

## REGULATORY PANEL.

Minutes of meeting in County Buildings, Wellington Square, Ayr,  
on 2nd October 2014 at 10.00 a.m.

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

Apologies: Councillors Sandra Goldie and Hugh Hunter.

Attending: W. Carlaw, Democratic Governance Manager; C. Cox, Planning Manager; A. Browne, Supervisor Planner; F. Sharp, Supervisory Planner; and A. Gibson, Committee Services Officer.

### 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 4th September 2014 (issued) ([link attached](#)), were submitted and approved

### 3. Applications for Planning Permission.

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

The Panel decided as follows:-

- (1) **14/00984/MSCM –TROON – land at Kilmarnock Road – A759, Barassie – Approval of matters specified in conditions of planning permission in principle (Ref: 11/00540/PPPM) ([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 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;
- (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; and
  - (ii) landscape works, grassed and planted areas, including trees within the public road limits, trees culverts and burns;
- (d) 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;
- (e) 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;
- (f) that all works shall be carried out in accordance with an Ecological Management Plan, to be submitted and approved by the Planning Authority prior to works commencing on site and if works to remove existing hedges or trees is required, a qualified ecologist shall be employed, to the satisfaction of the Planning Authority;

- (g) that all landscaping works and open space provision shall be retained as open space and maintained in accordance with a Landscape Maintenance and Management Plan, and the Ecological Management Plan, both to be submitted for the written approval of the Planning Authority prior to development commencing;
- (h) that details of a factoring arrangement and the maintenance schedule shall be submitted for the written approval of the Planning Authority prior to development commencing and 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;
- (i) 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;
- (j) 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;
- (k) that the foul drainage arrangements for the site shall be to the satisfaction of the Planning Authority, in consultation with SEPA and Scottish Water;
- (l) 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;
- (m) 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;
- (n) that the applicant shall submit a travel plan for the approval of the Planning Authority prior to the occupation of the first dwellinghouse in the development and the agreed measures outlined within the Travel Plan shall be implemented from the date of the first occupation of the development;
- (o) 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;

- (p) 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;
- (q) that a residential travel pack shall be placed in each new residential unit prior to occupation;
- (r) that the discharge of water onto the public road carriageway shall be prevented by drainage or other means;
- (s) 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;
- (t) 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; and
- (u) 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.

**Reasons:**

- (a) to ensure that the development is carried out in accordance with the approved plans unless otherwise agreed;
- (b) to comply with the terms of the first formal application for matters specified in conditions 12/00163/MSCM;
- (c) to ensure that the whole site is developed in an integrated manner and in the interests of visual amenity;
- (d) in the interests of visual amenity;
- (e) in the interests of biodiversity;
- (f) in the interests of biodiversity;
- (g) in the interests of visual amenity and biodiversity;
- (h) to ensure that the all landscaped areas/burns/culverts are properly maintained;
- (i) in the interests of visual amenity;
- (j) to attenuate surface water in the site;

- (k) in the interests of health and safety;
- (l) to attenuate surface water in the site;
- (m) to ensure all contamination within the site is dealt with;
- (n) in the interests of road safety;
- (o) in the interests of road safety;
- (p) in the interests of road safety;
- (q) to provide accessible public transport;
- (r) in the interests of road safety and to avoid the discharge of water on to the public road;
- (s) in the interests of road safety;
- (t) in the interests of road safety and to avoid the discharge of mud/debris on to the public road; and
- (u) to provide accessible public transport.

**List of Determined Plans:**

- Drawing - Reference No (or Description): 52.103.12 Landscape Proposals;
- Drawing - Reference No (or Description): 52.103.14 Landscape Proposals;
- Drawing - Reference No (or Description): A/FP/61 Plot B61 Avondale – Elev;
- Drawing - Reference No (or Description): B/FP/01 Plot B1 Rosedale – Elev;
- Drawing - Reference No (or Description): B/FP/18 Plot B18 Birkdale – Elev;
- Drawing - Reference No (or Description): B/FP/51 Plot B51 Rosedale – Elev;
- Drawing - Reference No (or Description): BE/P/01 REV C Site Plan;
- Drawing - Reference No (or Description): BE/S/02 Site Section 2-2;
- Drawing - Reference No (or Description): BE/S/03 Site Section 3-3;
- Drawing - Reference No (or Description): BIRKDALE PL 01 REV A Birkdale - Elevations ;
- Drawing - Reference No (or Description): E/FP/03 Birkdale – Elevations;
- Drawing - Reference No (or Description): KINLOCH PL 01 Kinloch – Elevations;
- Drawing - Reference No (or Description): O/FP/06 Plot B6 Oakmont;
- Drawing - Reference No (or Description): P/FP/40 Plot B40 Pinehurst;
- Drawing - Reference No (or Description): P/FP/61 Plot B15 Pinehurst;
- Drawing - Reference No (or Description): PINEHURST PL 01 REV A Pinehurst – Elevations;
- Drawing - Reference No (or Description): V/FP/04 Plots B4 Victoria – Elev;
- Drawing - Reference No (or Description): V/FP/05 Victoria – Elevations;
- Drawing - Reference No (or Description): VICTORIA PL 01 REV A Victoria – Elevations;
- Drawing - Reference No (or Description): B/FP/19 Plot B19 Birkdale – Elevations;
- Drawing - Reference No (or Description): T/FP/29-34(2) A Elevations Plots B29 – B;
- Drawing - Reference No (or Description): T/FP/29-34(3) Floor Plans - Plots B29;
- Drawing - Reference No (or Description): 52.103.11 Landscape Proposals;
- Drawing - Reference No (or Description): 52.103.13 Landscape Proposals;
- Drawing - Reference No (or Description): A/FP/07 Plot B7 Avondale;
- Drawing - Reference No (or Description): AA(9)001 REV C Wall and Fence Details;
- Drawing - Reference No (or Description): AVONDALE PL 01 REV A Avondale – Elevations;
- Drawing - Reference No (or Description): BE/LOC/01 Location Plan;
- Drawing - Reference No (or Description): BE/S/01 Burns Site Section;
- Drawing - Reference No (or Description): E10221/1001 REV B Engineering Layout;

Drawing - Reference No (or Description): ERINVALLE PL 01 Erinvale – Elevations;  
 Drawing - Reference No (or Description): OAKMONT PL 01 REV A Oakdale;  
 Drawing - Reference No (or Description): ROSEDALE PL 01 Rosedale;  
 Drawing - Reference No (or Description): SUNNINGDALE PL 01 REV A Sunningdale – Elevations;  
 Drawing - Reference No (or Description): T/FP/23-34 Plots B29 -B34;  
 Drawing - Reference No (or Description): T/FP/23-34(2) Plots B29 - B34;  
 Drawing - Reference No (or Description): T/FP/29-34 Elevation and Floor Plan;  
 Drawing - Reference No (or Description): T/FP/62-65 A Elevations and Floor; and  
 Drawing - Reference No (or Description): T/FP/62-65(2) Elevations and First Floor.

**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.

- (2) **14/00954/APP – GIRVAN – 5 Bridge Street**– Erection of smoking shelter and installation of replacement flue ([link attached](#)).

**Adjournment.**

The time being 10.20 a.m., the Panel agreed to adjourn to allow the Planning Officers to consider the various options available to the Panel, to allow this application to be progressed.

**Resumption of meeting.**

The Panel resumed at 10.25 a.m.

**Decided:** to continue consideration of the application to the next meeting of this Panel, scheduled to take place on 20th November 2014, to enable the applicant to have further discussion with the Environmental Health Service Section of the Council on the proposal.

The meeting ended at 10.40 a.m.