

REGULATORY PANEL.

Minutes of meeting in County Buildings, Wellington Square, Ayr,
on 12th April 2012 at 10.00 a.m.

For Item 1:

Present: Councillors Ian Fitzsimmons (Chair), John Allan, Ian Douglas, Ann Galbraith, Sandra Goldie, Bill Grant and Alec Oattes.

Apology: Councillor Andy Campbell.

Attending: M. Newall, Head of Planning and Enterprise; C. Cox, Planning Manager; W. Carlaw, Legal and Democratic Manager; M McClelland, Development Management and Business Change Team Leader; C. Parish, Priority Projects Team Leader; and J. McClure, Committee Services Officer.

For Items 2 to 10:

Present: Councillors Ian Fitzsimmons (Chair), John Allan, Ian Douglas, Ann Galbraith, Sandra Goldie, Bill Grant and Alec Oattes.

Apology: Councillor Andy Campbell.

Attending: C. Neillie, Solicitor; R. Cairns, Team Leader (Building Standards); R. Howe, Fleet Manager; D. Woodward, Fleet Inspector; M. Douglas, Solicitor (Licensing); D. Scobie, Licensing Monitoring Officer; and J. McClure, Committee Services Officer.

Also Attending: Inspector W. Ramsay and Constable J. McDonagh, Strathclyde Police.

In Attendance: B. Ferries, Ayr Racecourse; and G. Steel, Ayr United Football Club.

1. Applications for Planning Permission.

There were submitted reports (issued) of March 2012 by the Executive Director - Development and Environment and letters of objection or support, as appropriate, on current applications for determination.

The Panel decided as follows:-

- (1) **11/01464/FUR – PINMORE – Maclachrieston Farm – A714 Pinmore – South to B734 at Pinmore Bridge - South of Pinmore** – Further application so as not to comply with Condition 7 of Planning Consent 10/00323/APP.

Decided: to continue this matter to later on in the agenda to allow an Environmental Health Officer to attend and provide further information.

Councillor Douglas declared an interest in application numbers (2) to (4) as he was the Local Member for this area and had attended a consultation meeting on this matter:-

- (2) **12/00215/APP – AYR – Land at Cunningham Place –** Erection of 8 dwellinghouses, children’s care home and formation of associated access road.

The Panel heard from Councillors Douglas, Kilpatrick and Sloan, Local Members in relation to this application.

Decided: to approve the application subject to the following conditions:-

- (a) that the development hereby permitted shall be begun within three years of the date of this permission;
- (b) 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;
- (c) 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. For the avoidance of doubt the proposed retaining wall / brick wall serving plots 8, 9 and 10 is not hereby approved in the form currently submitted. The retaining and boundary treatment shall be modified to incorporate hedging and decorative features such as piers or railings, the precise details and specifications of which shall be submitted for the prior written approval of the Planning Authority before any work commences on site;
- (d) that prior to the commencement of development, samples or a brochure 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;
- (e) that before any works start on site, detailed landscape plans at a recognised metric scale shall be submitted for the prior written approval of the Planning Authority. Plans shall be accompanied by a planting schedule which details the genus, species and variety or cultivar of all plants, bulbs, seeds and turf. The size and specification of all plant material shall be detailed, together with total plant numbers and densities per m². The location of all plant material shall be clearly identified on the landscape drawing. Ground preparation methods, topsoil quality and depth, planting methods, hole sizes and other materials such as mulches and stakes shall also be specified. Construction details for paved or other hard surfaces shall be provided together with details of any fences for inclusion as part of the landscape scheme. The scheme as approved shall be implemented within the first planting season following the completion or occupation of the development, whichever is the sooner. The open space/landscaped area shall be retained as open space and to this approved standard. For the avoidance of doubt the required landscape scheme shall include hedge planting on the boundaries of plots 8 (side), 10 (side and part rear), 11 (rear), 12 (full south side and rear) and 13 (full south side);

- (f) that before any works start on site, the developer shall institute an accurate survey and tree protection plan, in accordance with the current British standards, to be carried out by a qualified arboriculturist of all trees existing on the site and all trees adjacent to or overhanging the site and submit details of those trees proposed to be felled or lopped and those to be retained. A plan at a recognised scale shall be submitted showing the proposed development and the precise location of all trees. The survey shall contain details of tree species, height, crown spread, diameter at breast height (DBH), age, physiological condition, general condition and management recommendations. The approved tree protection plan shall be implemented and no trees shall be felled, topped, lopped or have roots cut or damaged without the prior written approval of this Planning Authority;
- (g) 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;
- (h) that before any works start on site, the developer shall submit, details and specifications of the protective measures 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;
- (i) 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;
- (j) 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 Planning Authority before any work commences on site;
- (k) that junction access visibility sightline splays of 2.0 metres by 20.0 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;
- (l) that a lockable and covered cycle stand accommodating a minimum of 1 cycle per 2 dwellings shall be provided within the site boundaries. Precise details of the siting and specifications of the required cycle stand shall be submitted for the formal prior written approval of the Planning Authority before any work commences on site; and
- (m) 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.

Reasons:

- (a) 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;
- (b) to ensure that the development is carried out in accordance with the approved plans unless otherwise agreed;
- (c) in the interests of visual and residential amenity, to retain proper control over the development proposal and to ensure that the boundary treatment facing the public realm makes a positive contribution to townscape character;
- (d) in the interests of visual amenity;
- (e) in the interests of visual amenity and to ensure a satisfactory standard of local environmental quality;
- (f) in the interests of visual amenity and to ensure that all trees worthy of retention are satisfactorily protected before and during works on site;
- (g) in the interests of visual amenity and to ensure that all trees worthy of retention are satisfactorily protected before and during works on site;
- (h) in order to ensure that no damage is caused to the existing trees during development operations;
- (i) to ensure the site is drained in an acceptably sustainable manner and the drainage infrastructure is properly maintained;
- (j) in the interest of road safety and to avoid the discharge of water on to the public road;
- (k) in the interest of road safety and to ensure acceptable visibility at road junctions;
- (l) to ensure adequate provision of lockable and covered cycle storage on site and to encourage sustainable means of travel; and
- (m) in the interests of visual amenity and to ensure that adequate measures are put in place to protect the landscaping and planting in the long term.

Advisory Notes:

- (i) 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; and
- (ii) the Council as Roads Authority advises that access to the site shall be by way of a footway crossing, in accordance with the Council's Roads Development Guide and any redundant footway crossing shall be reinstated to adjacent footway line and level before completion of the development.

List of Determined Plans:

Drawing - Reference No (or Description): AL(0)002 Location Plan;
 Drawing - Reference No (or Description): AL(0)006 Existing Site Plan;
 Drawing - Reference No (or Description): AL(0)011 REV. A Proposed Site Plan;
 Drawing - Reference No (or Description): AL(0)016 REV. A Proposed Site Sections;
 Drawing - Reference No (or Description): AL(0)040 REV. A Floor Plans - Block 4;
 Drawing - Reference No (or Description): AL(0)045 REV. A Elevations - Block 4;
 Drawing - Reference No (or Description): AL(0)050 REV. A Floor Plans - Block 5;
 Drawing - Reference No (or Description): AL(0)055 REV. A Elevations - Block 5;
 Drawing - Reference No (or Description): AL(0)060 REV. A Floor Plans - Block 6;
 Drawing - Reference No (or Description): AL(0)065 REV. A Elevations - Block 6;
 Drawing - Reference No (or Description): AL(0)070 REV. A Ground Floor Plan - Block 7;
 Other - Reference No (or Description): DESIGN & ACCESS STATEMENT; and
 Other - Reference No (or Description): SUPPORTING STATEMENT.

Reason for Decision:

The siting and design of the development hereby approved is considered to accord with the provisions of the development plan and there is no significant adverse impact on the amenity of neighbouring land and buildings.

- (3) **12/00216/APP – AYR – Land at Glencairn Road –** Erection of 7 dwellinghouses and formation of associated parking.

The Panel heard from Councillor Sloan, Local Member in relation to this application.

Decided: to approve the application subject to the following conditions:-

- (a) that the development hereby permitted shall be begun within three years of the date of this permission;
- (b) 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;
- (c) 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. For the avoidance of doubt the boundary wall screening the side and rear garden of plot 01 and the rear garden of plot 02 shall be red brick to match the brick to be used on the proposed houses and 1 Caledonia Road and shall include decorative features such as piers or railings;
- (d) that prior to the commencement of development, full details and specifications of the bin storage arrangements for plots 03 and 06 shall be submitted to the Planning Authority for written approval. For the avoidance of doubt these shall include screen enclosures designed and finished to complement the external finish of the proposed houses. Timber screen fence enclosures are not acceptable;

- (e) that prior to the commencement of development, samples or a brochure 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;
- (f) that before any works start on site, detailed landscape plans at a recognised metric scale shall be submitted for the prior written approval of the Planning Authority. Plans shall be accompanied by a planting schedule which details the genus, species and variety or cultivar of all plants, bulbs, seeds and turf. The size and specification of all plant material shall be detailed, together with total plant numbers and densities per m². The location of all plant material shall be clearly identified on the landscape drawing. Ground preparation methods, topsoil quality and depth, planting methods, hole sizes and other materials such as mulches and stakes shall also be specified. Construction details for paved or other hard surfaces shall be provided together with details of any fences for inclusion as part of the landscape scheme. The scheme as approved shall be implemented within the first planting season following the completion or occupation of the development, whichever is the sooner. The open space/landscaped area shall be retained as open space and to this approved standard. For the avoidance of doubt the landscape scheme shall include a greater variety of plant material at the interface with the park including heavy standard trees, hedging and arrangements to prevent unauthorised vehicles entering the park;
- (g) 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;
- (h) that before any works start on site, the developer shall institute an accurate survey and tree protection plan, in accordance with the current British standards, to be carried out by a qualified arboriculturist of all trees existing on the site and all trees adjacent to or overhanging the site and submit details of those trees proposed to be felled or lopped and those to be retained. A plan at a recognised scale shall be submitted showing the proposed development and the precise location of all trees. The survey shall contain details of tree species, height, crown spread, diameter at breast height (DBH), age, physiological condition, general condition and management recommendations. The approved tree protection plan shall be implemented and no trees shall be felled, topped, lopped or have roots cut or damaged without the prior written approval of this Planning Authority;
- (i) 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;
- (j) that before any works start on site, the developer shall submit, details and specifications of the protective measures 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;

- (k) 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;
- (l) 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 Planning Authority before any work commences on site; and
- (m) that junction access visibility sightline splays of 2.0 metres by 20.0 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.

Reasons:

- (a) 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;
- (b) to ensure that the development is carried out in accordance with the approved plans unless otherwise agreed;
- (c) in the interests of visual and residential amenity, to retain proper control over the development proposal and to ensure that the boundary wall facing the public realm makes a positive contribution to townscape character;
- (d) in the interests of visual and residential amenity, to retain proper control over the development proposal and to ensure that the boundary wall facing the public realm makes a positive contribution to townscape character;
- (e) in the interests of visual amenity;
- (f) in the interests of visual amenity and to ensure a satisfactory standard of local environmental quality;
- (g) in the interests of visual amenity and to ensure that adequate measures are put in place to protect the landscaping and planting in the long term;
- (h) in the interests of visual amenity and to ensure that all trees worthy of retention are satisfactorily protected before and during works on site;
- (i) in the interests of visual amenity and to ensure that all trees worthy of retention are satisfactorily protected before and during works on site;
- (j) in order to ensure that no damage is caused to the existing trees during development operations;
- (k) to ensure the site is drained in an acceptably sustainable manner and the drainage infrastructure is properly maintained;
- (l) in the interest of road safety and to avoid the discharge of water on to the public road; and
- (m) in the interest of road safety and to ensure acceptable visibility at road junctions.

Advisory Notes:

- (i) 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; and
- (ii) the Council as Roads Authority advises that access to the site shall be by way of a footway crossing, in accordance with the Council's Roads Development Guide and any redundant footway crossing shall be reinstated to adjacent footway line and level before completion of the development.

List of Determined Plans:

Drawing - Reference No (or Description): AL(0)001 REV. A Location Plan;
 Drawing - Reference No (or Description): AL(0)005 REV. A Existing Site Plan;
 Drawing - Reference No (or Description): AL(0)010 REV. A Proposed Site Plan;
 Drawing - Reference No (or Description): AL(0)015 REV. A Proposed Site Sections;
 Drawing - Reference No (or Description): AL(0)020 REV. A Floor Plans - Block 1;
 Drawing - Reference No (or Description): AL(0)025 REV. A Elevations - Block 1;
 Drawing - Reference No (or Description): AL(0)030 REV. B Floor Plans – Block 2 & 3;
 Drawing - Reference No (or Description): AL(0)035 REV. B Elevations - Block 2 & 3;
 Other - Reference No (or Description): DESIGN & ACCESS STATEMENT; and
 Other - Reference No (or Description): SUPPORTING STATEMENT.

Reason for Decision:

The siting and design of the development hereby approved is considered to accord with the provisions of the development plan and there is no significant adverse impact on the amenity of neighbouring land and buildings.

(4) 12/00221/APP – AYR – Land at Gavin Hamilton Court – Erection of 4 dwellingflats.

The Panel heard from Councillor Sloan, Local Member in relation to this application.

Decided: to approve the application subject to the following conditions:-

- (a) that the development hereby permitted shall be begun within three years of the date of this permission;
- (b) 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;

- (c) 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. For the avoidance of doubt the boundary wall screening the rear garden of block 8 shall be red brick to match the brick used on the cottage flats and shall include decorative features such as piers or railings;
- (d) that prior to the commencement of development, samples or a brochure 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. For the avoidance of doubt the colour of the brick selected shall match that used on the houses in Gavin Hamilton Court;
- (e) that before any works start on site, detailed landscape plans at a recognised metric scale shall be submitted for the prior written approval of the Planning Authority. Plans shall be accompanied by a planting schedule which details the genus, species and variety or cultivar of all plants, bulbs, seeds and turf. The size and specification of all plant material shall be detailed, together with total plant numbers and densities per m². The location of all plant material shall be clearly identified on the landscape drawing. Ground preparation methods, topsoil quality and depth, planting methods, hole sizes and other materials such as mulches and stakes shall also be specified. Construction details for paved or other hard surfaces shall be provided together with details of any fences for inclusion as part of the landscape scheme. The scheme as approved shall be implemented within the first planting season following the completion or occupation of the development, whichever is the sooner. The open space/landscaped area shall be retained as open space and to this approved standard;
- (f) 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;
- (g) 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; and
- (h) 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 Planning Authority before any work commences on site.

Reasons:

- (a) 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;
- (b) to ensure that the development is carried out in accordance with the approved plans unless otherwise agreed;
- (c) in the interests of visual and residential amenity, to retain proper control over the development proposal and to ensure that the boundary wall facing the public realm makes a positive contribution to townscape character;
- (d) in the interests of visual amenity;
- (e) in the interests of visual amenity and to ensure a satisfactory standard of local environmental quality;
- (f) in the interests of visual amenity and to ensure that adequate measures are put in place to protect the landscaping and planting in the long term;
- (g) to ensure the site is drained in an acceptably sustainable manner and the drainage infrastructure is properly maintained; and
- (h) in the interest of road safety and to avoid the discharge of water on to the public road.

Advisory Notes:

- (i) the Council as Roads Authority advises that access to the site shall be by way of a footway crossing, in accordance with the Council's Roads Development Guide and any redundant footway crossing shall be reinstated to adjacent footway line and level before completion of the development.

List of Determined Plans:

Drawing - Reference No (or Description): AL(0)003 Location Plan;
 Drawing - Reference No (or Description): AL(0)007 Existing Site Plan;
 Drawing - Reference No (or Description): AL(0)012 REV. A Proposed Site Plan;
 Drawing - Reference No (or Description): AL(0)017 REV. A Proposed Site Sections;
 Drawing - Reference No (or Description): AL(0)080 Floor Plans - Block 8;
 Drawing - Reference No (or Description): AL(0)085 Elevations - Block 8;
 Drawing - Reference No (or Description): AL(0)090 Floor Plans - Block 9;
 Drawing - Reference No (or Description): AL(0)095 Elevations - Block 9;
 Other - Reference No (or Description): DESIGN STATEMENT; and
 Other - Reference No (or Description): SUPPORTING STATEMENT.

Reason for Decision:

The siting and design of the development hereby approved is considered to accord with the provisions of the development plan and there is no significant adverse impact on the amenity of neighbouring land and buildings.

The time being 11.45 a.m., the Panel adjourned for fifteen minutes.

Councillor Douglas rejoined the meeting at this point.

Councillor Grant declared an interest in application numbers (5) to (14) as he was a member of the Ayrshire Housing Board:-

- (5) 11/01608/APP – AYR – 31-33, 41-45 and 49 Leslie Crescent – Alterations of existing dwellinghouses.**

Decided: to approve the application subject to the following conditions:-

- (a) that the development hereby permitted shall be begun within three years of the date of this permission; and
- (b) 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.

Reasons:

- (a) 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; and
- (b) to ensure that the development is carried out in accordance with the approved plans unless otherwise agreed.

List of Determined Plans:

Drawing - Reference No (or Description): 909-D313;
 Drawing - Reference No (or Description): 909-D302; and
 Drawing - Reference No (or Description): 909-D303.

Reason for Decision:

The siting and design of the development hereby approved is considered to accord with the provisions of the development plan and there is no significant adverse impact on the amenity of neighbouring land and buildings.

- (6) 12/00091/APP – AYR – 32 and 34 Leslie Crescent – Alterations of existing dwellinghouses.**

Decided: to approve the application subject to the following conditions:-

- (a) that the development hereby permitted shall be begun within three years of the date of this permission; and
- (b) 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.

Reasons:

- (a) 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; and
- (b) to ensure that the development is carried out in accordance with the approved plans unless otherwise agreed.

List of Determined Plans:

Drawing - Reference No (or Description): 909-D313;
 Drawing - Reference No (or Description): 909-D302; and
 Drawing - Reference No (or Description): 909-D305.

Reason for Decision:

The siting and design of the development hereby approved is considered to accord with the provisions of the development plan and there is no significant adverse impact on the amenity of neighbouring land and buildings.

- (7) **12/0092/APP – AYR – 40, 42 and 44 Leslie Crescent** – Alterations of existing dwellinghouses.

Decided: to approve the application subject to the following conditions:-

- (a) that the development hereby permitted shall be begun within three years of the date of this permission; and
- (b) 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.

Reasons:

- (a) 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; and
- (b) to ensure that the development is carried out in accordance with the approved plans unless otherwise agreed.

List of Determined Plans:

Drawing - Reference No (or Description): 909-D302;
 Drawing - Reference No (or Description): 909-D303;
 Drawing - Reference No (or Description): 909-D304; and
 Drawing - Reference No (or Description): 909-D306.

Reason for Decision:

The siting and design of the development hereby approved is considered to accord with the provisions of the development plan and there is no significant adverse impact on the amenity of neighbouring land and buildings.

(8) 12/0093/APP – AYR – 58 Leslie Crescent – Alterations of existing dwellinghouse.

Decided: to approve the application subject to the following conditions:-

- (a) that the development hereby permitted shall be begun within three years of the date of this permission; and
- (b) 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.

Reasons:

- (a) 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; and
- (b) to ensure that the development is carried out in accordance with the approved plans unless otherwise agreed.

List of Determined Plans:

Drawing - Reference No (or Description): 909-D303;
 Drawing - Reference No (or Description): 909-D304; and
 Drawing - Reference No (or Description): 909-D307.

Reason for Decision:

The siting and design of the development hereby approved is considered to accord with the provisions of the development plan and there is no significant adverse impact on the amenity of neighbouring land and buildings.

(9) 12/0094/APP – AYR – 72 and 74 Leslie Crescent – Alterations of existing dwellinghouses.

Decided: to approve the application subject to the following conditions:-

- (a) that the development hereby permitted shall be begun within three years of the date of this permission; and
- (b) 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.

Reasons:

- (a) 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; and
- (b) to ensure that the development is carried out in accordance with the approved plans unless otherwise agreed.

List of Determined Plans:

Drawing - Reference No (or Description): 909-D302;
 Drawing - Reference No (or Description): 909-D303; and
 Drawing - Reference No (or Description): 909-D308.

Reason for Decision:

The siting and design of the development hereby approved is considered to accord with the provisions of the development plan and there is no significant adverse impact on the amenity of neighbouring land and buildings.

- (10) **12/0095/APP – AYR – 88 and 90 Leslie Crescent** – Alterations of existing dwellinghouses.

Decided: to approve the application subject to the following conditions:-

- (a) that the development hereby permitted shall be begun within three years of the date of this permission; and
- (b) 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.

Reasons:

- (a) 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; and
- (b) to ensure that the development is carried out in accordance with the approved plans unless otherwise agreed.

List of Determined Plans:

Drawing - Reference No (or Description): 909-D302;
 Drawing - Reference No (or Description): 909-D303; and
 Drawing - Reference No (or Description): 909-D309.

Reason for Decision:

The siting and design of the development hereby approved is considered to accord with the provisions of the development plan and there is no significant adverse impact on the amenity of neighbouring land and buildings.

(11) 12/00101/APP – AYR – 94 Leslie Crescent – Alterations of existing dwellinghouse.

Decided: to approve the application subject to the following conditions:-

- (a) that the development hereby permitted shall be begun within three years of the date of this permission; and
- (b) 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.

Reasons:

- (a) 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; and
- (b) to ensure that the development is carried out in accordance with the approved plans unless otherwise agreed.

List of Determined Plans:

Drawing - Reference No (or Description): 909-D302;
 Drawing - Reference No (or Description): 909-D303; and
 Drawing - Reference No (or Description): 909-D310.

Reason for Decision:

The siting and design of the development hereby approved is considered to accord with the provisions of the development plan and there is no significant adverse impact on the amenity of neighbouring land and buildings.

(12) 12/00103/APP – AYR –1 and 3 Mount Oliphant Crescent – Alterations of existing dwellinghouses.

Decided: to approve the application subject to the following conditions:-

- (a) that the development hereby permitted shall be begun within three years of the date of this permission; and
- (b) 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.

Reasons:

- (a) 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; and
- (b) to ensure that the development is carried out in accordance with the approved plans unless otherwise agreed.

List of Determined Plans:

Drawing - Reference No (or Description): 909-D301;
 Drawing - Reference No (or Description): 909-D302; and
 Drawing - Reference No (or Description): 909-D303.

Reason for Decision:

The siting and design of the development hereby approved is considered to accord with the provisions of the development plan and there is no significant adverse impact on the amenity of neighbouring land and buildings.

(13) 12/00104/APP – AYR – 3 Mossgiel Road – Alterations of existing dwellinghouse.

Decided: to approve the application subject to the following conditions:-

- (a) that the development hereby permitted shall be begun within three years of the date of this permission; and
- (b) 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.

Reasons:

- (a) 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; and
- (b) to ensure that the development is carried out in accordance with the approved plans unless otherwise agreed.

List of Determined Plans:

Drawing - Reference No (or Description): 909-D302;
 Drawing - Reference No (or Description): 909-D304; and
 Drawing - Reference No (or Description): 909-D312.

Reason for Decision:

The siting and design of the development hereby approved is considered to accord with the provisions of the development plan and there is no significant adverse impact on the amenity of neighbouring land and buildings.

(14) 12/00105/APP – AYR – 78 Leslie Crescent – Alterations of existing dwellinghouse.

Decided: to approve the application subject to the following conditions:-

- (a) that the development hereby permitted shall be begun within three years of the date of this permission; and
- (b) 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.

Reasons:

- (a) 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; and
- (b) to ensure that the development is carried out in accordance with the approved plans unless otherwise agreed.

List of Determined Plans:

Drawing - Reference No (or Description): 909-D302;
Drawing - Reference No (or Description): 909-D304; and
Drawing - Reference No (or Description): 909-D314.

Reason for Decision:

The siting and design of the development hereby approved is considered to accord with the provisions of the development plan and there is no significant adverse impact on the amenity of neighbouring land.

Councillor Grant rejoined the meeting at this point.

Variation in order of business.

In terms of Council Standing Order No. 10, the Panel agreed to vary the order of business as hereinafter minuted.

- (1) (Continued from start of agenda) - 11/01464/FUR – PINMORE – Maclachrieston Farm – A714 Pinmore – South to B734 at Pinmore Bridge - South of Pinmore – Further application so as not to comply with Condition 7 of Planning Consent 10/00323/APP.**

Decided: to refuse the application not to comply with condition 7 of planning permission 10/00323/APP in order to change the noise thresholds, as it is not acceptable and this would not comply with the Addendum to the Ayrshire Joint Structure Plan Technical Report TR03/2006 'Guidance on the Location of Windfarms within Ayrshire' in that the proposed wind turbine is less than 700 metres from the nearest dwelling house, and the applicant has not demonstrated to the satisfaction of the Planning Authority that the impacts of the increased noise thresholds would not adversely affect the amenity of houses within the vicinity.

Councillor Douglas declared an interest in the following application as he was a part owner of the property:-

(15) 12/00137/APP – AYR – 47 Meadowpark – Alterations and extension to dwellinghouse.

Decided: to refuse the application for the following reasons-

- (a) that the proposed extension is contrary to the terms of South Ayrshire Local Plan policy STRAT5 by reason that the proposed extension would have a detrimental impact on the residential amenity of the adjoining property at 45 Meadowpark, Ayr as a result of overshadowing and loss of light to the property and its rear garden area;
- (b) that the proposed extension is contrary to the terms of South Ayrshire Local Plan policy BE1 by reason that the proposed extension would have a detrimental impact on the residential amenity of the adjoining property at 45 Meadowpark, Ayr as a result of overshadowing and loss of light to the property and its rear garden area;
- (c) that the proposed extension is contrary to the terms of South Ayrshire Local Plan policy H6 by reason that the proposed extension would have a detrimental impact on the residential amenity of the adjoining property at 45 Meadowpark, Ayr as a result of overshadowing and loss of light to the property and its rear garden area; and
- (d) that the proposed extension is contrary to the terms of South Ayrshire Local Plan policy H7 by reason that the proposed extension would have a detrimental impact on the residential amenity of the adjoining property at 45 Meadowpark, Ayr as a result of overshadowing and loss of light to the property and its rear garden area.

List of Determined Plans:

Drawing - Reference No (or Description): EXISTING PLAN, ELEVATIONS AND SECTION;

Drawing - Reference No (or Description): PROPOSED PLAN, ELEVATIONS AND SECTION;

Drawing - Reference No (or Description): LOCATION PLAN; and

Drawing - Reference No (or Description): SITE PLAN.

Councillor Douglas rejoined the meeting at this point.

- (16) **12/00197/APP – AYR – 174 High Street** – Change of use and alterations to shop / cafe to form Customer Services Centre (class 2).

Decided: to approve the application subject to the following conditions:-

- (a) that the development hereby permitted shall be begun within three years of the date of this permission;
- (b) 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;
- (c) that precise details and specifications of the following matters shall be submitted for the prior written approval of the planning authority before any work commences on site:-
 - (i) colour scheme;
 - (ii) any proposed alterations to stonework or re-pointing (including the proposed sandstone stall riser);
 - (iii) full constructional details, materials and specifications of all proposed replacement or repaired windows;
 - (iv) intended subdivision and proportions of the ground floor 'shop' windows facing Mill Street; and
 - (v) precise wall and door details of the service entrance feature fronting Mill Street;
- (d) the natural slate roof and cast iron rainwater goods shall be repaired and replaced, where necessary, on a like for like basis;
- (e) the roller shutter box(es) shall be fully recessed in accordance with the plans hereby approved. Precise details and specifications of the roller shutter(s) including cross-sections of the housing shall be submitted for the prior written approval of the planning authority before any work commences on site; and
- (f) that precise details and specifications of the internal lift arrangement shall be submitted for the prior written approval of the Planning Authority before any work commences on site. For the avoidance of doubt the lift, its enclosure and associated machinery shall be sited and designed to avoid adverse impact on the large hall within which it is situated.

Reasons:

- (a) 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;
- (b) to ensure that the development is carried out in accordance with the approved plans unless otherwise agreed;
- (c) to safeguard the character and appearance of the Conservation Area;
- (d) to safeguard the character and appearance of the Conservation Area;
- (e) to safeguard the character and appearance of the Conservation Area; and
- (f) in order to retain proper control over the development proposal.

Advisory Notes:

- (A) the related application for listed building consent (12/00188/LBC) requires approval from Historic Scotland. You should not commence work until you are in receipt of all necessary approvals.

List of Determined Plans:

Drawing - Reference No (or Description): 1 location and block plan;
 Drawing - Reference No (or Description): 2 exist plans and elevs;
 Drawing - Reference No (or Description): 3 Exist elevs and roof;
 Drawing - Reference No (or Description): 4 Existing sections;
 Drawing - Reference No (or Description): 5 proposed floor plans;
 Drawing - Reference No (or Description): 6 proposed elev and roof;
 Drawing - Reference No (or Description): 7 proposed sections; and
 Other - Reference No (or Description): DESIGN STATEMENT.

Reason for Decision:

The siting and design of the development hereby approved is considered to accord with the provisions of the development plan and there is no significant adverse impact on the amenity of neighbouring land and buildings.

- (17) **11/01602/FUR –AYR – Unit 5, 22 Liberator Drive** – Application so as not to comply with condition 3 of Planning Consent P/92/0384 to allow the sale of toys, games, cycles, nursery goods, educational products for children and ancillary goods.

Decided: to note that this item had been withdrawn.

- (18) **12/00160/APP – DUNDONALD – Olympic Business Park** – Erection of factory unit and formation of access.

Decided: to approve the application subject to the following conditions:-

- (a) that the development hereby permitted shall be begun within three years of the date of this permission;
- (b) 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;
- (c) that prior to the commencement of development, samples or a brochure 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;

- (d) that, prior to the commencement of works on site, details shall be submitted for the written approval of the boundary treatment along the southern boundary of the application site. Any natural planting along the boundaries of the site shall consist of native species, to the satisfaction of the Planning Authority;
- (e) that, prior to the commencement of works on site, protected species surveys in the form of a walkover field survey are undertaken prior to the commencement of works on site. The results of the surveys shall be provided to the Planning Authority, prior to the commencement of works on site, and thereafter, any appropriate mitigation measures shall be implemented to the satisfaction of the Planning Authority, in conjunction with Scottish Natural Heritage;
- (f) that site clearance works shall be undertaken outwith the bird breeding season of March to July, to the satisfaction of the Planning Authority, in conjunction with Scottish Natural Heritage;
- (g) that no development shall take place within the development site as outlined in red on the approved plan until the developer has secured the implementation of a programme of archaeological works in accordance with a written scheme of investigation which has been submitted to, and approved by the Planning Authority, in agreement with the West of Scotland Archaeology Service. Thereafter, the developer shall ensure that the programme of archaeological works is fully implemented and that all recording and recovery of archaeological resources within the development site is undertaken to the satisfaction of the Planning Authority in agreement with the West of Scotland Archaeology Service; and
- (h) 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.

Reasons:

- (a) 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;
- (b) to ensure that the development is carried out in accordance with the approved plans unless otherwise agreed;
- (c) in the interests of visual amenity;
- (d) in the interest of visual amenity;
- (e) in the interests of nature conservation;
- (f) in the interests of nature conservation;
- (g) to establish whether there are any archaeological interests on this site and allow for archaeological excavation and recording; and
- (h) to ensure the site is drained in an acceptably sustainable manner and the drainage infrastructure is properly maintained.

Advisory Notes:

- (A) please note that work should be undertaken in compliance with legislation and guidance relating to the water environment, chemical and oil storage, pollution prevention (including construction, demolition and agricultural activities), storage and movement of waste materials and controlled waste. Information and guidance, including best practice, can be found at the website of the Scottish Environment Protection Agency (SEPA) as follows www.sepa.org.uk.
- (B) the proposed development lies within a coal mining area which may contain unrecorded mining related hazards. If any coal mining feature is encountered during development, this should be reported to The Coal Authority.
Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires the prior written permission of The Coal Authority.
Property specific summary information on coal mining can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at www.groundstability.com
- (C) please note that work should be undertaken in compliance with legislation and guidance relating to Scottish Environment Protection Agency (SEPA) Guidance Note No.8 which can be found at the website of SEPA as follows: www.sepa.org.uk

List of Determined Plans:

Drawing - Reference No (or Description): F2/06 REV. A;
 Drawing - Reference No (or Description): F2/05 REV. A;
 Drawing - Reference No (or Description): F2/02 REV. A;
 Drawing - Reference No (or Description): F2/03 REV. A; and
 Drawing - Reference No (or Description): F2/01 REV. A.

Reason for Decision:

The proposal hereby approved is considered to be an appropriate departure from the provisions of the development plan by reason of it being an acceptable site, which is not visually prominent and is well located adjacent to the existing industrial estate at the Olympic Business Park by Dundonald, and there being no significant adverse impact on the amenity of neighbouring land and buildings.

- (19) **12/00163/MSCM – TROON - Land at Kilmarnock Road A759 Barassie** – Approval of Matters Specified in Conditions of Planning Permission in Principle 11/00540/PPPM - common works including formation of three roundabouts, spine road, provision of suds attenuation basins and associated landscaping and submission of details relating to conditions required for the first formal AMSC application.

Decided: to approve the application subject to the following conditions:-

- (a) that the proposed development shall commence within two years from the approval of this '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;
- (b) 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;
- (c) that the development shall be carried out in accordance with the submitted phasing plan drawing no. BFT-PP/01. Performance bonds shall be submitted to the Planning Authority for each phase of development prior to the commencement of the respective phase of development to cover the costs of the following:-
 - (i) structural landscaping for the landscape buffers and wildlife corridors of Barassie and Struthers Burns, and all internal landscaping including the village greens within and land immediately adjacent to the respective phase of development;
 - (ii) the provision of play equipment and street furniture within the village greens and public open space areas; and
 - (iii) landscape works, grassed and planted areas, including trees within the public road limits, trees culverts and burns;
- (d) that notwithstanding the approved plans, the proposed play equipment for the village greens is not hereby approved and shall be the subject of further discussion with the Planning Authority prior to commencement of development on the application site. In the northernmost village green, the proposed steps shall be deleted and a suitable ramp provided to be DDA compliant to the satisfaction of the Planning Authority. Once alternative play equipment proposals are agreed with the Planning Authority, drawings and details shall be submitted to the Planning Authority for formal approval. Thereafter, the play provision shall be implemented in accordance with the timetable approved as part of the approved phasing plan in terms of condition 3 above;
- (e) that details shall be submitted to and approved by the Planning Authority of seating/benches to be provided along the remote footpaths and landscape buffers prior to the commencement of development on site. These proposals shall be implemented at the same time as the provision of the landscape buffers in accordance with the approved phasing plan under condition 3 above;

- (f) that details of all street furniture within the public realm crossroads at the spine road, and all lighting shall be submitted to and approved by the Planning Authority prior to the commencement of development;
- (g) that the location and the layout of the proposed landscaping are hereby approved, and the landscaping shall be carried out in accordance with the approved plans. Notwithstanding these approved plans, the species and genus of the proposed tree and plant material is not hereby approved, and shall be discussed further with the Planning Authority, in consultation with Prestwick Airport, prior to the commencement of the development. In addition, further details shall be submitted to and approved by the Planning Authority prior to the commencement of development on site of heights of hedgerows to provide lower hedge heights around the village greens and near road junctions, and higher heights of hedgerows around the landscape buffer areas.. Amended plans shall thereafter be submitted to and approved by the Planning Authority prior to the commencement of the development on the site. The approved landscaping for each phase, including the structural landscaping adjacent to the respective phase of the development, shall be implemented prior to the occupation of the last house on that housing phase to the satisfaction of the Planning Authority;
- (h) that notwithstanding the approved plans, the boundary landscaping proposals to the rear of Noran Crescent on the western boundary of the site are not hereby approved. Details shall be submitted to and approved by the Planning Authority of tree planting to provide suitable screening between the new housing and the adjacent housing on Noran Crescent to the satisfaction of the Planning Authority;
- (i) that notwithstanding any of the submitted drawings hereby approved, further details shall be submitted to and approved by the Planning Authority of a pedestrian footpath which shall run along the frontage of plots 43 – 46 and linking into the footbridge on Reilly Way prior to commencement of development on site;
- (j) that notwithstanding the approved plans, amended landscaping drawings shall be submitted to and approved by the Planning Authority to take account of the amended proposals for the wildlife corridor adjacent to Barassie Burn prior to the commencement of the development;
- (k) that all works shall be carried out in accordance with the Ecological Management Plan, and if works to remove existing hedges or trees is required, a qualified ecologist shall be employed, to the satisfaction of the Planning Authority;
- (l) that all landscaping works and open space provision shall be retained as open space and maintained in accordance with the Landscape Maintenance and Management Plan and the Ecological Management Plan;
- (m) that the factoring arrangement and the maintenance schedule shall be put in place for the landscape works, grassed and planted areas, including trees within the public road limits, trees, culverts and burns in accordance with the Landscape Maintenance and Management Plan. Thereafter, the maintenance schedule shall be adhered to at all times by the nominated factor for the site, and no changes shall be undertaken without the prior written approval of the Planning Authority;

- (n) that prior to the commencement of development, samples or a brochure 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;
- (o) 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;
- (p) that the foul drainage arrangements for the site shall be to the satisfaction of the Planning Authority, in consultation with SEPA and Scottish Water;
- (q) that no part of any phase of the development shall be occupied until the SUDS to which that part of the development relates has been completed in accordance with the approved plans;
- (r) that no development shall take place within the development site as outlined in red on the approved plan until the developer has secured the implementation of a programme of archaeological works in accordance with a written scheme of investigation which has been submitted to, and approved by the Planning Authority, in agreement with the West of Scotland Archaeology Service. Thereafter, the developer shall ensure that the programme of archaeological works is fully implemented and that all recording and recovery of archaeological resources within the development site is undertaken to the satisfaction of the Planning Authority in agreement with the West of Scotland Archaeology Service;
- (s) that the presence of any previously unsuspected or unencountered contamination that becomes evident during the development of the site shall be brought to the attention of the Planning Authority within one week. At this stage, a comprehensive contaminated land investigation shall be carried out, if requested, by the Planning Authority;
- (t) that details shall be submitted to and approved by the Planning Authority of the proposed sewage pumping station prior to the commencement of development on site;
- (u) that the applicants shall provide upgrading of the existing public road through the following schemes. These shall be undertaken in compliance with a Road Construction Consent and/or a Section 56 Agreement with the Roads Authority as follows:-

- (i) a roundabout at the point of access to the site from the B746 public road known as Kilmarnock Road as detailed on drawing E9341/1001 prior to the occupation of the first residential unit;
 - (ii) a roundabout at the junction of the A759 with the B746 public road known as the Kilmarnock Road as detailed on drawing E9341/1002 prior to the occupation of the 100th residential unit; and
 - (iii) a roundabout at the junction of the A759 public road at the point of access to the southern part of the site as detailed on drawing E9341/1003 prior to the occupation of the 400th residential unit;
- (v) that the applicant shall comply with the staged programme, as detailed on phasing plan BFT-PP/01, for the provision of a 6.0m spine road through the site to the standards defined in the current Roads Development Guide, connecting the new roundabouts on the B746 and A759. The road shall be located generally as shown within the submitted and approved drawings and shall as far as possible be aligned so as to respect the existing topography of the site. This road shall be fully available for traffic to use prior to the occupation of the 400th house;
- (w) that the applicant shall ensure that private driveways are surfaced for a minimum distance of 2 metres as measured from the edge of the proposed public road areas. Gates, if any, shall open away from the proposed public road areas;
- (x) that a traffic profiler and its associated equipment shall be installed on the A759 at the location detailed on drawing titled Indicative Location of Traffic Counter during the construction of phase 1 of the development;
- (y) that the discharge of water onto the public road carriageway shall be prevented by drainage or other means as indicated on drawings no. E9341/1302 Rev. B and E9341/1303 Rev. B and outlined within the submitted document titled Drainage Strategy and Calculations;
- (z) that no work shall be carried out on any phase of the development unless and until an effective vehicle wheel washing facility has been installed in accordance with details submitted to and approved by the Planning Authority prior to its installation, if required for that phase. When required, such facility shall be retained in working order and used such that no vehicle shall leave the site carrying earth and mud in their wheels in such a quantity which will cause a nuisance or hazard to the road system in the locality;
- (aa) that the applicants shall provide details, including design, location and specifications, of bus stops and associated Kassel kerbs along the spine road within the development to be approved by the Planning Authority at submission of the Application for Approval of Matters Specified in Conditions for the development for the housing phases to the south of Barassie Burn;
- (bb) that appropriate signing and lining as detailed in drawing no. E9341/1401 shall be put in place during the construction of phase 1 of the development;

- (cc) that appropriate signing and lining to direct cyclists from the development site to Barassie Rail Station shall be provided as detailed in drawing no. E9341/1401. This infrastructure shall be put in place during the construction of phase 1 of the development; and
- (dd) that prior to the commencement of development on site, details shall be submitted to and approved by the Planning Authority in consultation with Prestwick Airport of measures to minimise the attractiveness of the site to birds during the ground re-modelling of the site. These measures shall be implemented in accordance with a timetable to be agreed with the Planning Authority during the site re-modelling work.

Reasons:

- (a) 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;
- (b) to ensure that the development is carried out in accordance with the approved plans unless otherwise agreed;
- (c) to ensure that the whole site is developed in an integrated manner and in the interests of visual amenity;
- (d) the play provision requires further consideration to ensure best value;
- (e) Public realm is required within public open space areas in the interests of visual amenity;
- (f) in the interests of visual amenity;
- (g) in the interests of biodiversity;
- (h) in the interests of residential amenity;
- (i) all drawings require showing the same alignment for this new footpath link to Reilly Way;
- (j) amendments are required to the landscaping plans to reflect the latest proposals for levels along the Barassie Burn wildlife corridor;
- (k) in the interests of biodiversity;
- (l) in the interests of visual amenity and biodiversity;
- (m) to ensure that the all landscaped areas/burns/culverts are properly maintained;
- (n) in the interests of visual amenity;
- (o) to attenuate surface water in the site;
- (p) in the interests of health and safety;
- (q) to attenuate surface water in the site;
- (r) to ensure that any archaeological remains are evaluated and preserved in situ;
- (s) to ensure all contamination within the site is dealt with;
- (t) in the interests of the amenity of residential properties in the vicinity;
- (u) in the interests of road safety;
- (v) In the interests of road safety;
- (w) in the interests of road safety;
- (x) for the purposes of monitoring traffic flows and volumes in the vicinity of the development;
- (y) in the interests of road safety and to avoid the discharge of water on to the public road;
- (z) in the interests of road safety and to avoid the discharge of mud/debris on to the public road;

- (aa) to provide accessible public transport;
- (bb) to encourage sustainable transport;
- (cc) to encourage sustainable transport; and
- (dd) to minimise the attractiveness of the site to birds during these works.

Advisory Notes:

- (A) 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;
- (B) 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;
- (C) 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;
- (D) please note that Construction Consent from the Roads Authority will be required for the formation of any new road. 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;
- (E) the Council as Roads Authority advises that at the detailed application stage the plans should include a stage 2 Road Safety Audit in compliance with HD 19/03 of the Standard for Highways Design Manual for Roads and Bridges. 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. No later than 1 month after completion of the development, unless an alternative time period is approved, 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. The requirement to complete a Road Safety Audit includes for addressing the recommendations contained within the audit report;
- (F) any signage associated with introduction or alteration of roads infrastructure requires to be approved by Roads Authority and paid for by the developer;
- (G) the Council as Environmental Health Authority has advised that in order to minimise nuisance in the surrounding area from noise and vibrations, during all demolition and construction works, the plant and machinery used should be in accordance with BS 5228; Noise Control on Construction and Open Sites and the Control of Pollution Act 1974. To prevent nuisance all reasonably practicable steps to minimise the formation of dust in the atmosphere and in the surrounding area must be taken;
- (H) during the construction phase, the normal hours of operations shall be between 0700 to 1900 hours Monday to Friday and 0700 and 1200 hours on Saturday with no working on Sundays, unless otherwise agreed in writing with the Planning Authority.

List of Determined Plans:

Drawing – Reference no (or Description): **Submitted** BFT-ARC/0001 Rev A Location Plan;
Drawing – Reference no (or Description): **Submitted** BFT-ARC/0003 Rev B Development Layout;
Drawing – Reference no (or Description): **Submitted** BFT-ARC/0004 Rev A Public Access;
Drawing – Reference no (or Description): **Submitted** BFT-PP/01 Phasing Plan;
Drawing-Reference no (or Description):**Submitted** BFT/ARC-023 Electrical Sub-Station Proposed Elevations;
Drawing – Reference no (or Description): **Submitted** E9341/0921 Proposed Arch Culvert Details;
Drawing – Reference no (or Description): **Submitted** E9341/1001 Roundabout 1 General Arrangement;
Drawing – Reference no (or Description): **Submitted** E9341/1002 Roundabout 2 General Arrangement;
Drawing – Reference no (or Description): **Submitted** E9341/1003 Roundabout 3 General Arrangement;
Drawing – Reference no (or Description): **Submitted** E9341/1004-7 Rev G North Area Engineering layout;
Drawing – Reference no (or Description): **Submitted** E9341/1008-5 Rev B Roundabouts & Distributor Rd – Levels;
Drawing – Reference no (or Description): **Submitted** E9341/1008-6 Rev B Roundabouts & Distributor Rd – Levels;
Drawing – Reference no (or Description): **Submitted** E9341/1008-7 Rev B Roundabouts & Distributor Rd – Levels;
Drawing – Reference no (or Description): **Submitted** E9341/1008-8 Rev B Roundabouts & Distributor Rd – Levels;
Drawing – Reference no (or Description): **Submitted** E9341/1008-9 Rev B Roundabouts & Distributor Rd – Levels;
Drawing – Reference no (or Description): **Submitted** E9341/1303 Rev B Typical driveway & Plot drainage;
Drawing – Reference no (or Description): **Submitted** E9341/1401 Rev A Roundabout 1 Signs & Markings;
Drawing – Reference no (or Description): **Submitted** E9341/1501-1 Rev B Refuse vehicle Swept Path – North Area;
Drawing – Reference no (or Description): **Submitted** E9341/1501-2 Rev B Refuse vehicle Swept Path –South Area;
Drawing – Reference no (or Description): **Submitted** E9341/1501-3 Rev B Refuse vehicle Swept Path – South Area;
Drawing – Reference no (or Description): **Submitted** E9341/2005-1 Rev B Roundabouts &Distributor Rd;
Drawing – Reference no (or Description): **Submitted** E9341/2005-2 Rev B Roundabouts &Distributor Rd;
Drawing – Reference no (or Description): **Submitted** E9341/2005-3 Rev B Roundabouts &Distributor Rd;

Drawing – Reference no (or Description): **Submitted** E9341/2005-4 Rev B Roundabouts & Distributor Rd;

Drawing – Reference no (or Description): **Submitted** E9341/2005-5 Rev B Roundabouts & Distributor Rd;

Drawing – Reference no (or Description): **Submitted** E9341/2005-6 Rev B Roundabouts & Distributor Rd;

Drawing – Reference no (or Description): **Submitted** E9341/2005-7 Rev B Roundabouts & Distributor Rd;

Drawing – Reference no (or Description): **Submitted** E9341/2005-8 Rev B Roundabouts & Distributor Rd;

Drawing – Reference no (or Description): **Submitted** E9341/2005-9 Rev B Roundabouts & Distributor Rd;

Drawing – Reference no (or Description): **Submitted** E9341/2401 Rev C SUDs Basin & Hydrobrake Details;

Drawing – Reference no (or Description): **Submitted** E9341/3001-02 Rev B Full Cut & Fill Details(Overall);

Drawing – Reference no (or Description): **Submitted** G/SMH/1066 Topographical Survey

Drawing – Reference no (or Description): **Submitted** G2006/271/SI/R/F/04 Report- Site Investigations;

Drawing – Reference no (or Description): **Submitted** G2006/271/SI/R/F/05 Report- Site Investigations;

Drawing – Reference no (or Description): **Submitted** G2006/271/SI/R/F/06 Report- Site Investigations;

Drawing – Reference no (or Description): **Submitted** G2006/271/SI/R/F/07 Report- Site Investigations;

Drawing – Reference no (or Description): **Submitted** G2006/271/SI/R/F/08 Report- Site Investigations;

Drawing – Reference no (or Description): **Submitted** G2006/271/SI/R/F/09 Report- Site Investigations;

Drawing – Reference no (or Description): **Submitted** G2006/271/SI/R/F/10 Report- Site Investigations;

Drawing – Reference no (or Description): **Submitted** G2006/271/SI/R/F/11 Report- Site Investigations;

Drawing – Reference no (or Description): **Submitted** G2006/271/SI/R/F/12 Report- Site Investigations;

Drawing – Reference no (or Description): **Submitted** G2006/271/SI/R/F/01 Report- Site Investigations;

Drawing – Reference no (or Description): **Submitted** G2006/271/SI/R/F/02 Report- Site Investigations;

Drawing – Reference no (or Description): **Submitted** G2006/271/SI/R/F/03 Report- Site Investigations;

Drawing – Reference no (or Description): **Submitted** PD01 Roundabouts Planting;

Drawing – Reference no (or Description): **Submitted** Indicative Location Traffic Counter;

Drawing – Reference no (or Description): **Submitted** E9341/1402 Roundabouts 2 Sign and Markings;

Drawing – Reference no (or Description): **Submitted** E9341/1403 Rev A Roundabouts 3 Sign and Markings;

Drawing – Reference no (or Description): **Submitted** BFT-VG-001 Village Green Proposals;

Drawing – Reference no (or Description): **Submitted** BFT-VG-002 Village Green Proposals;

Drawing – Reference no (or Description): **Submitted** BFT-VG-003 Village Green Proposals;

Drawing – Reference no (or Description): **Submitted** BFT-VG-004 Village Green Proposals;

Drawing – Reference no (or Description): **Submitted** BFT-VG-005 Rev A Village Green Proposals;

Drawing – Reference no (or Description): **Submitted** BFT-VG-006 Village Green Proposals;

Drawing – Reference no (or Description): **Submitted** LA-CW-01 Rev A Landscape Plan – Common Works;

Drawing – Reference no (or Description): **Submitted** LA-CW-SE2-01 Rev A Landscape Plan – Common Works;

Drawing – Reference no (or Description): **Submitted** LA-CWNW1-01 Rev A Landscape Plan – Common Works;

Drawing – Reference no (or Description): **Submitted** LA-CWNW2-01 Rev A Landscape Plan – Common Works;

Drawing – Reference no (or Description): **Submitted** LA-CWSE1-01 Rev A Landscape Plan – Common Works;

Drawing – Reference no (or Description): **Submitted** SK-003-01 Rev A Longitudinal Site Section;

Drawing – Reference no (or Description): **Submitted** SK-003-02 Rev A Longitudinal Site Section;

Drawing – Reference no (or Description): **Submitted** SK-003-03 Rev A Longitudinal Site Section;

Other – Reference No(or Description): **Submitted** Air Traffic Noise Assessment;

Other – Reference No(or Description): **Submitted** Barassie Drainage Strategy & Calculations;

Other – Reference No(or Description): **Submitted** Barassie Troon SI Rev A Appendix 8;

Other – Reference No(or Description): **Submitted** Barassie Troon SI Rev A Appendix 9;

Other – Reference No(or Description): **Submitted** Report on Road Traffic Noise No 2;

Other – Reference No(or Description): **Submitted** Report on Site Investigations Appendix;

Other – Reference No(or Description): **Submitted** Report on Site Investigations Appendix;

Other – Reference No(or Description): **Submitted** Report on Site Investigations Appendix;

Other – Reference No(or Description): **Submitted** Report on Site Investigations Appendix;

Other – Reference No(or Description): **Submitted** Report on Site Investigations Appendix;

Other – Reference No(or Description): **Submitted** Report on Site Investigations Barassie/Troon Maps;

Other – Reference No(or Description): **Submitted** Report on Site Investigations Appendix;

Other – Reference No(or Description): **Submitted** Report on Site Investigations Appendix;

Other – Reference No(or Description): **Submitted** SUDS & Drainage Statement;

Other – Reference No(or Description): **Submitted** Design and Access Statement;

Other – Reference No(or Description): **Submitted** Travel Leaflet;

Other – Reference No(or Description): **Submitted** Travel Plan and Travel Leaflet;

Other – Reference No(or Description): **Submitted** Ecological Management Plan (March 2012);

Other – Reference No(or Description): **Submitted** Generic Management Schedule Common Works;

Other – Reference No(or Description): **Submitted** Landscape Proposals and Management Plan (Rev. A); and

Other – Reference No(or Description): **Submitted** Scheme of Investigation GUARD.

Reasons for Decision:

The siting and design of the development hereby approved is considered to accord with the provisions of the development plan and there is no significant adverse impact on the amenity of neighbouring land and buildings.

- (20) 12/00167/MSCM – TROON - Land at Kilmarnock Road A759 Barassie** – Approval of Matters Specified in Conditions of 11/00540/PPPM – Planning Permission in Principle for the erection of residential development.

Decided: to approve the application subject to the following conditions:-

- (a) that the proposed development shall commence within two years from the approval of this '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;
- (b) 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;
- (c) that the housing development hereby approved shall accord with the conditions of the application for approval of matters specified in conditions 12/00163/MSCM in terms of the provision of the road and housing layout, earthworks strategy including agreed levels, drainage arrangements, provision of landscaping, both structural and internal to the site and provision of village greens and public open space, and provision of footpaths within and linking to the surrounding area;
- (d) that the development shall be carried out in accordance with the submitted phasing plan drawing no. BFT-PP/01. Performance bonds shall be submitted to the Planning Authority for each phase of development prior to the commencement of the respective phase of development to cover the costs of the following:-

- (i) structural landscaping for the landscape buffers and wildlife corridors of Barassie and Struthers Burns, and all internal landscaping including the village greens within and land immediately adjacent to the respective phase of development;
 - (ii) the provision of play equipment and street furniture within the village greens and public open space areas; and
 - (iii) landscape works, grassed and planted areas, including trees within the public road limits, trees culverts and burns;
- (e) that notwithstanding the approved plans, the proposed play equipment for the village greens is not hereby approved and shall be the subject of further discussion with the Planning Authority prior to commencement of development on the application site. In the northernmost village green, the proposed steps shall be deleted and a suitable ramp provided to be DDA compliant to the satisfaction of the Planning Authority. Once alternative play equipment proposals are agreed with the Planning Authority, drawings and details shall be submitted to the Planning Authority for formal approval. Thereafter, the play provision shall be implemented in accordance with the timetable approved as part of the approved phasing plan in terms of condition 4 above;
- (f) that details shall be submitted to and approved by the Planning Authority of seating/benches to be provided along the remote footpaths and landscape buffers prior to the commencement of development on site. These proposals shall be implemented at the same time as the provision of the landscape buffers in accordance with the approved phasing plan under condition 4 above;
- (g) that details of all street furniture within the public realm crossroads at the spine road, and all lighting shall be submitted to and approved by the Planning Authority prior to the commencement of development;
- (h) that the location, layout and design of the proposed landscaping are hereby approved, and the landscaping shall be carried out in accordance with the approved plans. Notwithstanding these approved plans, the species and genus of the proposed tree and plant material is not hereby approved, and shall be discussed further with the Planning Authority, in consultation with Prestwick Airport, prior to the commencement of the development. In addition, further details shall be submitted to and approved by the Planning Authority prior to the commencement of development on site of heights of hedgerows to provide lower hedge heights around the village greens and near road junctions, and higher heights of hedgerows around the landscape buffer areas. Amended plans shall thereafter be submitted to and approved by the Planning Authority prior to the commencement of the development on the site. The approved landscaping for each phase, including the structural landscaping adjacent to the respective phase of the development, shall be implemented prior to the occupation of the last house on that housing phase to the satisfaction of the Planning Authority;

- (i) that notwithstanding any of the submitted drawings hereby approved, further details shall be submitted to and approved by the Planning Authority of a pedestrian footpath which shall run along the frontage of plots 43 – 46 and linking into the footbridge on Reilly Way prior to commencement of development on site;
- (j) that notwithstanding the approved plans, amended landscaping drawings shall be submitted to and approved by the Planning Authority to take account of the amended proposals for the wildlife corridor adjacent to Barassie Burn prior to the commencement of the development;
- (k) that all works shall be carried out in accordance with the Ecological Management Plan, and if works to remove existing hedges or trees is required, a qualified ecologist shall be employed, to the satisfaction of the Planning Authority;
- (l) that all landscaping works and open space provision shall be retained as open space and maintained in accordance with the Landscape Maintenance and Management Plan and the Ecological Management Plan;
- (m) that the factoring arrangement and the maintenance schedule shall be put in place for the landscape works, grassed and planted areas, including trees within the public road limits, trees, culverts and burns in accordance with the Landscape Maintenance and Management Plan. Thereafter, the maintenance schedule shall be adhered to at all times by the nominated factor for the site, and no changes shall be undertaken without the prior written approval of the Planning Authority;
- (n) that notwithstanding the approved plans, the elevations of the following plots are not hereby approved. Details of elevations to provide dual and active frontages shall be submitted to and approved by the Planning Authority prior to the commencement of development for the houses on the following plots: 1, 12, 17, 18, 30, 46, 56, 65, 66, 72, 73, 81, 85, 86, 88, 89, 98, 105, 106, 110, 111, 113, 118, 119, 147, 248, 151, 156, 164, 165, 177, 178, 195, 199, 206, 211, 216, 217, 221, 226, 231, 232 (incl. garage), 224, 227, 236, 237, 238, 239, 244, 246, 257, 260, 268, 269, 273, 274, 277, 278, 284;
- (o) that notwithstanding the plans hereby approved, prior to the commencement of development samples or a brochure 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;
- (p) 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;

- (q) that the foul drainage arrangements for the site shall be to the satisfaction of the Planning Authority, in consultation with SEPA and Scottish Water;
- (r) that no part of any phase of the development shall be occupied until the Sustainable Urban Drainage System (SUDS) to which that part of the development relates has been completed in accordance with the submitted and approved plans;
- (s) that details shall be submitted to and approved by the Planning Authority of the proposed sewage pumping station prior to the commencement of development on site;
- (t) that no development shall take place within the development site as outlined in red on the approved plan until the developer has secured the implementation of a programme of archaeological works in accordance with a written scheme of investigation which has been submitted to, and approved by the Planning Authority, in agreement with the West of Scotland Archaeology Service. Thereafter, the developer shall ensure that the programme of archaeological works is fully implemented and that all recording and recovery of archaeological resources within the development site is undertaken to the satisfaction of the Planning Authority in agreement with the West of Scotland Archaeology Service;
- (u) 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;
- (v) that the presence of any previously unsuspected or unencountered contamination that becomes evident during the development of the site shall be brought to the attention of the Planning Authority within one week. At this stage, a comprehensive contaminated land investigation shall be carried out if requested by the Planning Authority;
- (w) that the applicant shall ensure the agreed measures outlined within the Travel Plan shall be implemented from the date of the first occupation of the development;
- (x) that the applicant shall ensure that private driveways are surfaced for a minimum distance of 2 metres as measured from the edge of the proposed public road areas. Gates, if any, must open away from the proposed public road areas;

- (y) prior to the occupation of the first residential unit, a traffic profiler and its associated equipment shall be required to be installed on the A759. Designs, specifications and final location of new infrastructure shall be submitted for approval to the Council as Roads and Planning Authority at submission of the first Application for Approval of Matters Specified in Conditions. This infrastructure shall be put in place during the construction of phase 1 of the development;
- (z) that a residential travel pack shall be placed in each new residential unit prior to occupation;
- (aa) that the discharge of water onto the public road carriageway shall be prevented by drainage or other means as indicated on drawings no. E9341/1302 Rev. B and E9341/1303 Rev. B;
- (bb) that the applicants shall retain an emergency access to the development from the occupation of the 300th dwellinghouse until the completion of roundabout 3 and the local distributor road. The emergency access shall then be reinstated to adjacent line and level on the completion of roundabout 3 and the local distributor road and prior to the first occupation of plots 88 and 89;
- (cc) that no work shall be carried out on any phase of the development unless and until an effective vehicle wheel washing facility has been installed in accordance with details submitted to and approved by the planning authority prior to its installation if required for that phase. When required such facility shall be retained in working order and used such that no vehicle shall leave the site carrying earth and mud in their wheels in such a quantity which will cause a nuisance or hazard to the road system in the locality;
- (dd) that the applicants shall provide details, including design, location and specifications, of bus stops and associated Kassel kerbs along the spine road within the development to be approved by the Planning Authority at submission of each Application for Approval of Matters Specified in Conditions at the relevant stage of development; and
- (ee) that prior to the commencement of development on site, details shall be submitted to and approved by the Planning Authority in consultation with Prestwick Airport of measures to minimise the attractiveness of the site to birds during the ground re-modelling of the site. These measures shall be implemented in accordance with a timetable to be agreed with the Planning Authority during the site re-modelling work.

Reasons:

- (a) 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;
- (b) to ensure that the development is carried out in accordance with the approved plans unless otherwise agreed;
- (c) to comply with the terms of the first formal application for matters specified in conditions 12/00163/MSCM;
- (d) to ensure that the whole site is developed in an integrated manner and in the interests of visual amenity;
- (e) the play provision requires further consideration to ensure best value;
- (f) public realm is required within public open space areas in the interests of visual amenity;
- (g) in the interests of visual amenity;
- (h) in the interests of biodiversity;
- (i) all drawings require to show the provision of this new footpath link to Reilly Way;
- (j) amendments are required to the landscaping plans to reflect the latest proposals for levels along the Barassie Burn wildlife corridor;
- (k) in the interests of biodiversity;
- (l) in the interests of visual amenity and biodiversity;
- (m) to ensure that the all landscaped areas/burns/culverts are properly maintained;
- (n) the elevational treatment of these house types requires to have meaningful dual frontages;
- (o) in the interests of visual amenity;
- (p) to attenuate surface water in the site;
- (q) in the interests of health and safety;
- (r) to attenuate surface water in the site;
- (s) in the interests of visual amenity;
- (t) to ensure that any archaeological remains are evaluated and preserved in situ;
- (u) to avoid noise disturbance in the interests of residential amenity;
- (v) to ensure all contamination within the site is dealt with;
- (w) in the interests of road safety;
- (x) in the interests of road safety;
- (y) in the interests of road safety;
- (z) to provide accessible public transport;
- (aa) in the interests of road safety and avoid the discharge of water on to the public road;
- (bb) in the interests of road safety;
- (cc) in the interests of road safety and to avoid the discharge of mud/debris on to the public road;
- (dd) to provide accessible public transport; and
- (ee) to minimise the attractiveness of the site to birds during these works.

Advisory Notes:

- (A) 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;
- (B) 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;
- (C) 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;
- (D) please note that Construction Consent from the Roads Authority will be required for the formation of any new road. 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;
- (E) the Council as Roads Authority advises that at the detailed application stage the plans should include a stage 2 Road Safety Audit in compliance with HD 19/03 of the Standard for Highways Design Manual for Roads and Bridges. 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. No later than 1 month after completion of the development, unless an alternative time period is approved, 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. The requirement to complete a Road Safety Audit includes for addressing the recommendations contained within the audit report;
- (F) any signage associated with introduction or alteration of roads infrastructure requires to be approved by Roads Authority and paid for by the developer; and
- (G) during the construction phase, the normal hours of operations shall be between 0700 to 1900 hours Monday to Friday and 0700 and 1200 hours on Saturday with no working on Sundays, unless otherwise agreed in writing with the Planning Authority.

List of Determined Plans:

Reference No (or Description):	Submitted	BFT-ARC/000	Location Plan;
Reference No (or Description):	Submitted	BFT-ARC/051	Retaining Wall/Fence Detail Random Stone finish;
Reference No (or Description):	Submitted	BFT-PP/01	Phasing Plan;
Reference No (or Description):	Submitted	BFT/ARC/-023	Electric Sub-Station - Proposed Elevations;
Reference No (or Description):	Submitted	BFT/FPB/BLK/001	Focal Point Building – Composite Plan Elevations;
Reference No (or Description):	Submitted	BFT/FPB/BLK/SP/001	Focal Point Building – Composite Plan Elevations;
Reference No (or Description):	Submitted	E9341/1302 Rev B	Distributor and Internal Road, Road and filter trench details;
Reference No (or Description):	Submitted	E9341/1303 Rev B	Typical Driveway and Plot Drainage Details;
Reference No (or Description):	Submitted	E9341/1501-1 Rev B	Refuse Vehicle Swept Path North Area;
Reference No (or Description):	Submitted	E9341/2401 Rev C	SUDS Basin & Hydrobrake Details;
Reference No (or Description):	Submitted	E9341/3001 Rev B	Full Site Cut and Fill Details;
Reference No (or Description):	Submitted	G/SMH/1066	Topographical Survey;
Reference No (or Description):	Submitted	G2006/271/SI/R/F/04	Report on Site Investigations;
Reference No (or Description):	Submitted	G2006/271/SI/R/F/05	Report on Site Investigations;
Reference No (or Description):	Submitted	G2006/271/SI/R/F/	Report on Site Investigations;
Reference No (or Description):	Submitted	G2006/271/SI/R/F/070	Report on Site Investigations;
Reference No (or Description):	Submitted	G2006/271/SI/R/F/07	Report on Site Investigations;
Reference No (or Description):	Submitted	G2006/271/SI/R/F/08	Report on Site Investigations;
Reference No (or Description):	Submitted	G2006/271/SI/R/F/09	Report on Site Investigations;
Reference No (or Description):	Submitted	G2006/271/SI/R/F/10	Report on Site Investigations;
Reference No (or Description):	Submitted	G2006/271/SI/R/F/11	Report on Site Investigations;
Reference No (or Description):	Submitted	G2006/271/SI/R/F/12	Report on Site Investigations;
Reference No (or Description):	Submitted	S09-SD-05-01	1800mm High Timber Screen Fence Detail;
Reference No (or Description):	Submitted	S09-SD-05-02	1800mm High Timber Screen Fence Detail with gate;

Reference No (or Description):	Submitted	S09-SD-05-03	450MM High Timber Feu Fence Detail;
Reference No (or Description):	Submitted	S09-SD-05-04	300 - 1200mm High Post and Wire Fence detail;
Reference No (or Description):	Submitted	S09-SD-05-32	Detached Garage Details;
Reference No (or Description):	Submitted	S09-SD-05-36	Detached Garage Details;
Reference No (or Description):	Submitted	S09-SD-05-36a	Detached Garage Details;
Reference No (or Description):	Submitted	S09-SD-05-37	Detached Garage Details;
Reference No (or Description):	Submitted	S09-SD-05-37a	Detached Garage Details;
Reference No (or Description):	Submitted	S09-SD-05-38	Detached Garage Details;
Reference No (or Description):	Submitted	BFT-11-117-4D	House Type S11-117-4D (2005+2007) Elevations and floorplans;
Reference No (or Description):	Submitted	BFT-11-126-4D	House Type S11-126-4D (2005+2007) Elevations and floorplans;
Reference No (or Description):	Submitted	BFT-11-130-4D	House Type S11-130-4D (2005+2007) Elevations and floorplans;
Reference No (or Description):	Submitted	BFT-11-140-4D	House Type S11-140-4D (2005+2007) Elevations and floorplans;
Reference No (or Description):	Submitted	BFT-11-146-5D	House Type S11-146-5D (2005+2007) Elevations and floorplans;
Reference No (or Description):	Submitted	BFT-11-151-5D	House Type S11-151-5D (2005+2007) Elevations and floorplans;
Reference No (or Description):	Submitted	BFT-11-157-5D	House Type S11-157-5D (2005+2007) Elevations and floorplans;
Reference No (or Description):	Submitted	BFT-11-165-5D	House Type S11-165-5D (2005+2007) Elevations and floorplans;
Reference No (or Description):	Submitted	BFT-11-172-6D	House Type S11-172-6D (2005+2007) Elevations and floorplans;
Reference No (or Description):	Submitted	BFT-11-177DF/177-5D	House Type S11-177-5D (2005+2007) Elevations and floorplans;
Reference No (or Description):	Submitted	BFT-11-190/190DF-5D	House Type S11-190-5D (2005+2007) Elevations and floorplans;
Reference No (or Description):	Submitted	BFT-11-207-5D	House Type S11-207-5D (2005+2007) Elevations and floorplans;
Reference No (or Description):	Submitted	BFT-11-223-5D	House Type S11-223-5D (2005+2007) Elevations and floorplans;
Reference No (or Description):	Submitted	BFT-11-82-70-70-82	House Type S11-82-70-70-82 (2005+2007);
Reference No (or Description):	Submitted	BFT-11-82-70-70-97	House Type S11-82-70-70-97 (2005+2007);
Reference No (or Description):	Submitted	BFT-11-82-70-82	House Type S11-82-70-82 (2005+2007);
Reference No (or Description):	Submitted	BFT-11-82-97	House Type S11-82-97-3ET/S (2005+2007);

Reference No (or Description):	Submitted	BFT-11-88-88	House Type S11-88-88-3ET/S (2005+2007);
Reference No (or Description):	Submitted	BFT-11-97-3D	House Type S11-97-3D (2005+2007);
Reference No (or Description):	Submitted	BFT-11-97-70-70-82	House Type S11-97-70-70-82 (2005+2007);
Reference No (or Description):	Submitted	BFT-11-97-70-82	House Type S11-97-70-82 (2005+2007);
Reference No (or Description):	Submitted	S11-101-4D	House Type S11-111-4D (2005+2007);
Reference No (or Description):	Submitted	S11-117-4D	House Type S11-117-4D (2005+2007);
Reference No (or Description):	Submitted	S11-126-4D	House Type S11-126-4D (2005+2007);
Reference No (or Description):	Submitted	S11-130-4D	House Type S11-140-4D (2005+2007);
Reference No (or Description):	Submitted	S11-140-4D	House Type S11-140-4D (2005+2007);
Reference No (or Description):	Submitted	S11-146-5D	House Type S11-146-5D (2005+2007);
Reference No (or Description):	Submitted	S11-151-5D	House Type S11-151-5D (2005+2007);
Reference No (or Description):	Submitted	S11-157-5D	House Type S11-157-5D (2005+2007);
Reference No (or Description):	Submitted	S11-158-6D	House Type S11-158-6D (3St) (2005+2007);
Reference No (or Description):	Submitted	S11-165-5D	House Type S11-165-5D (2005+2007);
Reference No (or Description):	Submitted	S11-172-6D	House Type S11-172-6D (3St) (2005+2007);
Reference No (or Description):	Submitted	S11-177-5D	House Type S11-177-5D (2005+2007);
Reference No (or Description):	Submitted	S11-190-5D	House Type S11-190-5D (2005+2007);
Reference No (or Description):	Submitted	S11-207-5D	House Type S11-207-5D (2005+2007);
Reference No (or Description):	Submitted	S11-223-5D	House Type S11-223-5D (2005+2007);
Reference No (or Description):	Submitted	SK/003-01 Rev. A	Longitudinal Site Section Sheet 1;
Reference No (or Description):	Submitted	SK/003-02 Rev. A	Longitudinal Site Section Sheet 2;
Reference No (or Description):	Submitted	SK/003-03 Rev. A	Longitudinal Site Section Sheet 3;
Reference No (or Description):	Submitted		Indicative Location of Traffic Counter;
Reference No (or Description):	Submitted	BFT-VG-001	Village Green Proposals;
Reference No (or Description):	Submitted	BFT-VG-002	Village Green Proposals;

Reference No (or Description):	Submitted	BFT-VG-003	Village Green Proposals;
Reference No (or Description):	Submitted	ARC/001-01 Rev T	Development Layout;
Reference No (or Description):	Submitted	ARC/001-02 Rev A	Development Layout (Sheet 1 of 2);
Reference No (or Description):	Submitted	ARC/001-03 Rev A	Development Layout (Sheet 2 of 2);
Reference No (or Description):	Submitted	BFT/ARC-024	Section Through, Barassie Burn;
Reference No (or Description):	Submitted	E9341/1004-1 Rev G	North Area Engineering Layout (sheet 1 of 6);
Reference No (or Description):	Submitted	E9341/1004-2 Rev G	North Area Engineering Layout (sheet 2 of 6);
Reference No (or Description):	Submitted	E9341/1004-3 Rev G	North Area Engineering Layout (sheet 3 of 6);
Reference No (or Description):	Submitted	E9341/1004-4 Rev G	North Area Engineering Layout (sheet 4 of 6);
Reference No (or Description):	Submitted	E9341/1004-6 Rev G	North Area Engineering Layout (sheet 5 of 6)
Reference No (or Description):	Submitted	E9341/1004-6 Rev G	North Area Engineering Layout (sheet 6 of 6);
Reference No (or Description):	Submitted	E9341/2001-1 Rev E	North Area Drainage Layout (Sheet 1 of 6);
Reference No (or Description):	Submitted	E9341/2001-2 Rev E	North Area Drainage Layout (Sheet 2 of 6);
Reference No (or Description):	Submitted	E9341/2001-3 Rev E	North Area Drainage Layout (Sheet 3 of 6);
Reference No (or Description):	Submitted	E9341/2001-4 Rev E	North Area Drainage Layout (Sheet 4 of 6);
Reference No (or Description):	Submitted	E9341/2001-5 Rev E	North Area Drainage Layout (Sheet 5 of 6);
Reference No (or Description):	Submitted	E9341/2001-6 Rev E	North Area Drainage Layout (Sheet 6 of 6);
Reference No (or Description):	Submitted	LP-01 Rev A	Landscape Proposals;
Reference No (or Description):	Submitted	LP-NORTH-02 Rev A	Landscape Proposals;
Reference No (or Description):	Submitted	LP-SOUTH-03 Rev A	Landscape Proposals;
Reference No (or Description):	Submitted	PPS/SQ201530/01 Rev A	General Layout - Play Area One;
Reference No (or Description):	Submitted	PPS/SQ201530/01 Rev A	General Layout - Play Area Two;
Reference No (or Description):	Submitted	PPS/SQ201530/01 Rev A	General Layout - Play Area Three;
Reference No (or Description):	Submitted	PPW-01	Phase 1 Planting Works;

Reference No (or **Submitted**
Description):
Reference No (or **Submitted**
Description):

Ecological Management Plan (March
2012); and
Landscape Proposals and
Management Plan (Rev. A).

Reasons for Decision:

The siting and design of the development hereby approved is considered to accord with the provisions of the development plan and there is no significant adverse impact on the amenity of neighbouring land and buildings.

At this point, the time being 2.20 p.m., it was noted that the Panel would resume at 3.00 p.m. to consider the Licensing Applications.

2. Resumption of Meeting.

The meeting resumed at 3.00 p.m.

3. Variation in order of business.

In terms of Council Standing Order No. 10, the Panel agreed to vary the order of business as hereinafter minuted.

4. Annual Inspection, Regulated Stands, Ayr Racecourse.

There was submitted a report (issued) of 16th March 2012 by the Executive Director - Development and Environment advising of the outcome of the technical inspections of the Club and Eglinton Stands at Ayr Racecourse and reporting on issues arising since the last Annual Inspection.

The Panel heard a representative from St. Andrew's Ambulance Corps advise that she had no adverse comments and convey her gratitude at the assistance she had received from the officers at Ayr Racecourse; the Team Leader – Building Standards advise that Strathclyde Police, Strathclyde Fire and Rescue, Scottish Ambulance Service and the Council's Building Standards Service and Environmental Health Service had no adverse comments, that some storm damage had been experienced at the Racecourse and that new fascia signage was currently being erected; and the representative for Ayr Racecourse in response and outlining his thanks to all officers for their assistance.

Decided: to note the contents of the report and to agree that the Safety Certificates should remain in force.

5. Safety of Sports Grounds Act 1975 - Annual Inspection, Somerset Park, Ayr.

There was submitted a report (issued) of 19th March 2012 by the Executive Director - Development and Environment advising of the outcome of the technical inspections of Somerset Park, Ayr in respect of the Safety of Sports Grounds Act 1975 and reporting on issues arising since the last Annual Inspection.

The Panel heard

- (1) a representative from St. Andrew's Ambulance Corps advise that she had no adverse comments and convey her gratitude at the assistance she had received from the officers at Somerset Park;
- (2) the Team Leader – Building Standards advise
 - (a) that all documents were now in place with the exception of the 2012 Maintenance Programme which should be in place by 23rd April 2012;
 - (b) that the floodlights had now been replaced with four modern lights;
 - (c) that there had been substantial storm damage to the Park when roof sheeting had blown off and although some of this had been completely replaced, parts still required to be replaced;
 - (d) that Environmental Health Officers had visited the grounds to remind Ayr United officers of their responsibilities with regard to asbestos management; and to offer guidance with regard to the plinths remaining following the removal of the floodlights and the measures required to ensure that supporters did not stand on these during matches; and
 - (e) that a programme of works required to be agreed with himself and Ayr United officers; and
- (3) the representative for Somerset Park advise that the Maintenance Programme would be ready to transfer to Building Standards by 23rd April 2012; and that the roof sheeting which had not been replaced was in the Maintenance Programme to be completed during the Summer.

Decided:

- (i) to note the contents of the report; and
- (ii) to agree that the General Safety Certificate should remain in force on condition that any outstanding items were satisfactorily concluded by 14th July 2012.

6. Licensing Monitoring Officer Update.

The Licensing Monitoring Officer advised

- (1) that following the March meeting of this Panel she had continued to carry out inspections of taxis, including some joint inspections with technical assistance from colleagues in Fleet Management which involved carrying out routine checks on taxi vehicles in Ayr including tyres, lights, etc. which could be carried out on the rank but was, of course, not a full mechanical inspection;
- (2) that on one inspection day, following checks of eight vehicles, six operators had been requested to take their vehicles to the Town Hall for further inspection due to fire extinguishers showing recharge which meant they required replacing, tyres at the illegal limit, lights not working and having to be replaced, fare card not being on display, number plate lights not working, vehicles requiring cleaning inside and out, upholstery requiring repairs and no permission for adverts displayed on vehicles;
- (3) that the defects noted were a breach of the Taxi Vehicle Licence and all defects would indicate that the vehicle would fail a Taxi Test, however, all vehicles which had been re-inspected were now in compliance; and
- (4) that she had emphasised condition 2 of the licence to all operators, namely “the holder of a taxi licence shall ensure that the taxi, including all bodywork, upholstery and fittings, is in a safe and serviceable condition and, subject to prevailing road conditions, is in a clean condition” and had outlined that this condition applied at all times and not merely the day the vehicle was presented for a test.

Decided: to thank the Licensing Monitoring Officer for her update.

7. Civic Government (Scotland) Act 1982 - Licences.

(a) Taxi Drivers.

- (i) The Panel considered the application from Matthew Dunnachie.

Decided: to continue consideration of this application to a future meeting of this Panel to allow the applicant to attend.

- (ii) The Panel heard an observation from Strathclyde Police and the applicant, Darren Hiddleston in response.

Decided: to approve this application for one year, subject to standard conditions as previously agreed.

- (iii) The Panel heard an observation from Strathclyde Police and the representative for the applicant, Thomas Boyle, in response.

Decided: to approve this application for three years, subject to standard conditions as previously agreed.

- (iv) The Panel heard an observation from Strathclyde Police in relation to the application submitted by Greg Scoular.

Decided: in the absence of the applicant, to refuse this application on the grounds that, in terms of paragraph 5(3)(a)(ii) of Schedule 1 of the Civic Government (Scotland) Act 1982, in their opinion, the applicant was not a fit and proper person to be the holder of the licence.

- (v) The Panel considered the proposed suspension of the licence currently held by Barry Dalton.

Decided: in the absence of the licenceholder, to suspend the licence currently held by Barry Dalton with immediate effect for its unexpired portion as he had failed to undertake training as per the licence issued.

- (vi) The Panel considered the proposed suspension of the licence currently held by John Hogan.

Decided: in the absence of the licenceholder, to suspend the licence currently held by John Hogan with immediate effect for its unexpired portion as he had failed to undertake training as per the licence issued.

- (vii) The Panel considered the proposed suspension of the licence previously held by John Walker.

Reference was made to the Minutes of 23rd March 2012 (Page 206, paragraph 1) when the Panel had decided to suspend the taxi driver's licence held by John Walker with immediate effect; and that the matter would be considered further at this meeting of the Regulatory Panel.

Decided: in the absence of the licenceholder, to suspend the licence held by John Walker as, in their opinion, in terms of Paragraph 11(2)(a) of Schedule 1 of the Civic Government (Scotland) Act 1982, the holder of the licence was no longer a fit and proper person to hold the licence and in terms of Paragraph 11(2)(c) of Schedule 1 of the Civic Government (Scotland) Act 1982, the carrying on of the activity had caused a threat to public safety. In addition, in their opinion, the circumstances of the case justified immediate suspension for the unexpired portion of the licence.

(b) Taxi Vehicle.

- (i) The Panel considered the proposed suspension of the licence currently held by Harry Hood.

Decided: in the absence of the licenceholder, to suspend the licence currently held by Harry Hood with immediate effect for its unexpired portion as he had failed to present his car for Annual Inspection in terms of Condition 3 of the Taxi Vehicle Licence; and to request that Mr. Hood return his licence plates.

- (ii) The Panel considered the proposed suspension of the licence currently held by Colin T. Logan.

The Panel then heard from the Licensing Monitoring Officer, the Fleet Manager and from Mr Logan in response.

Councillor Fitzsimmons, seconded by Councillor Goldie, moved that the licence be suspended for two months with a condition that following the period of suspension the licenceholder must attend a meeting of the Regulatory Panel providing a record of servicing and that consideration would be given by the Panel at that time regarding whether more frequent checks should be undertaken.

By way of Amendment, Councillor Douglas, seconded by Councillor Allan, moved that the licence be suspended for one month with a condition that following the period of suspension the licenceholder must attend a meeting of the Regulatory Panel providing a record of servicing and that consideration would be given by the Panel at that time regarding whether more frequent checks should be undertaken.

On a vote being taken by a show of hands, four Members voted for the Amendment and three Members for the Motion. The Amendment was accordingly declared carried.

Decided: that, as he had presented his vehicle for testing two years in succession in a dangerous condition,

- (A) to suspend the licence currently held by Colin T. Logan for one month following the 28 day period of appeal, at which time Mr. Logan must return his plates to the Licensing Section; and
- (B) that, following the period of suspension Mr. Logan must attend a meeting of the Regulatory Panel providing a record of servicing and that consideration would be given by the Panel at that time regarding whether more frequent checks should be undertaken.

(c) **Street Trader.**

Brian Kirk for the Sale of Hot and Cold Snacks (rolls, Soup, etc) at 8 Whitfield Drive, Ayr.

Decided: to continue consideration of this application to a future meeting of this Panel to allow further information to be sought.

(d) **Second Hand Car Dealer.**

George Strachan for 19 Barns Road, Maybole.

Decided: to continue consideration of this application to a future meeting of this Panel to allow further information to be sought.

(e) **Public Entertainment.**

Girvan North Church and Ian Fitzsimmons for Girvan North Church and Halls, 12A Montgomerie Street, Girvan, KA26 9DS.

Decided: to continue consideration of this application to a future meeting of this Panel to allow further information to be sought.

8. **Civic Government (Scotland) act 1982 – Criminal Justice and Licensing (Scotland) Act 2010 – Changes to the Licensing of Public Entertainment.**

There was submitted a report (issued) of 29th March 2012 by the Executive Director – Corporate Services seeking approval of clarification of the Council's resolution on public entertainment originally adopted on 21st March 1985 in light of the Scottish Government's amendment to Section 41 of the Civic Government (Scotland) Act 1982.

Questions were raised by Members of the Panel in relation to whether exemptions applied to church events; and buskers not requiring a licence and the Solicitor (Licensing) responded accordingly.

Decided:

- (1) to note the terms of the report;
- (2) to approve the clarification of the Council's resolution on public entertainment as set out in paragraph 4.1 of the report;
- (3) to request the Executive Director – Corporate Services to publicise this clarification; and
- (4) to request the Executive Director – Corporate Services to commence a six month review and consultation on the terms of the existing resolution.

The meeting ended at 3.50 p.m.