

**EAST AYRSHIRE COUNCIL**

**LOCAL REVIEW BODY - POSITION STATEMENT IN RESPECT OF LRB  
10/0922/PP: PROPOSED DEVELOPMENT OF TWO HOUSES AT LAND  
ADJACENT TO BARRMILL COTTAGE, MAXWOOD ROAD/CASTLEVIEW  
AVENUE, GALSTON**

**1. CURRENT POSITION**

- 1.1** A Notice of Review in respect of planning application 10/0922/PP for proposed development of two houses at land adjacent to Barrmill Cottage, Maxwood Road/Castleview Avenue, Galston, by D Lindsay was received on 10 May 2011. The following related documents are set out in the Appendices to this position statement:-
- Appendix 1 - Notice of Review Submission;
  - Appendix 2 - Decision Notice;
  - Appendix 3 - Report of Handling; and
  - Appendix 4 - Representations received in relation to original planning application.
- 1.2** In accordance with the Town and Country Planning (Scheme of Delegation and Local Review Procedure) (Scotland) Regulations 2008, interested parties who had made, and had not withdrawn, representations in connection with the application were invited to submit further representations in relation to the review of the original decision. No further representations were received.
- 1.3** The Local Review Body at a meeting on 20 June 2011, determined that they were unable to determine the review without further procedure at that time and agreed that they required to receive a written submission from (i) the Head of Roads and Transportation regarding the proposed access to the properties in terms of their consultation response and the offer by the applicant to purchase land to fulfil adequate access requirements, and that the applicant and Head of Planning and Economic Development thereafter be given an opportunity to comment on the Head of Roads and Transportation's response; (ii) the Head of Planning and Economic Development (a) setting out information on the planning history of the site; and (b) on his view as to the impact of the proposed development on the houses to the west of the application site, and that the applicant thereafter be given an opportunity to comment on the Head of Planning and Economic Development's response in relation to (a) and (b); (iii) the Head of Housing Services (Cleansing Section) regarding the comment in the appointed Officer's report of handling that "the applicant cannot demonstrate an ability to have an appropriate access accommodating a refuse vehicle" and that the applicant and Head of Planning and Economic Development thereafter be given an opportunity to comment on the Head of Housing Services response; (iv) the applicant outlining why they had moved from the position whereby planning consent was in place for a development wholly within the settlement boundary, to this current application where a portion of the application site lay outwith the settlement boundary, and that the Head of Planning and Economic Development

thereafter be given an opportunity to comment on the applicant's response; and (v) thereafter, to make an unaccompanied inspection of the land comprising the application site particularly to look at the nearby house types and to consider the proposed access to the properties, at Barmill Cottage, Maxwood Road/Castleview Avenue, Galston, with the review to be continued to a future meeting following (i) the receipt of (a) the written submission from the Head of Roads and Transportation; the Head of Planning and Economic Development; the Head of Housing Services; and the applicant; and (b) the written responses following thereon from the applicant and the Head of Planning and Economic Development; and (ii) the site inspection; for further consideration of the review.

**1.4** The written submissions requested and the applicant's and the Head of Planning and Economic Development's responses are set out in the following Appendices:-

- Appendix 5 - written submission from the Head of Planning and Economic Development;
- Appendix 6 - written submissions from the Head of Roads and Transportation;
- Appendix 7 - written submissions from the Head of Housing Services (Cleansing Section);
- Appendix 8 - response from the applicant in relation to Appendices 5, 6 and 7; and
- Appendix 9 - written submissions from the applicant.

Updated: 8 August 2011  
JM/SR