

REGULATORY PANEL.

Minutes of meeting in County Buildings, Wellington Square, Ayr,
on 20th November 2014 at 10.00 a.m.

Present: Councillors Peter Convery (Chair), Andy Campbell, Ian Cavana, Ian Douglas, Ann Galbraith, William J. Grant, Sandra Goldie and Hugh Hunter.

Attending: C. Cox, Planning Manager; W. Carlaw, Democratic Governance Manager; M. McClelland, Planning Co-ordinator; A. Browne, Supervisory Planner; and A. Gibson, Committee Services Officer.

Also attending: G. Fiddes, G. Senior and B Wyllie, Ayrshire Roads Alliance.

1. Declarations of Interest.

There were no declarations of interest by Members of the Panel in terms of Council Standing Order No. 17 and the Councillors' Code of Conduct.

2. Minutes of previous meeting.

The Minutes of 2nd October ([link attached](#)) and 2nd October 2014 (Special) ([link attached](#)) (issued) were submitted and approved.

3. Order Under the Road Traffic Regulation Act 1984.

There was submitted a report (issued) ([link attached](#)) of 3rd November 2014 by the Executive Director – Economy, Neighbourhood and Environment seeking approval to make an Order under the Road Traffic Regulation Act 1984, namely “South Ayrshire Council (B730, Bogend Toll, near Symington) (40 mph Speed Limit) Order 2014”.

Decided: to approve the making of the above-named Order.

4. Continued Planning Application: Erection of smoking shelter and installation of a replacement flue at 5 Bridge Street, Girvan (Ref: 14/00954/APP).

Reference was made to the Minutes of 2nd October 2014 (Page 6, paragraph 3(2)) when it had been agreed to continue consideration of this application to this meeting, there was submitted a report (issued) ([link attached](#)) of November 2014 by the Executive Director – Economy, Neighbourhood and Environment.

Decided: to agree to continue the application to the next meeting of the Regulatory Panel, scheduled to take place on 17th December 2014.

5. **Applications for Planning Permission.**

There were submitted reports (issued) of November 2014 by the Executive Director – Economy, Neighbourhood and Environment on current applications for determination.

The Panel decided as follows:-

- (1) **14/01205/APP –AYR– 31 Prestwick Road** – Change of use from guest house (Class7) to residential care establishment with ancillary accommodation (Class 8) ([link attached](#)).

Adjournment.

The time being 11.25 a.m., the Panel agreed to adjourn.

Resumption of meeting.

The Panel resumed at 12 noon.

Councillor Douglas, seconded by Councillor Cavana, moved that the application be refused as the proposed development would have an adverse impact on the residential amenity of the area due to the nature of the proposed intensification of the use of the building and the ensuing increase in traffic movements.

By way of an Amendment, Councillor Convery, moved that the application be approved, subject to the conditions as detailed in the report, but failed to find a seconder and subsequently his Amendment fell. He requested that his dissent be recorded.

Decided: by a majority, to refuse the application as the proposed development would have an adverse impact on the residential amenity of the area due to the nature of the proposed intensification of the use of the building and the ensuing increase in traffic movements.

- (2) **14/01216/APP –TROON – Safeway Stores, 49 Academy Street** – Formation of a Class 3 cafe unit with ancillary retail sales and takeaway, external seating area, access and associated works ([link attached](#)).

The Panel heard Councillor McFarlane, local member who then left the room thereafter.

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

- (a) 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;

- (b) that the premises shall operate as a Class 3 cafe only, and shall operate in accordance with the terms of Circular 1/1998 in relation to Town and Country Planning (Uses Classes) (Scotland) Order 1997 with any retail and takeaway sales remaining ancillary to the operation of the premises, to the satisfaction of the Planning Authority;
- (c) 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;
- (d) that 200 off-road parking spaces shall be provided within the car park. A layout designed in accordance with the Council's Roads Development Guide shall be submitted for the formal prior written approval of the Council as Planning Authority (in consultation with the Council as Roads Authority) prior to completion of the development;
- (e) that parking bays shall be a minimum 4.8 metres x 2.5 metres with minimum aisle widths of 6m. In addition, disabled bays shall be set out to satisfy the design requirements as contained within the Council's Roads Development Guide.
- (f) that before the occupation of the development a Travel Plan, shall be submitted for the formal prior written approval of the Council as Planning Authority (in consultation with the Council as Roads Authority). The Travel Plan shall identify the measures to be implemented, the system of management, monitoring, review, reporting and the duration of the Plan. It shall incorporate measures designed to encourage modes of travel other than private car;
- (g) the applicant / developer shall, prior to the commencement of work on site, submit a Transport Management Plan to and for the agreement of the Roads Authority. The Plan shall describe the methodology for the movement of customer traffic and pedestrians within the car park area during the period of construction, which shall be implemented as per the agreed specification;
- (h) the applicant / developer shall, prior to commencement of works on site, submit a Servicing Management Plan for the formal prior written approval of the Council as Planning Authority (in consultation with the Council as Roads Authority). The Plan shall describe the arrangements for servicing of both proposed and existing retail units within the site, including any amendments required to service existing units during construction, which shall be implemented as per the agreed specification; and
- (i) that details for forming the hardstanding for the outdoor seating area, including any means of enclosure, shall be submitted for the prior approval of the Planning Authority;

Reasons:

- (a) to ensure that the development is carried out in accordance with the approved plans unless otherwise agreed;
- (b) to clarify the terms of this permission;
- (c) to ensure the site is drained in an acceptably sustainable manner and the drainage infrastructure is properly maintained;
- (d) in the interest of road safety and to ensure adequate off-street parking provision;
- (e) in the interest of road safety and to ensure that there is adequate space for manoeuvring and turning;
- (f) to encourage sustainable means of travel;
- (g) in the interest of road safety;
- (h) in the interest of road safety; and
- (i) in the interests of visual amenity.

Advisory Notes:

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): D(--)-200 REV. A;
 Drawing - Reference No (or Description): D(--)-201 REV. A;
 Drawing - Reference No (or Description): D(--)-202;
 Drawing - Reference No (or Description): D(--)-210 REV. A;
 Drawing - Reference No (or Description): D(--)-211 REV. A;
 Drawing - Reference No (or Description): D(--)-212 REV. B;
 Drawing - Reference No (or Description): D(--)-213 REV. B; and
 Drawing - Reference No (or Description): S(--)-206 REV. A.

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) **14/01217/APP –TROON – Safeway Stores, 49 Academy Street** – Alterations to existing unit and erection of new retail unit and associated works ([link attached](#)).

The Panel heard Councillor McFarlane, local member who then left the room thereafter.

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

- (a) 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;

- (b) 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;
- (c) that 200 off-road parking spaces shall be provided within the existing car park. A layout designed in accordance with the Council's Roads Development Guide shall be submitted for the formal prior written approval of the Council as Planning Authority (in consultation with the Council as Roads Authority) prior to completion of the development;
- (d) that parking bays shall be a minimum 4.8 metres x 2.5 metres with minimum aisle widths of 6 metres. In addition, disabled bays shall be set out to satisfy the design requirements as contained within the Council's Roads Development Guide;
- (e) that before the occupation of the development a Travel Plan, shall be submitted for the formal prior written approval of the Council as Planning Authority (in consultation with the Council as Roads Authority). The Travel Plan shall identify the measures to be implemented, the system of management, monitoring, review, reporting and the duration of the Plan. It shall incorporate measures designed to encourage modes of travel other than private car;
- (f) the applicant / developer shall, prior to commencement of works on site, submit a Servicing Management Plan for the formal prior written approval of the Council as Planning Authority (in consultation with the Council as Roads Authority). The Plan shall describe the arrangements for servicing of both proposed and existing retail units within the site, including any amendments required to service existing units during construction, which shall be implemented as per the agreed specification; and
- (g) the existing footway crossing on Academy Street at the existing service yard shall be removed and the footway reinstated in accordance with the specifications in the Council's Roads Development Guide before completion of the development.

Reasons:

- (a) to ensure that the development is carried out in accordance with the approved plans unless otherwise agreed;
- (b) to ensure the site is drained in an acceptably sustainable manner and the drainage infrastructure is properly maintained;
- (c) in the interest of road safety and to ensure adequate off-street parking provision;
- (d) in the interest of road safety and to ensure that there is adequate space for manoeuvring and turning;
- (e) to encourage sustainable means of travel;
- (f) to ensure provision for the servicing of the existing retail units; and
- (g) in the interest of road safety and to ensure an acceptable standard of construction.

Advisory Notes:

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): D(--)-100 REV. A;
 Drawing - Reference No (or Description): D(--)-101 REV. A;
 Drawing - Reference No (or Description): D(--)-110 REV. A;
 Drawing - Reference No (or Description): D(--)-111 REV. A;
 Drawing - Reference No (or Description): D(--)-112 REV. A;
 Drawing - Reference No (or Description): D(--)-113 REV. A;
 Drawing - Reference No (or Description): D(--)-114; and
 Drawing - Reference No (or Description): D(--)-202.

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.

At this point, Councillor Douglas left the meeting.

- (4) **14/00542/PPP –COYLTON – Barclaugh Farm** – planning permission in principle for the erection of two dwellinghouses ([link attached](#)).

Decided: to approve the application subject to the referral of the Council's Finalised Rural Housing policy by the Scottish Government and the following conditions;

- (a) that formal application(s) for the Approval of Matters Specified in Conditions shall be submitted to, and approved by, the Council before commencement of development. Such application(s) shall be made not later than three years from the date of this permission or, if later, within six months from when an earlier approval for the same matters was refused or dismissed on appeal. The proposed development shall commence within two years from the approval of the requisite Matters Specified in Condition application, or in the case of approval of different matters on different dates, from the requisite approval for the last such matter being obtained;
- (b) that full details of the proposed development, including the siting, design, external appearance, means of access, landscaping measures, and any other matters specified in conditions below, shall be submitted for the approval of the Planning Authority as outlined in Condition 1 of this planning permission;

- (c) that at the Approval of Matters Specified in Conditions stage a design statement shall be submitted which demonstrates how the design and siting of the development takes cognisance of the character of the surrounding area. The design statement shall have cognisance of the provisions of Scottish Planning Policy, Planning Advice Note 72 and the Council's supplementary guidance in relation to Rural Housing and/ or any subsequent document prepared by the Council in relation to rural housing;
- (d) that at the Approval of Matters Specified in Conditions stage, elevational details shall be submitted of the proposed dwellings; the elevations shall be viewed both internally from the courtyard, and from the neighbouring land;
- (e) that the dwellings shall not exceed one and a half storeys in height;
- (f) that at the Approval of Matters Specified in Conditions stage, details shall be submitted of private garden ground in accordance with the Council's supplementary planning guidance in relation to 'Open Space and Designing New Residential Developments' and/ or any subsequent document prepared by the Council in relation to the provision of open space for residential areas;
- (g) that at the Approval of Matters Specified in Conditions stage details shall be submitted of the proposed Sustainable Urban Drainage Systems (SUDS) which shall be prepared in accordance with the provisions of Scottish Environment Protection Agency (SEPA) Guidance Note No.8.;
- (h) that at the Approval of Matters Specified in Conditions stage details shall be submitted of a swept path analysis accommodating the largest size of vehicle expected to be used by or serve the development;
- (i) that at the Approval of Matters Specified in Conditions stage details shall be submitted of the visibility splays, which will require to satisfy the Council's Roads Development Guide; and
- (j) that at the Approval of Matters Specified in Conditions stage plans shall be submitted to show turning heads provided within the site in accordance with the Roads Development Guide.

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 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;
- (c) in order to retain the rural character and amenity of the area;
- (d) in order to retain the rural character and amenity of the area;
- (e) to accord with the Council's supplementary planning guidance in relation to Rural Housing;
- (f) to comply with the Council's supplementary planning policy guidance in relation to open space;
- (g) to ensure the site is drained in an acceptably sustainable manner and the drainage infrastructure is properly maintained;
- (h) in the interest of road safety;
- (i) in the interest of road safety and to ensure acceptable visibility at road junctions; and
- (j) to reasonably avert the reversing of vehicles onto the main road.

Advisory Notes:

- If this development requires the existing network to be upgraded, to enable connection, the developer will generally meet these costs in advance.

A totally separate drainage system will be required with the surface water discharging to a suitable outlet. Scottish Water requires a sustainable urban drainage system (SUDS) as detailed in Sewers for Scotland 2 if the system is to be considered for adoption.

Scottish Water's current minimum level of service for water pressure is 1.0 bar or 10m head at the customer's boundary internal outlet. Any property which cannot be adequately serviced from the available pressure may require private pumping arrangements installed, subject to compliance with the current water byelaws. If the developer wishes to enquire about Scottish Water's procedure for checking the water pressure in the area then they should write to the Customer Connections department at the above address.

If the connection to public sewer and/or water main requires to be laid through land out-with public ownership, the developer must provide evidence of formal approval from the affected landowner(s). This should be done through a deed of servitude.

It is possible this proposed development may involve building over or obstruct access to existing Scottish Water infrastructure. On receipt of an application Scottish Water will provide advice that will require to be implemented by the developer to protect our existing apparatus.

Should the developer require information regarding the location of Scottish Water infrastructure they should contact National One on 0844 800 9957;

- 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;
- 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.

List of Determined Plans:

Drawing - Reference No (or Description): A13/60-01.

Reason for Decision:

The principle of the development hereby approved can be justified in terms of the development plan, and subject to appropriate conditions and the submission of application(s) for the Approval of Matters Specified in Conditions, there is no significant adverse impact on the amenity of neighbouring land and buildings.

- (5) **14/01071/APP –TROON – Tower Hotel, 23 Beach Road** – Erection of flatted residential development ([link attached](#)).

Councillor Goldie, seconded by Councillor Campbell, moved that the application be approved subject to the conditions as detailed in the report.

By way of an Amendment, Councillor Hunter, seconded by Councillor Grant moved that the application be refused as the design of the proposed development was not in keeping with the character of other houses in the area and the surrounding streetscape

On a vote being taken by a show of hands, three members voted for the Amendment and four for the Motion which was accordingly declared to be carried.

Decided: by a majority, to approve the application subject to the following conditions:-

- (a) 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;
- (b) 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;
- (c) that before any works start on site a scheme of landscaping indicating the siting, numbers, species and heights (at time of planting) of all trees, shrubs and hedges to be planted, and the extent and profile of any areas of earthmounding, shall be submitted for the prior written approval of the Planning Authority. 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;
- (d) that the existing access shall be widened to a minimum of 5.5 metres in width for a distance of 10 metres, and be surfaced for a distance of at least 4 metres, as measured from the rear of the public road carriageway in accordance with the Council's Roads Development Guide before completion of the development;
- (e) that junction access visibility sightline splays of 2.5 metres by 35 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;
- (f) 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;
- (g) that 24 off-road parking spaces shall be provided within the existing site boundary in accordance with the Council's Roads Development Guide as shown on the submitted plan, prior to occupation of the development;
- (h) that parking bays shall be a minimum 4.8 metres x 2.5 metres with minimum aisle widths of 6 metres;
- (i) that bin collection points shall be located a maximum of 15 metres from the public carriageway before occupation of the development. Details and specifications of the siting and design of bin collection points shall be submitted for the formal prior written approval of the Planning Authority before any work commences on site;

- (j) that a lockable and covered cycle stand 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
- (k) that notwithstanding the plans hereby approved, an opaque 2 metre high glazing screen shall be erected along the length of the northern part of the balcony area, to the satisfaction of the Planning Authority; details of which require to be submitted for the prior written approval of the Planning Authority, prior to the commencement of development 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) in the interests of visual amenity;
- (c) in the interests of visual amenity and to ensure a satisfactory standard of local environmental quality;
- (d) in the interest of road safety and to ensure an acceptable standard of construction;
- (e) in the interest of road safety and to ensure acceptable visibility at road junctions;
- (f) in the interest of road safety and avoid the discharge of water on to the public road;
- (g) in the interest of road safety and to ensure adequate off-street parking provision;
- (h) in the interest of road safety and to ensure that there is adequate space for manoeuvring and turning;
- (i) in the interest of road safety;
- (j) to ensure adequate provision of lockable and covered cycle storage on site. To encourage sustainable means of travel; and
- (k) in the interests of residential amenity.

List of Determined Plans:

Drawing - Reference No (or Description): 13.147.01;
 Drawing - Reference No (or Description): 13.147.06 C;
 Drawing - Reference No (or Description): 13.147.03B;
 Drawing - Reference No (or Description): 13.147.05D; and
 Drawing - Reference No (or Description): 13.147.04 D.

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.

Councillor Douglas rejoined the meeting at this point.

- (6) **14/01066/FUR –AYR – Morrisons, Castlehill Road** – Further application so as not to comply with condition 1 of planning permission P/93/0515 ([link attached](#)).

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

- (a) that the development hereby granted shall be implemented in accordance with the approved plan(s) as listed below and as forming part of this permission unless a variation required by a condition of the permission or a non-material variation has been agreed in writing by the Planning Authority; and
- (b) that the times of trading at the supermarket shall be restricted to 8.00 a.m. to 10.00 p.m. Monday to Saturday and 7.00 a.m. to 9.00 p.m. on Sundays. The petrol filling station shall not be open for sales outwith the hours of 8.00 a.m. to 8.00 p.m. Monday to Thursday, 8.00 a.m. to 9.00 p.m., Friday, 08.00 a.m. to 6.00 p.m. Saturday and 9.00 a.m. to 5.00 p.m. Sunday.

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) in the interests of residential amenity.

List of Determined Plans:

Drawing - Reference No (or Description): 165/ref/01.

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.

Adjournment.

The time being 1.40 p.m., the Panel agreed to adjourn until 2.15 p.m.

Resumption of meeting.

The Panel resumed at 2.15 p.m.

Variation in order of Business.

In terms of Council Standing Order No. 13.2, the Panel agreed to vary the order of business as hereinafter minuted.

- (7) **14/01227/APPM –GIRVAN – The Curragh, north of Grangestone Industrial Estate –** Erection of 15 No. Class 6 storage warehouses with associated access, infrastructure and landscaping ([link attached](#)).

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 the use of the site shall be restricted solely to the storage of spirits associated with the operation of The William Grant & Sons distillery. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(Scotland) Order, 1992 or the Town and Country Planning (Use Classes)(Scotland) Order 1997 (or any Order revoking and re-enacting those Orders) no other use shall be undertaken without the prior written permission of the Planning Authority;
- (d) that the phases of the development proposal shall be implemented in accordance with the sequence and timing specified in paragraph 3.2.14 of the Supporting Statement and Addendum Environmental Statement (2015 to 2038) and the phasing masterplan drawing L(0-)013, unless otherwise approved in writing by the Planning Authority;
- (e) that full details and specifications of the width and construction of the proposed realigned core path SA38 shall be submitted for the prior written approval of the planning authority prior to the implementation of each stage of its realignment. For the avoidance of doubt, the realigned path shall be approximately 3m wide and be constructed and surfaced in a manner capable of withstanding use by pedestrians, cyclists and horse riders. Note that a diversion order will be required to be made under Section 208 of the Town & Country Planning (Scotland) Act 1997, and an amendment to the Core Paths Plan will be required to be made under the Land Reform (Scotland) Act 2003, for the proposed realignment(s) of core path SA38. Core Path SA38, and any of its subsequent, approved re-alignments, should not be obstructed, stopped up or diverted in any way, until such time as the relevant orders have been made and confirmed, and the approved, replacement alignment has been constructed and made available for public use, to the satisfaction of the Planning Authority;

- (f) that an overall updated Environmental Management Plan (EMP) for the site, pulling together all environmental issues to be considered including:-
- (i) management and maintenance plan for all soft landscaping;
 - (ii) management arrangements for whole phase development including planting schedule of grassland, woodland, trees and hedgerow habitats and creation / improvement in the habitat quality of badgers, bats and birds;
 - (iii) retained vegetation;
 - (iv) project specific waste management and waste minimisation;
 - (v) induction of site workers in ecological requirements,
 - (vi) ecological watching brief during construction;
 - (vii) detailed Construction Method Statements (CMS) for all construction activities;
 - (viii) full details and specifications of the potential impacts and mitigation measures relative to existing boreholes;
 - (ix) pollution prevention, identification of potential pollution risks and proposed mitigation;
 - (x) good working practices and actions to be taken in the event of an incident; and
 - (xi) a lighting strategy demonstrating how the lighting scheme will incorporate sustainable design and energy efficiency measures and minimise light spillage and pollution, shall be submitted for the prior written approval of the planning authority, in consultation with SEPA and SNH, before any work commences on site. For the avoidance of doubt, the required EMP shall be submitted on a phase by phase basis, where necessary, referring to whole phase development considerations;
- (g) that a Badger Protection Plan (BPP) outlining a mitigation and compensation programme shall be submitted for the prior written approval of the planning authority, in consultation with SNH prior, to submission of a badger development licence application. Thereafter, the approved BPP shall be implemented to the satisfaction of the Planning Authority;
- (h) that updated ecological surveys shall be submitted for the prior written approval of the planning authority, in consultation with SNH, prior to the implementation of each development phase. For the avoidance of doubt, pre-construction surveys shall be carried out within the twelve months prior to the commencement of each phase of the development;
- (i) that before any works start on each phase of the development, a scheme of landscaping indicating the siting, numbers, species and heights (at time of planting) of all trees, shrubs and hedges to be planted, and the extent and profile of any areas of earthmounding, shall be submitted for the prior written approval of the Planning Authority. The scheme as approved shall be implemented within the first planting season following the completion or occupation of the relevant phase of the development, whichever is the sooner. The landscaped area shall be retained to this approved standard. For the avoidance of doubt the landscape scheme shall be based on the 'outline landscape proposals' submitted as part of the application and shall include:-

- (i) additional woodland and woodland edge mix in the vicinity of proposed warehouses 15 and 16 and the attenuation pond;
 - (ii) hedge planting to reflect existing field boundaries and link with retained hedges and trees;
 - (iii) willow planting at lagoon;
 - (iv) use of locally won stone for entrance feature;
 - (v) planting (including structure planting) in association with footpath diversion; and
 - (vi) grass seeding and wild flower mix in areas outside security fence not being retained as agriculture;
- (j) that before any works start on each phase of the development, details of the future management and aftercare of the retained and 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;
- (k) that before any works start on site, the developer shall submit, details and specifications of the protective measures necessary to safeguard existing healthy trees, natural scrub, and hedgerows that are to be retained on site during and after operations. Protection of existing trees which are to be retained shall be in accordance with BS 5837:2012. 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;
- (l) that they key stages of the mitigation plan and the mitigation proposals as set out in Chapter 14 of the Environmental Statement and 3.14 of the Supporting Statement and Addendum Environmental Statement shall be fully implemented;
- (m) 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
- (n) 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.

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 order to retain proper planning control over the use of the property. To ensure that any further development at this site is assessed as part of a further planning permission in the interests of road safety and the proper planning of the area;
- (d) in the interests of the proper planning of the area and to retain proper control over the development proposal;
- (e) in the interests of maintaining adequate public access;
- (f) in the interests of environmental quality, pollution prevention, waste minimisation and to retain proper control over the development proposal. To ensure successful establishment and long term effectiveness of the landscape structure;
- (g) in the interests of safeguarding natural heritage;
- (h) in the interests of safeguarding natural heritage;
- (i) in the interests of visual amenity and to ensure a satisfactory standard of local environmental quality;
- (j) in the interests of visual amenity; to ensure that adequate measures are put in place to protect the landscaping and planting in the long term;
- (k) in order to ensure that no damage is caused to the existing trees, scrub and hedgerows during development operations;
- (l) the Environmental Impact Assessment correctly identifies and assesses the most relevant potential impacts on natural heritage. The proposed mitigation plan will successfully minimise the residual impacts;
- (m) to establish whether there are any archaeological interests on this site and allow for archaeological excavation and recording; and
- (n) to ensure all contamination within the site is dealt with.

Advisory Notes:

SEPA has advised that the site is regulated by the Competent Authority (CA) (SEPA & HSE) under the Control of Major Accidents Hazards (COMAH) Regulations 1999 and the Pollution Prevention and Control (Scotland) Regulations 2000 (PPC 2000 Regulations). This site is a Top Tier COMAH Establishment. Please liaise with the planning authority on whether an application for Hazardous Substance Consent will require to be made for any proposed new site or to extend or amend the hazardous substances consent covering any existing site to incorporate the changes proposed. The Safety Report should also be reviewed to incorporate this activity and where this results in significant changes to that report it should be submitted to the CA. Detailed design considerations for the new warehouses are not described in the information submitted and so SEPA's assumption is that the fire protection between cells are sufficient to meet relevant codes and guidance in ensuring that the risk of fire transmission between cells is minimised. A range of guidance on PPC and details of regulatory requirements and good practice advice can be found on SEPA's website. If the applicant is unable to find advice for a specific regulatory matter, please contact a member of the operations team in the local SEPA office at: 31 Miller Road, Ayr, KA7 2AX, Tel: 01292 294000. If the applicant has any queries relating to this advice, please contact Lynne Anderson at SEPA by telephone on 01698 839338 or e-mail at planning.sw@sepa.org.uk

List of Determined Plans:

Drawing - Reference No (or Description): MASTERPLAN phase1;
 Drawing - Reference No (or Description): MASTERPLAN phase2;
 Drawing - Reference No (or Description): MASTERPLAN phase3;
 Drawing - Reference No (or Description): MASTERPLAN phase4;
 Drawing - Reference No (or Description): SITE SECTIONS previously approved;
 Drawing - Reference No (or Description): AA(90)001 security fence;
 Drawing - Reference No (or Description): AA(90)002 wire fence;
 Drawing - Reference No (or Description): L(0-)013 phasing masterplan;
 Drawing - Reference No (or Description): L(0-)021 plan for 10 cell;
 Drawing - Reference No (or Description): L(0-)021 plan for 6 cell;
 Drawing - Reference No (or Description): L(0-)031 elev for 6 cell;
 Drawing - Reference No (or Description): L(0-)031 elev for 10 cell;
 Drawing - Reference No (or Description): L(0-)031 REV A plan for 8 cell;
 Drawing - Reference No (or Description): L(0-)031 REV A elev for 8 cell;
 Drawing - Reference No (or Description): L(00)001(B) Location Plan;
 Drawing - Reference No (or Description): L(00)002(A) Land Ownership Plan;
 Drawing - Reference No (or Description): L(00)003(A) Development Services;
 Drawing - Reference No (or Description): L(90)001 surfaced road;
 Drawing - Reference No (or Description): L(90)002 unsurfaced road
 Other - Reference No (or Description): DESIGN / ACCESS STATEMENT;
 Other - Reference No (or Description): ENVIRONMENTAL STATEMENT;
 Other - Reference No (or Description): ES ADDENDUM; and
 Other - Reference No (or Description): PAC REPORT.

Reason for Decision:

The development hereby approved can be justified in terms of the development plan and subject to appropriate conditions there is considered to be no over-riding significant adverse impact on the landscape or the amenity of the neighbouring land and buildings.

- (8) **14/01093/APP – MAYBOLE – 14 Kildoon Drive** – Change of use of public open space to form driveway ([link attached](#)).

Decided: to refuse the application on grounds that the development is contrary to Scottish Planning Policy, Planning Advice Note (PAN) 65 'Planning and Open Space', South Ayrshire Council's Local Development Plan's Spatial Strategy, LDP Policy Open Space, LDP Policy Sustainable Development and South Ayrshire Council's Supplementary Planning Guidance (SPG) 'Open Space and Designing New Residential Developments' in that the permanent loss of an area of designated public open space will adversely impact on the character and amenity of the area.

List of Determined Plans:

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

- (9) **14/00938/APPM –AYR – Proposed development, Doonholm Road**– Repositioning of dwellinghouse and garage at plot 14, repositioning of garages at plots 60 and 61 and erection of garage at plot 83 ([link attached](#)).

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

- (a) 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;
- (b) that prior to the commencement of development, details of all external finishes for all house types, in respect of type, colour and texture, shall be submitted for the prior written approval of the Planning Authority;
- (c) that notwithstanding the plans hereby approved, details of the boundary treatment for key frontages and side / rear gardens facing the public realm shall be submitted for the prior written approval of the Planning Authority before any work commences on site;
- (d) that notwithstanding the plans hereby approved, further detailed plans of the location of all fencing, walls and railings shall be submitted to and approved by the Planning Authority prior to commencement of works on site;
- (e) that notwithstanding the plans hereby approved, each house with a garden shall accommodate 3 wheeled bins and a 23 litre food waste caddy, and every house/flat without a garden shall accommodate 2 wheeled bins and a 23 litre food caddy. Details shall be submitted and approved by the Planning Authority prior to commencement of development on site; and
- (f) that surface water from the site shall be treated in accordance with the principles of the Sustainable Urban Drainage Systems (SUDS) Manual published by CIRIA in March 2007. Full details of the methods to be employed, following discussions with SEPA, and including where appropriate calculations, along with details of how these measures will be maintained in perpetuity, shall be submitted for approval in writing by this Planning Authority prior to the commencement of any works on site. The discharge of surface water shall comply with the terms of the Water Environment (Controlled Activities) (Scotland) Regulations 2011 (as amended).

Reasons:

- (a) to ensure that the development is carried out in accordance with the approved plans unless otherwise agreed;
- (b) in the interests of visual amenity;
- (c) in order to create robust and visually attractive boundaries to the public realm and in order to retain proper control over the development proposal;
- (d) in the interests of visual amenity;
- (e) in the interests of residential and visual amenity; and
- (f) to ensure the site is drained in an acceptably sustainable manner and the drainage infrastructure is properly maintained.

List of Determined Plans:

Drawing - Reference No (or Description): 100 REV. A Location Plan;
 Drawing - Reference No (or Description): 00(001) REV,L Proposed Site layout;
 Drawing - Reference No (or Description): 2013/GARAGE04 Triple Garage Plan;
 Drawing - Reference No (or Description): DRA/ELEV-99 Proposed Street Elevatio;
 Drawing - Reference No (or Description): 1323/2013/TF/EB/A1 Douglas Housetype;
 Drawing - Reference No (or Description): ETT/2013/TF/GFP/A1 Etrick Housetype; and
 Drawing - Reference No (or Description): GAR/2013/PLANING/04 Double Garage Plan.

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) **14/01088/FURM –AYR – Ayr Racecourse, 2 Whitletts Road**– Further application so as not to comply with condition1 of planning consent 11/01051/FURM ([link attached](#)).

Decided: to agree that condition 1 of planning permission 07/00680/REM, as amended by planning permission 11/01051/FURM be replaced as follows:-

- (1) that the development hereby permitted shall be commenced prior to 12th October 2017.

Reasons:

- (1) to extend the period within which development shall be commenced.

List of Determined Plans:

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

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) **14/01089/FURM –AYR – Ayr Racecourse, 2 Whitletts Road**– Further application so as not to comply with condition1 of planning consent 11/01049/FURM ([link attached](#)).

Decided: to agree that that condition 1 of planning permission 07/01319, as amended by planning permission 11/01049/FURM be replaced as follows:-

- (1) that the development hereby permitted shall be commenced prior to 12th October 2017.

Reasons:

- (1) to extend the period within which development shall be commenced.

List of Determined Plans:

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

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 meeting ended at 3.00 p.m.