

SOUTH AYRSHIRE COUNCIL (SPECIAL).

Minutes of special meeting in County Buildings, Wellington Square, Ayr,
on 21st June 2011 at 2.20 p.m.

- Present: Councillors Winifred Sloan (Provost), John Allan, Douglas Campbell, Ian Cavana, Brian Connolly, Peter Convery, Ian Douglas, Ian Fitzsimmons, Ann Galbraith, Sandra Goldie, Bill Grant, John Hampton, Hugh Hunter, Mairi Low, John McDowall, Helen Moonie, Alec Oattes, Tom Slider and Margaret Toner.
- Apologies: Councillors Eddie Bulik, Andy Campbell, Hywel Davies, Stan Fisher, Mary Kilpatrick, Elaine Little, Nan McFarlane, Bill McIntosh, Mike Peddie, Robin Reid and Philip Saxton.
- Attending: D. Anderson, Chief Executive; V. Andrews, Head of Legal and Administration; M. Newall, Head of Planning and Enterprise; C. Cox, Planning Manager; W. Carlaw, Acting Legal Manager; A. Cooke, Supervisory Planner, C. Bradshaw, Assistant Public Communications Officer; and A. Gibson, Committee Administrative Officer.

1. Provost.

The Provost welcomed Members to this special meeting.

2. Planning Application for the change of use of existing research building to form 22 dwellingflats and erection of 43 dwellinghouses with associated roads, landscaping and infrastructure at Hannah Research Institute, Ayr (Ref: 11/00390/APPM).

Following consideration of an application for planning permission for the change of use of the existing research building to form 22 dwellingflats and the erection of 43 dwellinghouses with associated roads, landscaping and infrastructure at the Hannah Research Institute, Ayr at the pre-determination hearing held by the Regulatory Panel (Special) (Page 000, paragraph 2), immediately prior to this meeting, the Provost advised that the application would now be determined by this special meeting of the Council.

Decided: to agree that the Executive Director – Development and Environment be given delegated powers to approve this application subject to referral of this application to Scottish Ministers, the signing of a Section 69 legal agreement requiring the staged payment of a commuted sum in lieu of affordable housing provision, payment of landscape and play equipment bonds and the following conditions:-

- (1) that the development hereby permitted shall 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 the conversion of the main Hannah headquarters building shall be completed no later than one year after the completion of the 35th detached dwellinghouse on the application site. That prior to commencing the construction of the detached dwellinghouses on plots 20 to 43 on the application site, detailed contractual and documentary evidence of a work programme to undertake and complete the conversion of the main Hannah headquarters building into residential flats in accordance with an approved planning permission shall be submitted for the prior written approval of the planning authority. Work on the conversion of the main Hannah headquarters building shall start before commencing the construction of the detached dwellinghouses on plots 20 to 43 on the application site;
- (4) that the main Hannah headquarters building shall be permanently retained on site in a wind and watertight condition. Precise details of the measures to secure the preservation of the building in a wind and watertight condition prior to its conversion to residential flats shall be submitted for the prior written approval of the planning authority before any work commences on site. Thereafter, the building shall be maintained in accordance with the approved measures;
- (5) that the proposed garage door details are not hereby approved. Prior to the commencement of development amended plans showing vertically lined garage doors shall be submitted for the prior written approval of the Planning Authority and thereafter shall be installed and maintained on site;
- (6) that all materials to be used on external surfaces, in respect of type, colour and texture and the location, height and materials of all new boundary fences and walls shall be in accordance with the submitted and approved plans. Prior to the commencement of development, samples 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;
- (7) that the existing substandard footpath facility on the B743 shall be upgraded to provide a 2 metre pedestrian footway where achievable, with a 1.2 metre minimum width at any one point, between the site access and Whitletts roundabout. Improvements shall be carried out prior to the occupation of any element of the development. Precise details and specifications of the required improvement shall be submitted for the prior written approval of the Planning Authority before any work commences on site;
- (8) that a new bus stop with shelter and bus boarding facilities shall be provided on the eastbound carriageway of the B743 prior to the occupation of any element of the site. All designs shall be submitted for the prior written approval of the Planning Authority (in consultation with the Roads authority) before any work commences on site. For the avoidance of doubt it is noted that all associated costs are to be borne by the developer;
- (9) that the applicant shall submit a swept path analysis accommodating the largest size of vehicle expected to be used by or serve the development for the formal prior written approval of the Council as Planning Authority before any work commences on site;
- (10) that prior to the occupation of the first residential unit, a residential travel pack shall be submitted for the prior written approval of the Planning Authority. The residential travel pack shall contain all relevant travel information including local walking and cycle maps illustrating routes to key facilities and bus timetables. The approved residential travel pack shall be provided to each house prior to occupation;

- (11) that the existing site access junction with the B743 shall be lit to the requirements of the Roads Authority and be provided prior to occupation of any element of the development site;
- (12) that junction access visibility sightline splays of 2.5 metres by 120 metres shall be maintained in both directions at the junction with the public road. There shall be no obstacle greater than 1.05 metre in height within the visibility sightline splays;
- (13) that the private driveways shall be surfaced for a minimum of 2 metres as measured from the rear of the public footway prior to occupation of the development. Precise details and specifications of the required surfacing shall be submitted for the prior written approval of the Planning Authority before any work commences on site;
- (14) that prior to completion of the development any gates shall open inwards away from the public roadway;
- (15) that prior to the commencement of the development hereby permitted, a detailed plan of public access over the site, as existing, during construction and after completion of the development, shall be submitted to, and approved in writing by, the planning authority, such plan to identify:-
 - all existing paths, tracks and rights of way and any areas of land currently outwith or excluded from statutory access rights, under part 1 of the Land Reform (Scotland) Act 2003;
 - any areas of land proposed for exclusion from statutory access rights after construction of the development, for reasons of privacy, disturbance or curtilage, in relation to proposed buildings or structures;
 - all paths and tracks proposed for construction, for use by walkers, cyclists, horse riders et cetera; and
 - any paths proposed for diversion, whether temporary or permanent, for the purposes of facilitating the development.

The approved plan shall then be implemented to the satisfaction of the planning authority, prior to the occupation of any of the dwellinghouses hereby permitted;

- (16) that the submitted and approved landscaping scheme shall incorporate the following amendments:-
 - the density of the proposed hedgerow mix planting shall be increased to 3 to 4 plants per square metre; and
 - the proposed escalonia hedge shall be planted in a double staggered row at 30cm centres and thereafter be implemented within the first planting season following the completion or occupation of the development, whichever is the sooner. The open space / landscaped areas shall be retained as open space and to this approved standard;
- (17) that all landscaping works and open space provision shall be completed in accordance with the approved landscape drawings prior to the occupation of the last house in the approved development. The open space/landscaped area shall be retained as open space and to this approved standard;

- (18) that before any works start on site, details of the future management and aftercare of the proposed landscaping and planting shall be submitted for approval in writing by this Planning Authority. Thereafter the management and aftercare of the landscaping and planting shall be carried out in accordance with these approved details;
- (19) that the existing trees, other than those agreed or approved for removal, shall be retained and protected in accordance with BS5837:2005 Trees in relation to Construction, to the satisfaction of the Planning Authority;
- (20) that before any works start on site, the developer shall submit, details and specifications of the protective measures (including root protection zones) necessary to safeguard the trees on the site during operations. This Planning Authority shall be formally notified in writing of the completion of such measures and no work on site shall commence until the Planning Authority has confirmed in writing that the measures as implemented are acceptable. The protective measures shall be retained in a sound and upright condition throughout the operations and no building materials, soil or machinery shall be stored in or adjacent to the protected area, including the operation of machinery;
- (21) that a play area of 295 square metres shall be provided within the site at the location identified on plan PDS 001 REV F. Precise details and specifications of the play area layout and proposed equipment shall be submitted for the prior written approval of the planning authority before any work commences on site;
- (22) that a bird hazard control plan and risk assessment shall be submitted for the prior written approval of the planning authority before any work commences on site;
- (23) that a Scottish Government (bat) licence shall be applied for, and obtained, prior to the demolition of Building 19, that all of the mitigation measures for bats, as detailed in sections 4.1 and 4.2 of the December 2010 EnviroCentre Ltd bat report, are carried out and adhered to;
- (24) that all buildings are checked internally and externally for owls and other birds, by an experienced ecologist, immediately prior to demolition and that demolition of individual buildings shall be delayed if nesting birds are found to be present;
- (25) that foul drainage from the site shall be discharged only to the public sewerage system;
- (26) that surface water from the site shall be treated in accordance with the principles of the Sustainable Urban Drainage Systems (SUDS) Manual published by CIRIA in March 2007. Full details of the methods to be employed, following discussions with SEPA, and including where appropriate calculations, along with details of how these measures will be maintained in perpetuity, shall be submitted for approval in writing by this Planning Authority prior to the commencement of any works on site. The discharge of surface water shall comply with the terms of the Water Environment (Controlled Activities) (Scotland) Regulations 2011 (as amended). Surface water drainage from the construction phase shall also be dealt with by SUDS. Such drainage shall be in accordance with C648 and C649, both published by CIRIA;
- (27) that all works shall be carried out in accordance with the submitted grounds investigation report carried out by Johnson, Poole and Bloomer Ltd;

- (28) that the internal noise level (L_{aeq} TdB) within the proposed properties shall not exceed 45dB(A) daytime 07.00 hours to 23.00 hours and 35dB(A) night time 23.00 hours to 07.00 hours (internal measurements assessed with windows sufficiently open for ventilation). In order to achieve this, the measured external background L_{Aeq} daytime shall not exceed 55dB(A) and 45dB(A) night time on any part of the site marked for dwellings. A day time / night time assessment together with any noise mitigation measures shall be submitted for the formal prior written approval of the Planning Authority before any work commences on site. For the avoidance of doubt all noise measurements shall be carried out by a suitably qualified acoustic consultant or other competent person;
- (29) that before any work commences on site a suitably scaled block layout plan showing;
- existing ground levels;
 - proposed ground levels; and
 - finished floor levels of each proposed dwellinghouse,
- shall be submitted for the prior written approval of the Council as Planning Authority; and
- (30) that before any works start on site, the developer shall establish a fixed datum point and shall submit to this Planning Authority a plan indicating the exact location and value of this datum point. The finished floor level(s) of the development relative to the fixed datum shall also be indicated on this plan.

Reasons:

- (1) to be in compliance with Section 58 of the Town and Country Planning (Scotland) Act 1997 as amended by Section 20 of 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 this landmark building (i.e. the main Hannah headquarters building) is satisfactorily retained and converted in the interests of landscape quality and to protect the setting of the St Quivox conservation area and adjacent listed buildings;
- (4) to ensure that this landmark building (i.e. the main Hannah headquarters building) is satisfactorily retained and converted in the interests of landscape quality and to protect the setting of the St Quivox conservation area and adjacent listed buildings;
- (5) in the interests of visual amenity and to protect the setting of the St Quivox conservation area and adjacent listed buildings;
- (6) in the interests of visual and residential amenity;
- (7) in the interest of road safety and to ensure that adequate provision is made for pedestrians;
- (8) to (9) in the interest of road safety;
- (10) to encourage sustainable means of travel;
- (11) in the interest of road safety;
- (12) in the interest of road safety and to ensure acceptable visibility at road junctions;
- (13) in the interest of road safety and to ensure an acceptable standard of construction;
- (14) in the interest of road safety;
- (15) to ensure adequate provision for public access across the site and into the wider path network, in the interests of amenity and the proper access planning of the area;
- (16) in the interests of visual amenity and to ensure a satisfactory standard of local environmental quality;
- (17) to ensure landscaping works are completed at an appropriate stage in the development of the site;

- (18) in the interests of visual amenity; to ensure that adequate measures are put in place to protect the landscaping and planting in the long term;
- (19) in the interests of visual amenity; to ensure that all trees worthy of retention are satisfactorily protected before and during works on site;
- (20) in order to ensure that no damage is caused to the existing trees during development operations;
- (21) to ensure compliance with South Ayrshire Council Supplementary Planning Guidance: Open Space and Designing New Residential Developments and in the interests of residential amenity. In order to retain proper control over the development proposal;
- (22) in the interests of airport safety;
- (23) in the interests of nature conservation and to ensure works are carried out in line with legislative requirements;
- (24) in the interests of nature conservation and to avoid any impacts on birds;
- (25) in the interests of pollution control;
- (26) to ensure the site is drained in an acceptably sustainable manner and the drainage infrastructure is properly maintained;
- (27) to ensure that the works comply with the approved grounds investigation report;
- (28) to avoid noise disturbance in the interests of residential amenity;
- (29) in the interests of residential and visual amenity; to ensure that there is no significant detrimental impact on adjacent properties; and
- (30) to enable this Planning Authority to establish that the development is commencing from the correct level based on an agreed fixed datum point and to ensure that the development as implemented does not result in any changes in levels to those as approved which may be unacceptable in relation to either site circumstances or the relationship with surrounding sites.

Advisory Notes:

- the Council as Roads Authority advises that any costs associated with the relocation of any street furniture will require to be borne by the applicant/developer;
- the Council as Roads Authority advises that promotion of Traffic Regulation Orders resulting from this development will require to be fully funded by the applicant - including any relevant road signs and markings;
- please note that Construction Consent from the Roads Authority will be required for the formation of any new road and that traffic calming measures will be required. The formation of any new road will require to comply with the specifications of the Roads Authority which are detailed in the latest Roads Development Guide publication;
- the Council as Roads Authority advises that a stage 3 Road Safety Audit in compliance with HD 19/03 of the Standard for Highways Design Manual for Roads and Bridges should be submitted to the Roads Authority no later than 1 month after completion of the development. This applies to all proposed new roads and any alterations to existing roads carried out under a Section 56 Agreement with the Roads Authority and the applicant. The requirement to complete a Road Safety Audit includes a requirement to address the recommendations contained within the audit report;

- note that Prestwick Airport has recommended that the applicant/developer seeks further consultation with the airport in order to ensure consideration of cranes in relation to airport safety at the detailed application stage; and
- the applicant is advised that, if the proposals hereby approved are altered in any way, for example as a result of obtaining any of the other statutory consents or for any other reason, they should so inform the Planning Authority and submit copies of the amended proposals in order that a view may be taken as to whether the alterations are material or not and whether a fresh application will be required.

List of Determined Plans:

Drawing - Reference No (or Description): LP 001;
 Drawing - Reference No (or Description): PDS 001 REV F;
 Drawing - Reference No (or Description): SS 001;
 Drawing - Reference No (or Description): EFS 001;
 Drawing - Reference No (or Description): A17S PD1 C;
 Drawing - Reference No (or Description): A185S PD1 E;
 Drawing - Reference No (or Description): AU 19S SL PD1 A;
 Drawing - Reference No (or Description): DG1-A32MDG1 PD1 A;
 Drawing - Reference No (or Description): DG2-A32MDG2 PD1 A;
 Drawing - Reference No (or Description): A21 ICF B2R PD1 G;
 Drawing - Reference No (or Description): A225X PD1 D;
 Drawing - Reference No (or Description): PD 001 A;
 Drawing - Reference No (or Description): A25S PD1 D;
 Drawing - Reference No (or Description): A271CF PD1 A;
 Drawing - Reference No (or Description): A291C PD1 A;
 Drawing - Reference No (or Description): 024/SV 01;
 Drawing - Reference No (or Description): 024/SV 02;
 Drawing - Reference No (or Description): 024/SV 03;
 Drawing - Reference No (or Description): 024/SV 04;
 Drawing - Reference No (or Description): 024/SV 05;
 Drawing - Reference No (or Description): 024/PL 01;
 Drawing - Reference No (or Description): 024/PL 02;
 Drawing - Reference No (or Description): 024/PL 03;
 Drawing - Reference No (or Description): 024/PL 04;
 Drawing - Reference No (or Description): 024/PL 05;
 Drawing - Reference No (or Description): 024/PL 06;
 Drawing - Reference No (or Description): 11110/006 C;
 Drawing - Reference No (or Description): SURV 01;
 Drawing - Reference No (or Description): SURV 02;
 Other - Reference No (or Description): PAC REPORT OCT 2010;
 Other - Reference No (or Description): DESIGN AND ACCESS STATEMENT;
 Other - Reference No (or Description): SUSTAINABILITY STATEMENT;
 Other - Reference No (or Description): TRANSPORT STATEMENT;
 Other - Reference No (or Description): LANDSCAPE _VISUAL STATEMENT;
 Other - Reference No (or Description): TREE SURVEY REPORT;

Drawing - Reference No (or Description): TREE SURVEY DRAWING;
Drawing - Reference No (or Description): LANDSCAPE 21.61 01;
Drawing - Reference No (or Description): LANDSCAPE 21.61 02;
Drawing - Reference No (or Description): LANDSCAPE 21.61 03;
Drawing - Reference No (or Description): LANDSCAPE 21.61 04;
Drawing - Reference No (or Description): LANDSCAPE 21.61 05;
Drawing - Reference No (or Description): LANDSCAPE 21.61 06;
Other - Reference No (or Description): FLOOD RISK REPORT;
Other - Reference No (or Description): SUDS ASSESSMENT REV 2;
Other - Reference No (or Description): BAT SURVEY REPORT;
Other - Reference No (or Description): BADGER SURVEY REPORT; and
Other - Reference No (or Description): SITE INVESTIGATION REPORT.

Reason for Decision:

The siting and design of the development hereby approved can be justified in terms of the development plan and there is no significant adverse impact on the amenity of neighbouring land and buildings.

The meeting ended at 2.22 p.m.