

REGULATORY PANEL.

Minutes of meeting in County Buildings, Wellington Square, Ayr,
on 4th February 2016 at 10.00 a.m.

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

Attending: C. Cox, Planning Manager; A. Brown, Co-ordinator (Legal Services, Property and Contracts); M McClelland, Planning Co-ordinator; and A. Gibson, Committee Services Officer.

Also attending: S. Turner and E. Kelty, Ayrshire Roads Alliance.

1. Declarations of Interest.

Councillor Campbell declared an interest in item 3 "Orders Under the Road Traffic Regulation Orders" on the agenda, as he had originally been involved in the request for these Orders.

2. Minutes of previous meeting.

The Minutes of 16th December 2015 ([issued](#)) were submitted and approved.

Councillor Campbell, having previously declared an interest in the following item of business, left the meeting at this point.

3. Orders Under the Road Traffic Regulation Act 1984.

There were submitted reports (issued) of January 2016 by the Executive Director – Economy, Neighbourhood and Environment seeking approval to make the following Orders under the Road Traffic Regulation Act 1984, namely

- (1) "South Ayrshire Council (Various Roads, Dundonald) (Speed Limit Amendment and Revocation) [Order](#) 2016";
- (2) "South Ayrshire Council (Main Street, Symington) (Waiting Restrictions) [Order](#) 2016"; and
- (3) "South Ayrshire Council (Main Street, Symington) (20 mph Speed Limit) [Order](#) 2016".

With regard to (1) above, clarification was provided by officers from the Ayrshire Roads Alliance as to the need for speed bumps, consultation that had been undertaken, alternative calming measures that could have been considered and when it was proposed that the works would commence.

With regard to (3) above, clarification was provided by officers from the Ayrshire Roads Alliance as to why speed bumps were not required for this Order.

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

Councillor Campbell re-joined the meeting at this point.

4. Application for Planning Permission – Erection of a Flatted Development at 13 Links Road, Prestwick (Ref: 15/01346/APP).

There was submitted a report ([issued](#)) of January 2016 by the Executive Director – Economy, Neighbourhood and Environment in respect of a planning application for the erection of a flatted development at 13 Links Road, Prestwick.

Councillor Hunter, seconded by Councillor Douglas, moved that the application be refused on the grounds stated.

By way of an Amendment, Councillor Convery, seconded by Councillor Campbell, moved that the Executive Director – Economy, Neighbourhood and Environment be given delegated powers to approve the application subject to the lodging of an appropriate financial contribution in lieu of play equipment and the conditions as detailed in the report.

On a vote being taken by a show of hands, four Members voted for the Amendment and four for the Motion. The Chair exercised his casting vote in favour of the Amendment.

Decided: by a majority, to agree that the Executive Director – Economy, Neighbourhood and Environment be given delegated powers to approve the application subject to the lodging of an appropriate financial contribution in lieu of play equipment, and the following conditions:-

- (1) 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;
- (2) 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;
- (3) 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;
- (4) that the existing access shall be widened to a minimum of 5.5m in width for a distance of 10.0m, and be surfaced for a distance of at least 4.0m, as measured from the rear of the public road carriageway in accordance with the Council's Roads Development Guide prior to occupation;

- (5) 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;
- (6) 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;
- (7) that off street parking provision shall be provided within the site in accordance with the submitted and approved layout plan;
- (8) that parking bays shall be a minimum 4.8 metres x 2.5 metres with minimum aisle widths of 6 metres;
- (9) that before the flats are occupied, a turning area shall be provided within the curtilage in order that vehicles can enter and leave the site in a forward gear. A detailed plan showing the design and specification to a scale not less than 1:500 shall be submitted for the prior written approval of the Planning Authority before any work commences;
- (10) the existing footway crossings shall be removed and the footway reinstated in accordance with the specifications in the Council's Roads Development Guide before completion of the development;
- (11) that notwithstanding the plans hereby approved, opaque 2 metre high glazing screens shall be erected along the eastern portion of the balcony areas located on the rear elevation of the proposed development, 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; and
- (12) that the upper floor bedroom windows, located on the 1st, 2nd and 3rd floors of the eastern elevation of development, are not hereby approved and do not form part of this planning permission. Details of any alternative substitute window arrangements shall be submitted for the prior written approval of the Planning Authority, prior to the commencement of development on site.

Reasons:

- (1) to be in compliance with Section 58 of the Town and Country Planning (Scotland) Act 1997 as amended by Section 20 of the Planning Etc. (Scotland) Act 2006;
- (2) in the interests of visual amenity;
- (3) in the interests of visual amenity and to ensure a satisfactory standard of local environmental quality;
- (4) in the interest of road safety and to ensure an acceptable standard of construction;
- (5) in the interest of road safety and avoid the discharge of water on to the public road;
- (6) in the interest of road safety and to ensure acceptable visibility at road junctions;
- (7) 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;

- (8) in the interest of road safety and to ensure that there is adequate space for manoeuvring and turning;
- (9) to reasonably avert the reversing of vehicles onto the main road and in the interests of road safety;
- (10) in the interest of road safety and to ensure an acceptable standard of construction;
- (11) in the interests of residential amenity; and
- (12) in the interests of residential amenity.

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.
- The Council as Roads Authority advises that all costs incurred with crossing existing footway/verge to be borne by the applicant/developer and carried out to SAC specification.
- The Council as Roads Authority advises that the Council will not be liable to adopt the drainage system as it is wholly contained within private ownership.
- 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 before completion of the development.
- 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.

List of Determined Plans:

Drawing - Reference No (or Description): 014-P1;
 Drawing - Reference No (or Description): 15.165.01A;
 Drawing - Reference No (or Description): 15.165.03B;
 Drawing - Reference No (or Description): 15.165.06B;
 Drawing - Reference No (or Description): 15.165.07;
 Drawing - Reference No (or Description): 15.165.08D; and
 Drawing - Reference No (or Description): 15.165.09C.

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 11.05 a.m.