Reference was made to the Meeting of 20 June 2023 (Page 2, paragraph 3) when it had been decided to continue consideration of this review to a future meeting of the Local Review Body for further information to be provided on the responses of the statutory consultees and the prospective loss of trees at the site, by way of a procedure notice.

The Legal Adviser outlined that the further information requested by the Body on the responses of the statutory consultees and the prospective loss of trees had now been provided to the Members of the Body.

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 hold an accompanied site visit to assess the application site in its setting and the surrounding area.

The meeting ended at 2.45 p.m.