

## **REGULATORY PANEL.**

Minutes of meeting held in County Buildings, Wellington Square, Ayr and remotely on 12 November 2020 at 10.00 a.m.

Present: Councillor Brian Connolly (Chair).

Present

Remotely: Councillors Iain Campbell, Ian Cavana, Alec Clark, Ian Fitzsimmons, Mary Kilpatrick, Craig Mackay and Margaret Toner.

Attending: K. Briggs, Service Lead – Legal and Licensing; and A. Gibson, Committee Services Officer.

Attending

Remotely: J. Nicol, Service Lead – Planning and Building Standards; M. McClelland, Co-ordinator (Planning); and K. Braidwood, Ayrshire Roads Alliance.

### **1. Opening Remarks.**

The Chair took the sederunt and confirmed that today's meeting was not open to the press and public, which was permissible under the COVID-19 legislation. He also confirmed to Members the procedures to conduct this meeting.

### **2. Declarations of Interest.**

Councillor Cavana declared an interest in item 10(a) of this Minute as the applicants were known to him.

### **3. Minutes of previous meeting.**

The [minutes](#) of 3 September 2020 (issued) were submitted and approved.

### **4. South Ayrshire Council (Various Roads, Barrhill) (20mph & 30mph Speed Limit) (Amendments & Revocations) Order 2020**

There was submitted a report (issued) of 17 September 2020 by the Director – Place seeking formal approval to make a Speed Limit Traffic Regulation Order (TRO) under the Road Traffic Regulation Act 1984, namely; "South Ayrshire Council (Various Roads, Barrhill) (20mph & 30mph Speed Limit) (Amendments & Revocations) Order 2020"

**Decided:** to agree to make the above Traffic Regulation Order.

**5. South Ayrshire Council (Various Roads, Colmonell) (20mph & 30mph Speed Limit) (Amendments & Revocations) Order 2020**

There was submitted a report (issued) of 17 September 2020 by the Director – Place seeking formal approval to make a Speed Limit Traffic Regulation Order (TRO) under the Road Traffic Regulation Act 1984, namely; “South Ayrshire Council (Various Roads, Colmonell) (20mph & 30mph Speed Limit) (Amendments & Revocations) Order 2020”

**Decided:** to agree to make the above Traffic Regulation Order.

**6. South Ayrshire Council (Various Roads, Dailly) (20mph & 30mph Speed Limit) (Amendments & Revocations) Order 2020**

There was submitted a report (issued) of 16 September 2020 by the Director – Place seeking formal approval to make a Speed Limit Traffic Regulation Order (TRO) under the Road Traffic Regulation Act 1984, namely; “South Ayrshire Council (Various Roads, Dailly) (20mph & 30mph Speed Limit) (Amendments & Revocations) Order 2020”

**Decided:** to agree to make the above Traffic Regulation Order.

**7. South Ayrshire Council (Various Roads, Maidens) (20mph & 30mph Speed Limit) (Amendments & Revocations) Order 2020**

There was submitted a report (issued) of 16 September 2020 by the Director – Place seeking formal approval to make a Speed Limit Traffic Regulation Order (TRO) under the Road Traffic Regulation Act 1984, namely; “South Ayrshire Council (Various Roads, Maidens) (20mph & 30mph Speed Limit) (Amendments & Revocations) Order 2020”

**Decided:** to agree to make the above Traffic Regulation Order.

**8. South Ayrshire Council (Various Roads, Minishant) (20mph & 30mph Speed Limit) (Amendments & Revocations) Order 2020**

There was submitted a report (issued) of 16 September 2020 by the Director – Place seeking formal approval to make a Speed Limit Traffic Regulation Order (TRO) under the Road Traffic Regulation Act 1984, namely; “South Ayrshire Council (Various Roads, Minishant) (20mph & 30mph Speed Limit) (Amendments & Revocations) Order 2020”

**Decided:** to agree to make the above Traffic Regulation Order.

**9. South Ayrshire Council (Various Roads, Pinwherry) (20mph & 30mph Speed Limit) (Amendments & Revocations) Order 2020**

There was submitted a report (issued) of 8 September 2020 by the Director – Place seeking formal approval to make a Speed Limit Traffic Regulation Order (TRO) under the Road Traffic Regulation Act 1984, namely; “South Ayrshire Council (Various Roads, Pinwherry) (20mph & 30mph Speed Limit) (Amendments & Revocations) Order 2020”

**Decided:** to agree to make the above Traffic Regulation Order.

## 10. Applications for Planning Permission.

There was submitted a report (issued) of November 2020 by the Director - Place on planning applications for determination.

The Panel decided as follows:-

**Having previously declared an interest in this item, Councillor Cavana left the meeting during consideration of this application.**

- (a) **20/00298/APP – AYR - Former Ice Factory, South Harbour Street, Ayr, KA7 1JB –**  
Erection of Flatted Developments.

The Chair asked the Service Lead - Planning and Building Standards, to provide a summary of the representations/objections raised, and following this, heard from the Co-ordinator (Planning) in respect of the application.

The Panel confirmed that they had sufficient information before them to make a decision today.

**Decided:** to approve the application, subject to 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 a suitable Sustainable Urban Drainage System shall be designed and constructed in accordance with the SUDS Manual CIRIA C735 and other relevant guidance. The Sustainable Urban Drainage System should be designed to ensure that infrastructure and buildings are generally free from surface water flooding in rainfall events where the annual probability of occurrence is greater than 0.5%(1 in 200 years + Climate Change calculated in accordance with the SEPA Climate Change Allowance (2019) Guidance). If the chosen Sustainable Urban Drainage System solution requires discharge to an open water course then this discharge rate shall be agreed with the Flood Risk Management Authority;
- (3) 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;
- (4) No development shall commence (excluding the demolition of existing structures) until intrusive site investigations have been carried out on site to establish the exact situation in respect of coal mining legacy features. The findings of the intrusive site investigations shall be submitted to the Local Planning Authority for consideration and approval in writing. The intrusive site investigations shall be carried out in accordance with authoritative UK guidance;
- (5) Where the findings of the intrusive site investigations (required by the condition 4 above) identify that coal mining legacy on the site poses a risk to surface stability, no development shall commence (excluding the demolition of existing structures) until a detailed remediation scheme to protect the development from the effects of such

land instability has been submitted to the Local Planning Authority for consideration and approval in writing. Following approval, the remedial works shall be implemented on site in complete accordance with the approved details;

- (6) Following implementation and completion of the approved remediation scheme (required by condition 5 above) and prior to the first occupation of the development, a verification report shall be submitted to and approved in writing by the Local Planning Authority to confirm completion of the remediation scheme in accordance with approved details;
- (7) That the proposed access shall be constructed in accordance with the specifications in the Council's Roads Development Guide;
- (8) 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;
- (9) That the private accesses shall be surfaced for a minimum of 5 metres as measured from the rear of the public footway prior to occupation. 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;
- (10) That off street parking provision shall be provided within the site in accordance with the submitted and approved layout plan;
- (11) 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, a comprehensive contaminated land investigation shall be carried out if requested, and which shall be submitted to 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' (BS 10175: 2001, or as may be amended). The report shall include a site-specific risk assessment of all relevant pollutant linkages, as required in Scottish Government Planning Advice Note 33 (or as may be amended). Any unacceptable risk or risks as defined under Part IIA of the Environmental Protection Act 1990, shall be the subject of a detailed remediation strategy which shall be submitted for the formal prior written approval of the Council as planning authority. Remediation of the site shall be carried out in accordance with the approved remediation plan prior to the occupation of the development. Any amendments to the approved remediation plan shall not be implemented unless approved in writing by the Planning Authority;

**Reasons:**

- (1) To ensure that the development is carried out in accordance with the approved plans unless otherwise agreed;
- (2) To ensure the site is drained in an acceptably sustainable manner and the drainage infrastructure is properly maintained;

- (3) In the interests of visual amenity;
- (4) To ensure potential risks arising from previous site uses have been fully assessed;
- (5) To ensure potential risks arising from previous site uses have been fully assessed;
- (6) To ensure potential risks arising from previous site uses have been fully assessed;
- (7) In the interest of road safety and to ensure an acceptable standard of construction;
- (8) In the interest of road safety and avoid the discharge of water on to the public road;
- (9) In the interest of road safety and to ensure an acceptable standard of construction;
- (10) 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;
- (11) To ensure potential risks arising from previous site uses have been fully assessed.

**Advisory Notes:**

- (1) 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;
- (2) 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;
- (3) 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;
- (4) 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;
- (5) 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;
- (6) The applicant / developer shall, prior to the movement of any abnormal loads, submit a Transport Management Plan to the Roads Authority and Police Scotland. 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 Police Scotland prior to any movement of abnormal loads associated with the site; and

- (7) The applicant/ developer shall, prior to the movement of any construction traffic to or from the site, submit a Construction Traffic Management Plan for the written approval of the Council as Roads Authority, and Police Scotland. The plan shall describe the methodology for the movement of construction traffic to and from the site and shall require the agreement of the Council as Roads Authority and Police Scotland prior to any movement of construction traffic associated with the site.

**List of Determined Plans:**

Drawing - Reference No (or Description): SHS-PPA-0-DR-A-1001 (Rev. C)  
 Drawing - Reference No (or Description): SHS-PPA-0-DR-A-1002 (Rev. C)  
 Drawing - Reference No (or Description): SHS-PPA-0-DR-A-1003 (Rev. B)  
 Drawing - Reference No (or Description): SHS-PPA-0-DR-A-1020 (Rev. D)  
 Drawing - Reference No (or Description): SHS-PPA-0-DR-A-1021 (Rev. D)  
 Drawing - Reference No (or Description): SHS-PPA-0-DR-A-1022 (Rev. D)  
 Drawing - Reference No (or Description): SHS-PPA-0-DR-A-1023 (Rev. D)  
 Drawing - Reference No (or Description): SHS-PPA-0-DR-A-1024 (Rev. D)  
 Drawing - Reference No (or Description): SHS-PPA-0-DR-A-1025 (Rev. D)  
 Drawing - Reference No (or Description): SHS-PPA-0-DR-A-1026 (Rev. D)  
 Drawing - Reference No (or Description): SHS-PPA-0-DR-A-1050 (Rev. D)  
 Drawing - Reference No (or Description): SHS-PPA-0-DR-A-1051 (Rev. D)  
 Drawing - Reference No (or Description): SHS-PPA-0-DR-A-1052 (Rev. D)  
 Drawing - Reference No (or Description): SHS-PPA-0-DR-A-1053 (Rev. D)  
 Drawing - Reference No (or Description): SHS-PPA-0-DR-A-1054 (Rev. D)  
 Drawing - Reference No (or Description): SHS-PPA-0-DR-A-1055 (Rev. D)  
 Drawing - Reference No (or Description): SHS-PPA-0-DR-A-1056 (Rev. D)  
 Drawing - Reference No (or Description): SHS-PPA-0-DR-A-1101 (Rev. C)  
 Drawing - Reference No (or Description): SHS-PPA-0-DR-A-1102 (Rev. C)  
 Drawing - Reference No (or Description): SHS-PPA-0-DR-A-1103 (Rev. C)  
 Drawing - Reference No (or Description): SHS-PPA-0-DR-A-1104 (Rev. C)  
 Drawing - Reference No (or Description): SHS-PPA-0-DR-A-1105 (Rev. C)  
 Drawing - Reference No (or Description): SHS-PPA-0-DR-A-1201 (Rev. C)  
 Drawing - Reference No (or Description): SHS-PPA-0-DR-A-1202 (Rev. C)  
 Drawing - Reference No (or Description): SHS-PPA-0-DR-A-2020 (Rev. C)  
 Drawing - Reference No (or Description): SHS-PPA-0-DR-A-2601 (Rev. C)  
 Drawing - Reference No (or Description): SHS-PPA-0-DR-A-9410 (Rev. C)  
 Drawing - Reference No (or Description): SHS-PPA-0-DR-A-9411 (Rev. C)  
 Drawing - Reference No (or Description): SHS-PPA-0-DR-A-9412 (Rev. C)  
 Drawing - Reference No (or Description): SHS-PPA-0-DR-A-9420 (Rev. C)  
 Drawing - Reference No (or Description): SHS-PPA-0-DR-A-9421 (Rev. C)

**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 explanation for reaching this view is set out in the Report of Handling and which forms a part of the Planning Register.

**Background Papers:**

1. Planning application form, plans and supporting information
2. Adopted South Ayrshire Local Development Plan (available online)
3. Representations (available online)
4. Scottish Planning Policy (available online)
5. South Ayrshire Council Supplementary Planning Guidance - Open Space and Designing New Residential Developments (available online)
6. Planning permission 03/01308/FUL
7. Ayr Citadel Masterplan

**(b) 20/00732/APP - PRESTWICK – 6 Ardayre Road – Erection of Care Home**

The Chair asked the Service Lead - Planning and Building Standards, to provide a summary of the representations/objections raised, and following this, heard from the Co-ordinator (Planning) in respect of the application.

The Panel confirmed that they had sufficient information before them to make a decision today.

**Decided:** to refuse the application on the following grounds:-

**Reasons:**

- (1) That the proposed care home is contrary to LDP policies: Sustainable Development and Residential Policy within Settlements, Release Sites & Windfall Sites of the adopted South Ayrshire Local Development Plan, in that the proposals do not represent a standard of development which respects townscape character, whose design does not respect the locality in terms of building height, scale, massing and layout, and which does not respect the residential amenity of adjoining residential properties to the north of the site, in terms of not maintaining privacy, and means of enclosure created.
- (2) That the proposed care home is contrary to LDP policy: Sustainable Development of the adopted South Ayrshire Local Development Plan, in that the proposals represent the overdevelopment of the plot by virtue of the height and footprint of the proposed building as well as the lack of open space provision.
- (3) That the proposed development is contrary to LDP policies: Sustainable Development and Land Use and Transportation, in that there is a significant under provision of off-street parking which is inappropriate to the local area in terms of road safety and the effect on the transport network.

**List of Determined Plans:**

Drawing - Reference No (or Description): 521-A-BP-002  
 Drawing - Reference No (or Description): 521-A-BP-003  
 Drawing - Reference No (or Description): 521-A-BP-003 Rev.A  
 Drawing - Reference No (or Description): 521-A-BP-005 Rev.A  
 Drawing - Reference No (or Description): 521-A-BP-04  
 Drawing - Reference No (or Description): 521-A-GA-000 Rev.A  
 Drawing - Reference No (or Description): 521-A-GA-001 Rev.A  
 Drawing - Reference No (or Description): 521-A-GA-003 Rev.A  
 Drawing - Reference No (or Description): 521-A-GA-004 Rev.A  
 Drawing - Reference No (or Description): 521-A-GA-005  
 Drawing - Reference No (or Description): 521-A-GA-006  
 Drawing - Reference No (or Description): 521-A-LP-001

**Background Papers:**

1. Planning application form, plans and supporting information
2. Adopted South Ayrshire Local Development Plan (available online)
3. Representations (available online)
4. Consultation responses (available online)

**(c) 20/00627/APP – PRESTWICK - 124 Main Street - Erection of Class 3 Restaurant and a Class 1 Retail Unit**

The Chair asked the Service Lead - Planning and Building Standards, to provide a summary of the representations/objections raised, and following this, heard from the Co-ordinator (Planning) in respect of the application.

The Panel confirmed that they had sufficient information before them to make a decision today.

**Decided:** to approve the application, subject to 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) The proposed development may introduce a noise generating development to noise sensitive receptors. Prior to commencement of works on site, a noise assessment shall be undertaken and submitted so as to determine the likelihood of noise nuisance from the proposed noise generating development on the noise sensitive receptors. The assessment shall be carried out by a suitably qualified acoustic consultant or other competent



person, and shall include all relevant noise sources that may impact on the noise sensitive receptors using the current British Standard (or as may be amended). Maximum Target Noise Levels within the noise sensitive receptor to be used are as follows;

LAEQ 16hrs 35dB (0700-2300) internal noise level  
 LAEQ 8hrs 30dB (2300-0700) internal noise level  
 LAMAX 45dB (2300-0700) internal noise level  
 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 sufficiently for ventilation (normally 10% of the opening area).

The submitted assessment shall identify any mitigation measures required to achieve the above ratings, and shall be agreed in writing with the Planning Authority, prior to the commencement of works on-site.

- (4) That, prior to commencement of works on site, an acoustic consultant's report or manufacturer's specifications demonstrating that the ventilation extraction system complies with noise rating criteria 25 when measured within a habitable room of the nearest noise sensitive dwelling with windows open sufficiently for ventilation shall be submitted for the formal prior written approval of the Council as Planning Authority. The unit shall be installed using anti-vibration mounts where it attaches to a building, the ground or other hard surface, in order to prevent additional noise caused by vibration.
- (5) 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, a comprehensive contaminated land investigation shall be carried out if requested, and which shall be submitted to 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' (BS 10175: 2001, or as may be amended). The report shall include a site-specific risk assessment of all relevant pollutant linkages, as required in Scottish Government Planning Advice Note 33 (or as may be amended). Any unacceptable risk or risks as defined under Part IIA of the Environmental Protection Act 1990, shall be the subject of a detailed remediation strategy which shall be submitted for the formal prior written approval of the Council as planning authority. Remediation of the site shall be carried out in accordance with the approved remediation plan prior to the occupation of the development. Any amendments to the approved remediation plan shall not be implemented unless approved in writing by the Planning Authority.

- (6) Ventilation within the kitchen requires to be adequate and suitable for the food handling/cooking carried out therein. In order to prevent the occurrence of a smell nuisance, the ventilation system in this area must be provided with suitable means of filtration e.g., grease and charcoal filters and extended ducting terminating at least one metre above eaves level of any building within 15m of the building housing the commercial kitchen, or alternatively the operation of the premises is limited to enclosed unit cooking.
- (7) Ventilation system incorporating an air dilution and/or filtration system of the type hereby approved shall be installed and operational prior to the commencement of the use and thereafter shall be retained as approved.
- (8) That 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, to the satisfaction of the Planning Authority.
- (9) That the mitigation measures contained within the submitted noise report shall be adhered to.
- (10) Once the works are complete, a verification report is required to be prepared by a competent person to the satisfaction of the planning authority and submitted to the planning authority in order to demonstrate compliance with the specific noise criteria which formed part of the planning conditions.
- (11) That a suitable Sustainable Urban Drainage System shall be designed and constructed in accordance with the SUDS Manual CIRIA C735 and other relevant guidance. The Sustainable Urban Drainage System should be designed to ensure that infrastructure and buildings are generally free from surface water flooding in rainfall events where the annual probability of occurrence is greater than 0.5%(1 in 200 years + Climate Change calculated in accordance with the SEPA Climate Change Allowance (2019) Guidance). If the chosen Sustainable Urban Drainage System solution requires discharge to an open water course then this discharge rate shall be agreed with the Flood Risk Management Authority.
- (12) The developer shall secure the implementation of an archaeological watching brief, to be carried out by an archaeological organisation acceptable to the Planning Authority, during all ground disturbance. The retained archaeological organisation shall be afforded access at all reasonable times and allowed to record, recover and report items of interest and finds. A method statement for the watching brief will be submitted by the applicant, agreed by the West of Scotland Archaeology Service, and approved by the Planning Authority prior to commencement of the watching brief. The name of the archaeological organisation retained by the developer shall be given to the Planning Authority and to the West of Scotland Archaeology Service in writing not less than 14 days before development commences.

- (13) That notwithstanding the plans hereby approved, precise details of the proposed bin storage for the commercial and residential properties which comply with South Ayrshire Council's Waste Management Service shall be submitted to and agreed in writing by the Planning Authority prior to occupation of development.

**Reasons:**

- (1) To ensure that the development is carried out in accordance with the approved plans unless otherwise agreed.
- (2) In the interests of visual amenity.
- (3) To avoid noise disturbance in the interests of residential amenity.
- (4) In order to prevent the likelihood of a noise nuisance.
- (5) To ensure all contamination within the site is dealt with.
- (6) In order to prevent the likelihood of a smell nuisance.
- (7) In order to prevent the likelihood of a smell nuisance.
- (8) In order to prevent the likelihood of a noise nuisance.
- (9) To avoid noise disturbance in the interests of residential amenity.
- (10) In order to ensure compliance with conditioned noise criteria.
- (11) To ensure the site is drained in an acceptable and sustainable manner that does not place the development at risk of flooding or increase the risk of flooding to other properties.
- (12) To establish whether there are any archaeological interests on this site and allow for archaeological excavation and recording.
- (13) In the interests of residential amenity.

**Advisory Notes:**

- (1) The applicant / developer shall, prior to the movement of any abnormal loads, submit a Transport Management Plan to the Roads Authority and Police Scotland. 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 Police prior to any movement of abnormal loads associated with the site.

- (2) The applicant/ developer shall, prior to the movement of any construction traffic to or from the site, submit a Construction Traffic Management Plan for the written approval of the Council as Roads Authority, and Police Scotland. The plan shall describe the methodology for the movement of construction traffic to and from the site and shall require the agreement of the Council as Roads Authority and Police Scotland prior to any movement of construction traffic associated with the site.
- (3) 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.
- (4) 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.
- (5) 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.
- (6) The applicant/developer is advised to contact Environmental Health with regard to standards applicable to this development proposal.
- (7) In order to minimise nuisance in the surrounding area from noise and vibrations, during all demolition and construction works, the plant and machinery used should be in accordance with BS 5228; Noise Control on Construction and Open Sites and the Control of Pollution Act 1974. To prevent nuisance all reasonably practicable steps to minimise the formation of dust in the atmosphere and in the surrounding area must be taken.
- (8) Advice on light pollution is contained within the Institution of Lighting Professionals "Guidance Note for the Reduction of Obtrusive Light".  
  
[http://ww20.south-ayrshire.gov.uk/devandenv/nbs/envhealth/PlanningEH/ILPGuidanceNotesfortheReductionofLightPollution\(New2013\).PDF](http://ww20.south-ayrshire.gov.uk/devandenv/nbs/envhealth/PlanningEH/ILPGuidanceNotesfortheReductionofLightPollution(New2013).PDF)
- (9) The premises require to fully comply with the Health and Safety at Work etc. Act 1974 and the Food Safety Act 1990 and any Regulations and requirements therein and thereto.
- (10) Adequate provision must be made for the storage and disposal of food waste, non-edible by-products and other refuse. Refuse stores are to be designed and managed in such a way as to enable them to be kept clean and, where necessary, free of animals and pests.

- (11) 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](http://www.sepa.org.uk)

**List of Determined Plans:**

Drawing - Reference No (or Description): LOCATION PLAN  
 Drawing - Reference No (or Description): 27135/21  
 Drawing - Reference No (or Description): 27135/301s  
 Drawing - Reference No (or Description): 27135/302  
 Drawing - Reference No (or Description): 27135/303  
 Drawing - Reference No (or Description): 27135/311  
 Drawing - Reference No (or Description): 27135/312  
 Drawing - Reference No (or Description): 27135/313  
 Other - Reference No (or Description): DETAILS OF EXTRACTION SYSTEM

**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.

**Background Papers:**

1. Planning application form, plans and supporting information 19/01058/APP and 20/00627/APP;
2. Adopted South Ayrshire Local Development Plan;
3. LDP2;
4. Supplementary Planning Guidance Open Space and Designing New Residential Developments
5. Scottish Planning Policy;
6. Consultation responses;
7. Representations.

- (d) **20/00700/APP – AYR - 21 Bellevue Road** – Erection of Summerhouse, Gates and Associated Works.

The Chair asked the Service Lead - Planning and Building Standards, to provide a summary of the representations/objections raised, and following this, heard from the Co-ordinator (Planning) in respect of the application.

The Panel confirmed that they had sufficient information before them to make a decision today.

**Decided:** to approve the application, subject to 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) The summerhouse shall be used solely for domestic purposes incidental to the use of the dwellinghouse and no commercial activities shall be undertaken to the satisfaction of the Planning Authority.
- (3) 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.
- (4) That the approval for the proposed structure is limited to 10 years; when the structure shall be removed from the site and the land be restored to its former condition in accordance with a written specification, including a timescale within which the works shall be implemented, to be submitted for the prior written approval of the Planning Authority.

**Reasons:**

- (1) To ensure that the development is carried out in accordance with the approved plans unless otherwise agreed.
- (2) In the interests of residential amenity.
- (3) In the interest of road safety and avoid the discharge of water on to the public road.
- (4) The use of the land is of a temporary nature and is only acceptable as a temporary expedient.

**List of Determined Plans:**

Drawing - Reference No (or Description): 0706-PP-01 Rev. C

**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 explanation for reaching this view is set out in the Report of Handling and which forms a part of the Planning Register.

**Background Papers:**

1. Planning application form and plans.
2. Adopted South Ayrshire Local Development Plan (available online)
3. Supplementary Guidance: Historic Environment (available online)
4. Representations (available online)
5. Scottish Planning Policy (available online)
6. Historic Environment Policy for Scotland (available online)
7. Historic Environment Scotland's Managing Change in the Historic Environment series (available online)

The meeting ended at 11.00 a.m.