

REGULATORY PANEL.

Minutes of meeting in County Buildings, Wellington Square, Ayr
on 14th December 2016 at 10.00 a.m.

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

Apologies: Councillors Andy Campbell, Sandra Goldie and Hugh Hunter.

Attending: A. Cooke, Priority Projects Co-ordinator; M. McClelland, Development Management Co-ordinator; A. Brown, Co-ordinator (Legal Services, Property and Contracts); G. Senior, Ayrshire Roads Alliance; 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 17th November 2016 ([issued](#)) were submitted and approved.

3. Applications for Planning Permission.

There were submitted reports (issued) of November 2016 by the Executive Director – Economy, Neighbourhood and Environment on current applications for determination.

The Panel decided as follows:-

- (1) [16/00931/FURM](#) – AYR – **Alexanders Sawmills Ltd, Heathfield Road** – Further application to vary condition 1 of planning application 13/00860/FURM.

Decided: to agree that the Executive Director – Economy, Neighbourhood and Environment be given delegated powers to approve the application, subject to a variation to an existing legal agreement regarding the provision of a path/cycleway linking the site to Heathfield Road; transport integration with the existing car park on the adjoining site (known locally as the “Heathfield Retail Park”); a works bond; and subject to the following conditions:-

- (a) that a formal application indicating the siting, design, external appearance of, and means of, access to the proposed development is submitted to and approved by the Council before commencement of development. This application must be made no later than 6th November 2019 and the proposed development must commence by 6th November 2021 or within two years of the date of the approval of the formal MSCM application, whichever is the sooner, to comply 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) that the indicative site plan is not hereby approved, however the matters specified in conditions application shall provide for the largest retail unit to be located in the north-eastern corner of the site with its door entrance located towards the eastern end of the frontage of that unit;
- (c) that proposed design of the buildings shall be of a high quality and where buildings are to be clad; this shall not be predominantly aluminium or profiled sheeting. The buildings shall use a combination of glass, stone, brick, render finish and timber to the satisfaction of the Planning Authority;
- (d) that the sale of goods are restricted to DIY, furniture, floorcoverings, electrical and gardening goods and the sale of other goods shall not be permitted without the submission of a further planning application;
- (e) that the individual retail units shall not have gross floorspace of less than 720 square metres and there shall be no sub-division of these units without the benefit of a further planning permission;
- (f) that the total gross floorspace shall not exceed 14,000 square metres;
- (g) that no part of the development shall be occupied until a Green Travel Plan (GTP), aimed to encourage more sustainable means of travel, has been submitted to and approved in writing by the Planning Authority at reserved matters stage in consultation with the Ayrshire Roads Alliance. The GTP 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 other than the private car, including the provision of public transport, walking, cycling, information leaflets, secure cycle parking, lockers and shower/changing facilities for staff and the implementation of a car sharing scheme;
- (h) that the Green Travel Plan for the development shall be active from the occupation of the first unit and shall be in operation for a minimum of 10 years after the occupation of the last unit. The Travel Plan shall be based on the submitted Travel Plan Framework and shall be set out in accordance with paragraphs 42-44 and Annexe E of PAN 75. The Travel Plan shall be to the satisfaction of the Planning and Roads Authority. This agreement shall require to be obtained prior to occupation of the development;

- (i) that the applicant shall enter into a section 56 agreement with the Roads Authority and provide (I) a new access from Heathfield Road by means of a 34 metre ICD roundabout, and (II) four-lane road on Heathfield Road between the existing Old Farm Road roundabout and the proposed development access roundabout, both as per drawing P118;
- (j) that all off-site works shall be completed prior to the occupation of the development and shall be to the satisfaction of the Planning and Roads Authority;
- (k) that the applicant shall provide and maintain a lit 3 metre combined pedestrian/cycle access from Heathfield Road, west of the proposed development access roundabout, linking to the circulating area around the building frontages;
- (l) that the applicant shall provide and maintain a 3 metre wide footway on the east side of the proposed access road for use by pedestrians and cyclists;
- (m) that junction visibility sightline splay areas of 4 metres by 50 metres shall be provided and maintained at the junction of the service road and the main access road. No obstructions greater than 1 metre in height shall be allowed within these areas;
- (n) that the applicant shall provide and maintain a level of car parking provision that complies with the standards set out in the SCOTS National Roads Development Guide, currently adopted by the Council;
- (o) that the applicant shall provide and maintain a level of disabled car parking provision that complies with the standards set out in the SCOTS National Roads Development Guide, currently adopted by the Council;
- (p) that the applicant shall provide and maintain a level of parent-and-child parking provision equal to that provided for disabled users;
- (q) that the applicant shall provide and maintain a minimum number of secure covered cycle parking spaces as set out within the Transport Scotland publication 'Cycling by Design';
- (r) that the applicant shall provide and maintain, through the provision of drainage or other means, a system to prevent the discharge of surface water from the site onto the public road;
- (s) that the surface and foul drainage arrangements for the site shall be to the satisfaction of the Planning Authority, SEPA and Scottish Water;

- (t) that at matters specified in conditions stage, details shall be submitted of a Sustainable Urban Drainage System. Development shall not commence on site until (1) this scheme for Sustainable Urban Drainage Systems which shall be consistent with Planning Advice Note 61 has been approved by the Council as Planning and Roads Authority, Scottish Water and the Scottish Environment Protection Agency; and (2) detailed arrangements for the future maintenance of the approved scheme in perpetuity have been agreed in writing with the Council as Planning and Roads Authority, and Scottish Water. The system shall be such that it does not impose future maintenance burdens on the Council;
- (u) that the applicant shall provide for access to public transport services either through private agreement with Asda or using Heathfield Road. In case of agreement with Asda, the applicant shall provide a bus stop and shelter to the specification of the Planning and Roads Authority. In case of no agreement with Asda, the applicant shall provide an eastbound and westbound bus stop, shelter and raised kerbs on Heathfield Road to the specification of the Planning and Roads Authority and at a location determined by them;
- (v) that the first application for matters specified in conditions shall include details of a 25 metre landscape buffer along the southern boundary of the site with Heathfield Road showing comprehensive planting of grassed areas, shrubs and trees;
- (w) that landscaping proposals shall be submitted at the Approval of Matters Specified in Conditions stage to the Council for approval, thereafter all planting of trees, shrubs, plants and grassed areas and hard landscaping shall be completed within a period of 6 months from the completion of building works, shall be maintained in good condition and if necessary replaced to the satisfaction of the Planning Authority;
- (x) that prior to commencement of any site works, a comprehensive contaminated land investigation shall be submitted for the formal prior written approval of the Council as planning authority. The investigation shall be completed in accordance with a recognised code of practice such as British Standards Institution 'The investigation of potentially contaminated sites- Code of Practice' (current version of BS 10175). The report shall include a site-specific risk assessment of all relevant pollutant linkages, as required in Scottish Government Planning Advice Note 33;
- (y) that where the risk assessment identifies any unacceptable risk or risks as defined under Part IIA of the Environmental Protection Act 1990, a detailed remediation strategy shall be submitted for the formal prior written approval of the Council as planning authority. No works, other than investigative works, shall be carried out on the site prior to receipt of written approval of the remediation strategy by the Planning Authority;
- (z) that remediation of the site shall be carried out in accordance with the approved remediation plan. Any amendments to the approved remediation plan shall not be implemented unless approved in writing by the Planning Authority;

- (aa) that on completion of the remediation works and prior to the site being occupied, the developer shall submit a report to the planning authority confirming that the works have been carried out in accordance with the remediation plan; and
- (bb) that the presence of any previously unsuspected or un-encountered 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, the contaminated land investigation report and remediation strategy should be updated if requested by the Planning Authority.

Reasons:

- (a) to be in compliance with Section 59 of the Town and Country Planning (Scotland) Act 1997 as amended by section 20 of the Planning Etc. (Scotland) Act 2006;
- (b) to comply with the adopted Local Plan;
- (c) to comply with the adopted Local Plan;
- (d) to comply with the adopted Local Plan;
- (e) to comply with the adopted Local Plan;
- (f) to comply with the adopted Local Plan;
- (g) to provide alternative modes of transport to and from the site;
- (h) to provide alternative modes of transport to and from the site;
- (i) in the interests of road safety;
- (j) in the interests of road safety;
- (k) in the interests of road safety;
- (l) in the interests of road safety;
- (m) in the interests of road safety;
- (n) in the interests of road safety;
- (o) in the interests of road safety;
- (p) in the interests of road safety;
- (q) in the interests of road safety;
- (r) in the interests of road safety;
- (s) to ensure the proper drainage of the site;
- (t) to ensure the proper drainage of the site;
- (u) to provide facilities for public transport access to the site;
- (v) in the interest of visual amenity and to accord with the Local Plan;
- (w) in the interest of visual amenity;
- (x) to ensure potential risks arising from previous site uses have been fully assessed;
- (y) to ensure the proposed remediation plan is suitable;
- (z) to ensure remedial works are carried out to the agreed protocol;
- (aa) to provide verification that remediation has been carried out to the authority's satisfaction; and
- (bb) to ensure all contamination within the site is dealt with.

Advisory Notes:

- All mechanical ventilation and air conditioning plant shall be suitably isolated from the structure of the building and fan units positioned in a ducted system shall be isolated from the ducting by means of flexible connections.
- The proposed development may introduce a noise generating development to noise sensitive receptors. The Maximum Target Noise Levels within the noise sensitive receptor to be used in the determination.

LAEQ16hr 35dB (0700-2300) internal noise level;
 LAEQ 8hrs 30dB (2300-0700) internal noise level;
 LAMAX 45dB (2300-0700) internal noise level; and
 LAEQ 16hrs 50dB (0700-2300) outside amenity space.

In addition the significance of effect to be no greater than neutral as per Technical Advice Note Assessment of Noise (TAN) Table 3.5 page 20. Internal noise levels to be achieved, where possible, with windows open sufficiently for ventilation. Noise reduction to be taken as 10dB from outside to inside with window open.

- 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 5228-1:2009 Code of Practice for noise and vibration control on construction and open sites – Part 1: Noise, 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.

List of Determined Plans:

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

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.

- (2) [16/00654/APP](#) – AYR – 21 Eglington Terrace – Change of use of dwellinghouse to form house in multiple occupation.

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 HMO hereby granted planning permission shall not be split into separate planning units and that no consent is hereby granted for any sub-division of the existing property.

Reasons:

- (a) to ensure that the development is carried out in accordance with the approved plans unless otherwise agreed; and
- (b) in order to retain full control over the development and to avoid the creation of an additional planning unit.

List of Determined Plans:

Drawing - Reference No (or Description): 1.01;
Drawing - Reference No (or Description): 1.02 A;
Drawing - Reference No (or Description): 1.03 B; and
Drawing - Reference No (or Description): 1.04.

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) [16/00742/APP](#)– **GIRVAN – vacant land within the grounds of Girvan Academy, 62 The Avenue** – Erection of school building.

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, 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) 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, details of which shall be submitted for the formal written approval of the Council prior to the commencement of work on-site. For the avoidance of doubt, this shall include the following:-
 - (i) the drainage strategy shall be designed in accordance with current standards including Scottish Building Regulations, Sewers for Scotland Third Edition, BS EN 752 - Drains in and Around Buildings, CIRIA C753 - SUDS manual, and SEPA RM08;
 - (ii) a proportion of flooding from overland flow predicted in the Flood Risk Assessment will be routed around the site by means of a surface water channel and channel drains. Design capacity of surface water channel and channel drains to be agreed;
 - (iii) two catchment system design approach for proposed Sustainable Urban Drainage System with the flood retaining wall acting as the boundary. Catchment 1 is for the school roof and associated catchments around the school. Catchment 2 is for the access road plus car park area; and
 - (iv) discharge from each catchment not to exceed 7.2l/s as calculated for the greenfield runoff.

Thereafter, the development shall be implemented as per the submitted and agreed specification;

- (d) 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;
- (e) that the proposed mitigation measures detailed in the submitted Atkins Flood Risk Assessment, Version 3 (October 2016) shall be fully incorporated into the final design solution to be submitted for the formal written approval of the Council, prior to the commencement of works on-site. The flood mitigation measures shall include the following:-
- (i) Ground raising to 16.95m AOD;
 - (ii) Finished Floor Level 17.5m AOD;
 - (iii) Installation of a flood embankment (as shown on Section A on Figure 5-6);
 - (iv) Installation of a flood wall (as shown on Section B-C on Figure 5-6); and
 - (v) Installation of a flood gate (Section B to allow access to the refuge area).

Thereafter the mitigation measures shall be implemented to the satisfaction of the Scottish Environment Protection Agency, and the Flood Prevention Authority, prior to the occupation and use of the facility. Thereafter the proposed mitigation measures shall remain in place for the lifetime of the development. No alteration to the flood mitigation measures proposed shall be permitted without the submission of a revised Flood Risk Assessment and the written consent of the Flood Authority;

- (f) that the proposed access shall be constructed in accordance with the specifications in the Council's Roads Development Guide, and be a minimum of 5.5 metres wide over its initial 10 metres, as measured from the rear of the public footway before;
- (g) that the discharge of water onto the public road carriageway shall be prevented by drainage or other means;
- (h) that junction access visibility sightline splays of 2.4 metres by 43 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;
- (i) that off street parking provision shall be provided within the site in accordance with the submitted and approved layout plan;

- (j) that defined parking bays and associated aisle widths shall accord with the dimensions as set out within paragraphs 3.6.2 and 3.6.3 of the National Roads Development Guide publication, adopted for use by the Council;
- (k) that prior to occupation of the development any gates shall be set back a minimum distance of 6 metres from the rear of the public footway, and open inwards away from the public roadway;
- (l) that, prior to the commencement of development, details shall be submitted for the prior written approval of the Planning Authority of a footway of a minimum of 2 metres width running adjacent to the site egress junction and linking existing pedestrian facilities on Coalpots Road to the school main entrance. Thereafter, the footpath shall be implemented as per the agreed specification, prior to the operation of the school;
- (m) that a lockable and covered cycle stand accommodating a minimum of 5 cycles 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;
- (n) that before occupation of the school a Travel Plan shall be submitted for the prior written approval of the Council as Planning Authority (in consultation with the Council as Roads Authority). The Travel Plan shall include information on existing pedestrian facilities on the principal walking routes to and from the school within the catchment. The Travel Plan shall identify the measures and initiatives to be implemented in order to encourage modes of travel to and from the development other than by private car. The Travel Plan shall clearly define the system of management, monitoring, review, reporting and the duration of the plan; and
- (o) that, prior to the commencement of development, details shall be submitted for the prior written approval of the Planning Authority of the landscaped flood embankment. Thereafter, the development shall be implemented as per the agreed specification, to the satisfaction of the Planning Authority.

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) to ensure the site is drained in an acceptably sustainable manner and the drainage infrastructure is properly maintained;
- (d) to establish whether there are any archaeological interests on this site and allow for archaeological excavation and recording;
- (e) to reduce the risk of flooding, and to ensure the site is drained in an acceptably sustainable manner and the infrastructure is properly maintained;
- (f) in the interest of road safety and to ensure an acceptable standard of construction;
- (g) in the interest of road safety and avoid the discharge of water on to the public road;
- (h) in the interest of road safety and to ensure acceptable visibility at road junctions;
- (i) in the interest of road safety and to ensure adequate off-street parking provision. To reduce the potential for congestion and obstruction caused by off-site car parking;
- (j) in the interest of road safety and to ensure that there is adequate space for manoeuvring and turning;
- (k) in the interest of road safety;
- (l) for the purposes of road safety and functional operation of the local road network;
- (m) to ensure adequate provision of lockable and covered cycle storage on site. To encourage sustainable means of travel;
- (n) to encourage sustainable means of travel; and
- (o) in the interest of visual amenity.

Advisory Notes:

- 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 Council as Roads Authority advises that any costs associated with the relocation of any street furniture will require to be borne by the applicant/developer.
- The Council as Roads Authority advises that the rights of the utilities to enter the enclosed area in order to gain access to their services in accordance with their rights under law should be maintained.
- 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.
- 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.

- In order to comply with the requirements of the New Roads and Street Works Act 1991, all works carried out in association with the development on the public road network, including those involving the connection of any utility to the site, must be co-ordinated so as to minimise their disruptive impact. This co-ordination shall be undertaken by the developer and his contractors in liaison with the local roads authority and the relevant utility companies.
- The Council as Roads Authority advises that only signs complying with the requirements of 'The Traffic Signs Regulations and General Directions 2002' are permitted within public road limits. We would recommend appropriate signage be erected at access and egress junctions to advise of the intended one way system.
- That a Road Opening Permit shall be applied for, and obtained from the Roads Authority, for any work within the public road limits prior to works commencing on site.
- The applicant/developer shall, prior to the movement of any abnormal loads, submit a Transport Management Plan to the Roads Authority and Strathclyde Police. The plan shall describe the methodology for the movement of abnormal loads to the site and shall require the agreement of the Roads Authority and Strathclyde Police prior to any movement of abnormal loads associated with the site.

List of Determined Plans:

Drawing - Reference No (or Description): L(-)100 REV F;
 Drawing - Reference No (or Description): L(--)101 REV B;
 Drawing - Reference No (or Description): L(90)101 REV B;
 Drawing - Reference No (or Description): L(-)102 REV B;
 Drawing - Reference No (or Description): L(90)102 REV B;
 Drawing - Reference No (or Description): L(-)202 REV B;
 Drawing - Reference No (or Description): L(-)203 REV B;
 Drawing - Reference No (or Description): L(-)204 REV B;
 Drawing - Reference No (or Description): L(-)301 REV B;
 Drawing - Reference No (or Description): L(-)302 REV B;
 Drawing - Reference No (or Description): L(-)303 REV B; and
 Drawing - Reference No (or Description): L(-)201 REV B.

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) [16/00935/APP and 16/00936/CON](#) – AYR – 31 -35 Fort Street – Erection of supported accommodation and demolition of building.

Decided: to approve the planning application (Ref: 16/00935/APP) 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 notwithstanding the plans hereby approved, the 4 x bungalows proposed within the rear portion of the site are not approved and do not form part of the approval of this planning permission. Details for landscaping the area of the footprint of this element of the development shall be submitted for the prior approval of the Planning Authority;
- (c) that notwithstanding the plans hereby approved, the proposed windows on the principle elevation of the three storey building shall open in the traditional sliding sash manner, modern tilting sash method, or be stepped pivot windows, they shall have a top over bottom profile, be finished in timber painted white and shall have identical proportions. Precise details and specifications of these windows shall be submitted for the prior written approval of the Planning Authority prior to the commencement of work on site;
- (d) that notwithstanding the plans hereby approved, the all windows proposed on the rear elevation of the three storey building shall have a vertical emphasis. Precise details and specifications of these windows shall be submitted for the prior written approval of the Planning Authority prior to the commencement of work on site;
- (e) that notwithstanding the plans hereby approved, the external design of the lift shaft and chimney duct proposed on the rear elevation of the three storey building is not hereby approved. Precise details of an alternative design shall be submitted for the prior written approval of the Planning Authority prior to the commencement of work on site;
- (f) 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;
- (g) 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;

- (h) that parking bays shall be a minimum 5.5 metres x 2.9 metres with minimum aisle widths of 6 metres;
- (i) that the proposed access shall be constructed in accordance with the specifications in the Council's Roads Development Guide, and be a minimum of 5.5 metres wide over its initial 5 metres, as measured from the rear of the public footway prior to completion;
- (j) that prior to occupation of the development any gates shall be set back a minimum distance of 6 metres from the rear of the public footway, and open inwards away from the public roadway;
- (k) that the private access shall be surfaced for a minimum 5 metres as measured from the rear of the public footway prior to completion. Precise details and specifications of the required surfacing shall be submitted for the prior written approval of the Planning Authority before any work commences on site;
- (l) that off street parking provision shall be provided within the site in accordance with the submitted and approved layout plan; and
- (m) that junction access visibility sightline splays of 2 metres by 43 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 ensure that the development is carried out in accordance with the approved plans unless otherwise agreed;
- (b) in set out the terms of the permission approved;
- (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;
- (f) in the interests of visual amenity;
- (g) in the interest of road safety and avoid the discharge of water on to the public road;
- (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 and to ensure an acceptable standard of construction;
- (j) in the interest of road safety;
- (k) in the interest of road safety and to ensure an acceptable standard of construction.
- (l) in the interest of road safety and to ensure adequate off-street parking provision. To reduce the potential for congestion and obstruction caused by off-site car parking; and
- (m) in the interest of road safety and to ensure acceptable visibility at road junctions.

The Panel further agreed that the Conservation Area Consent application be approved (Ref: 16/00936/CON).

Advisory Notes:

- The Council as Roads Authority advises that any costs associated with the relocation of any street furniture will require to be borne by the applicant/developer.
- The Council as Roads Authority advises that 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.
- In order to comply with the requirements of the New Roads and Street Works Act 1991, all works carried out in association with the development on the public road network, including those involving the connection of any utility to the site, must be co-ordinated so as to minimise their disruptive impact. This co-ordination shall be undertaken by the developer and his contractors in liaison with the local roads authority and the relevant utility companies.
- The Council as Roads Authority advises that access to the site shall be by way of dropped kerbs, in accordance with the Council's Roads Development Guide 5.2.4 before completion of the development.

List of Determined Plans:

Drawing - Reference No (or Description): L(20)002;
 Drawing - Reference No (or Description): L(20)200;
 Drawing - Reference No (or Description): L(20)203;
 Drawing - Reference No (or Description): L(20)210;
 Drawing - Reference No (or Description): L(20)301;
 Drawing - Reference No (or Description): L(20)302;
 Drawing - Reference No (or Description): L(20)310;
 Drawing - Reference No (or Description): L(20)001;
 Drawing - Reference No (or Description): L(20)100;
 Drawing - Reference No (or Description): L(20)150;
 Drawing - Reference No (or Description): L(20)201;
 Drawing - Reference No (or Description): L(20)201;
 Drawing - Reference No (or Description): L(20)300; and
 Drawing - Reference No (or Description): L(20)303.

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.

- (5) [16/01017/FUR](#) – ANNBANK – Land between Glenview and Eastburn B744 junction at B742 north of Annbank – B743 - Further application to review planning consent 13/01384/PPP.

Decided: to approve the application subject to 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 6 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;
- (d) that at the Approval of Matters Specified in Conditions stage, detailed plans shall be submitted which demonstrates that visibility sightline splays of 2.5 metres by 60 metres can be achieved and maintained in both directions at the junction with the public road. There shall be no obstacle greater than 1.05 metres in height within the visibility sightline splays;
- (e) that the private access shall be surfaced for a minimum of 2 metres as measured from the rear of the public footway prior to development completion. Precise details and specifications of the required surfacing shall be submitted for the prior written approval of the Planning Authority before any work commences on site;
- (f) that a Road Opening Permit shall be applied for, and obtained from the Roads Authority, for any work within the public road limits prior to works commencing on site;
- (g) that off road parking spaces for each plot shall be provided within the existing site boundary in accordance with the Council's Roads Development Guide before development completion. Precise details and specifications of the required parking provision shall be submitted for the prior written approval of the Planning Authority before any work commences on site;

- (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;
- (i) that bin collection points shall be located a maximum of 15 metres from the public carriageway before completion 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; and
- (j) that the applicant shall submit a swept path analysis accommodating the largest size of vehicle expected to be used by or serve the development for the formal prior written approval of the Council as Planning Authority.

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 character and amenity of the rural area;
- (d) in the interest of road safety and to ensure acceptable visibility at road junctions;
- (e) in the interest of road safety and to ensure an acceptable standard of construction;
- (f) in the interest of road safety and to ensure an acceptable standard of construction;
- (g) in the interest of road safety and to ensure adequate off-street parking provision;
- (h) in the interest of road safety and avoid the discharge of water on to the public road;
- (i) in the interest of road safety; and
- (j) in the interest of road safety.

List of Determined Plans:

Drawing - Reference No (or Description): 0362 PPP 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.

- (6) [16/01059/APP](#) – DUNURE – 5 Ladywell Place, Ayr Road – Erection of outbuilding.

Decided: that determination of this application be continued to allow a site visit to be conducted.

The meeting ended at 11.10 a.m.