

REGULATORY PANEL (SPECIAL).

Minutes of special meeting held in County Buildings, Wellington Square, Ayr and remotely on 22 October 2020 at 2.00 p.m.

Present: Councillor Brian Connolly (Chair).

Present

Remotely: Councillors 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; A. McGibbon, Supervisory Planner; 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.

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.

3. Application for Planning Permission.

There was submitted a report ([issued](#)) of October 2020 by the Director - Place on a current application for determination.

The Panel decided as follows:-

20/00237/APPM – PRESTWICK – Glenburn Primary School, 11 Sherwood Road - Erection of educational campus building for co-locating Glenburn and St Ninian's Primary Schools, associated early years provision including external sports facilities, access, car parking and temporary classroom accommodation.

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 Supervisory Planner 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, details of the 5m sports ballstop weldmesh, 1.1m sports ballstop weldmesh, 1.8m metal fence, 1.8m vertical timber fence and 0.75m brickwork wall as outlined in the submitted Design and Access Statement shall be submitted to the Planning Authority for written approval;
- (3) that prior to their erection, details of all external structures as indicated on drawing PWK-BDP-02-22-DR-L-90001 Revision 02 and any independently mounted lighting (excluding floodlighting, which would require planning permission) shall be submitted to the Planning Authority for written approval;
- (4) 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;
- (5) that trees adjacent to the application site highlighted on drawing PWK-BDP-02-ZZ-DR-L-9001 Revision 02 shall be protected during the construction works in accordance with BS5837:2012 Trees in relation to Design, Demolition and Construction, to the satisfaction of the Planning Authority;
- (6) that before any works start on site, detailed landscape plans at a recognised metric scale shall be submitted for the prior written approval of the Planning Authority. Plans shall be accompanied by a planting schedule which details the genus, species and variety or cultivar of all plants, bulbs, seeds and turf. The size and specification of all plant material shall be detailed, together with total plant numbers and densities per m². The location of all plant material shall be clearly identified on the landscape drawing. Ground preparation methods, topsoil quality and depth, planting methods, hole sizes and other materials such as mulches and stakes shall also be specified. Construction details for paved or other hard surfaces shall be provided together with details of any fences for inclusion as part of the landscape scheme. For the avoidance of doubt, the required landscape scheme shall include more substantial screening at the site boundary, consisting of a mixture of trees, shrubs and hedge;

- (7) that the developer shall instruct a further bat survey to be undertaken prior to stage 2 demolition (in season) for potentially roosting bats. If the bat survey demonstrates that bats and/ or a known roost are likely to be affected by the development, the developer should apply for, and obtain, a European Protected Species Licence (EPS) before work commences;
- (8) that the applicant shall comply with the findings of paragraphs 6.1.1 and 6.2.2 of the Sandy Brown Prestwick Educational Campus Noise Assessment Report 19362-R03-B dated 26 March 2020;
- (9) 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;
- (10) 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;
- (11) that before occupation of the campus a Travel Plan shall be submitted for the prior written approval of the Council as Roads Authority. The Travel Plan shall target both pupil and staff travel to/ from the campus, and shall require to satisfy the following:-

- nominate a Travel Plan Coordinator to oversee delivery of the plan;
 - provide information on the existing modal split of trips to/ from the existing school, based on a questionnaire issued to all parents/carers and staff members;
 - set modal shift targets which seek to achieve a reduction in car borne travel, and an increase in sustainable travel;
 - define a specific package of measures and initiatives identified to help achieve the modal shift targets, and to be implemented by the school. These measures shall require to encourage sustainable travel, and discouraging car borne travel;
 - a monitoring plan to include annual parent/ carer and staff surveys, and biannual parking surveys on Sherwood Road, Shaw Road and Langcroft Avenue to correspond with peak periods of campus demand;
 - details of review and reporting associated with ongoing monitoring of the plan against targets; and
 - a Travel Plan update report, including recent survey results, modal split results, and a review of the success of measures, to be submitted to the Council as Roads Authority annually for the initial 5 years following campus occupation;
- (12) that before occupation of the campus a School Travel Pack shall be submitted for the prior written approval of the Council as Roads Authority. The School Travel Pack shall include information on walking, cycling and public transport facilities and services along principle routes within the catchment area. Additionally, the pack shall make parents/carers aware of available "park and stride" parking opportunities in the vicinity of the campus. The Travel Pack shall be distributed to all pupils upon initial opening of the school, and to new pupils as part of the new intake annually thereafter;
- (13) that the proposed access shall be constructed in accordance with the specifications in the Council's National Roads Development Guide and be a minimum of 5.5 metres wide over the initial 10 metres as measured from the rear of the public roadway. The access shall be constructed, as approved, prior to completion of the development;
- (14) that junction access visibility sightline splays of 2.4 metres by 22.0 meters shall be 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;
- (15) that prior to occupation of the development any gates shall be set back a minimum of 10 metres from the rear of the public footway/ roadway, and open inwards away from the public roadway;
- (16) 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 Council as Planning Authority (in consultation with the Council as Roads Authority) before any work commences on site;

- (17) 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;
- (18) that 71 off-road parking spaces, comprising 67 standard bays and 4 accessible bays, shall be provided within the existing site boundary to satisfy provision levels as defined within the Council's adopted National Roads Development Guide. Parking provision for a total of 4 school mini-buses shall also be included within the curtilage of the site. Details of parking layouts designed to comply with the guidance set out in the Council's National Roads Development Guide, and Designing Streets as National Policy, shall be submitted for the prior written approval of the Council as Planning Authority (in consultation with the Council as Roads Authority);
- (19) that cycle parking accommodating a minimum of 93 cycles shall be provided within the site boundary, with additional space reserved for the future expansion of cycle parking within the curtilage of the site, as required. Precise details of the siting and specifications of the cycle stand(s) shall be submitted for the prior written approval of the Council as Planning Authority (in consultation with the Council as Roads Authority) before any work commences on site;
- (20) that designated bin collection points shall be located a maximum of 15 metres from the public carriageway, unless satisfactory turning arrangements can be put in place, before occupation of the development. Details and specification of the siting and design of bin collection points and swept path details, if necessary, shall be submitted for the prior written approval of the Council as Planning Authority (in consultation with the Council as Roads Authority) before any work commences on site;
- (21) 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. Glenburn Primary will continue to operate during construction of the new campus, which places great importance in clarifying how pupils will be kept safe during construction. The plan shall describe the methodology for the movement of construction traffic to and from the site, details of wheel washing, clarification on hours of site operation, and any other details relevant to the movement of vehicles associated with construction;
- (22) that a suitable Sustainable Urban Drainage System shall be designed and constructed in accordance with the recommendations of the Drainage Strategy Report Ref No PWK-BHY-XX-XX-RP-C-0002, 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; and
- (23) that the recommendations contained within the Kaye Consulting Limited, Glenburn Primary School Prestwick, Flood Risk Assessment are implemented and specifically the minimum finished floor level recommendation.

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 and residential amenity;
- (3) these details have not been submitted and in the interests of visual amenity;
- (4) in the interests of visual amenity;
- (5) in order to ensure that no damage is caused to the existing trees during development operations;
- (6) in the interests of visual amenity and to ensure a satisfactory standard of local environmental quality;
- (7) to ensure that there is no detrimental impact on European Protected Species;
- (8) to avoid noise disturbance in the interests of residential amenity;
- (9) to ensure all contamination within the site is dealt with;
- (10) to establish whether there are any archaeological interests on this site and allow for archaeological excavation and recording;
- (11) to encourage sustainable means of travel, and to mitigate school related on-street parking;
- (12) to encourage sustainable means of travel, and to mitigate school related on-street parking;
- (13) in the interest of road safety and to ensure an acceptable standard of construction;
- (14) in the interest of road safety and to ensure an acceptable standard of construction;
- (15) in the interest of road safety;
- (16) in the interest of road safety and to avoid the discharge of water onto the public road;
- (17) in the interest of road safety and to ensure that there is adequate space for manoeuvring and turning;
- (18) in the interest of road safety and to ensure adequate off-street parking provision;
- (19) to ensure adequate provision of cycle parking on site, and encourage sustainable means of travel;

- (20) in the interests of road safety;
- (21) in the interest of road safety;
- (22) to ensure the site is drained in an acceptable and sustainable manner;
- (23) in order to ensure the development is protected against flooding in an acceptable manner.

Advisory Notes:

- (a) That a Road Opening Permit shall be applied for, and obtained from the Council as Roads Authority, for any work within the public road limits, prior to works commencing on site.
- (b) 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.
- (c) 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.
- (d) The Council as Roads Authority advises that any costs associated with the relocation of any street furniture shall require to be borne by the applicant / developer.
- (e) The Council as Roads Authority advises that promotion of Traffic Regulation Orders resulting from this development shall require to be fully funded by the applicant - including any relevant road signs and markings.
- (f) The Council as Roads Authority advises that only signs complying with the requirements of 'The Traffic Signs Regulations and General Directions 2016' are permitted within public road limits.
- (g) That the applicant is made aware that works should not lead to contravention of either the Protection of Badgers Act 1992 or the Wildlife & Countryside Act 1981 as amended by the Nature Conservation (Scotland) Act 2004; (this includes ensuring that any foraging badger would not become trapped /injured during construction).
- (h) That the applicant is made aware that works should not lead to contravention of the Habitats Directive/Conservation (Natural Habitats, &c.) Regulations 1994 (as amended).

- (i) That the area of construction be checked prior to the commencement of any works for any ground nesting birds or nesting hare, thereby ensuring that they are not contravening the Wildlife & Countryside Act 1981 as amended by the Nature Conservation (Scotland) Act 2004.
- (j) If there are any woodland edges likely to provide important foraging habitat, where possible an experienced ecologist should provide input to the lighting schemes so as not to impact on foraging bats and provide darkened corridors for commuting and foraging.
- (k) Any temporary lights used during construction should be fitted with shades to prevent light spillage outside the working area. Temporary lights should not illuminate any tree lines or hedgerows due to lighting potentially affecting wildlife commuting and foraging.
- (l) Where possible the developer considers the inclusion of bird and bat boxes within the development.
- (m) If an EPS licence is required further survey will be required in order to gain sufficient information in order to supply a sufficient baseline and to inform the necessary mitigation plan required to support a licence application. Application forms can be found on the SNH website along with guidance.
- (n) Should any EPS be found either prior to or during the period of development then a qualified ecological consultant should be contacted immediately for advice before proceeding with works. Advice from SNH may be required and the ecologist should be able to determine this.
- (o) Should any European EPS be found either prior to or during the period of development then the need for EPS licensing should be reviewed.
- (p) Should any vegetation require to be removed this should be undertaken outwith the breeding bird's season, specifically March to August, inclusive. If this is not possible, and works are due to take place between March and August, then nesting bird checks should be undertaken by a suitably qualified ecologist, immediately prior to any tree or vegetation removal works commencing.
- (q) That where possible any landscape planting considers the use of native nectar rich species and fruiting species. These might include Blackthorn (*Prunus spinose*), Crab apple (*Malus sylvestris*), Elder (*Sambucus nigra*), Hawthorn (*Crataegus monogyna*), Hazel (*Corylus avellana*), Holly (*Ilex aquifolium*), Rowan (*Sorbus aucuparia*) and Silver birch (*Betula pendula*).
- (r) All holes and excavations greater than 1m deep should be covered whilst unattended to prevent animals falling in, or ramps should be used in order to provide a means of escape. Where this is not possible these areas should be fenced off to prevent accidental entry.
- (s) The ends of any pipeline should be capped when unattended, or at the end of each working day to prevent animal access.

List of Determined Plans:

Drawing - Reference No (or Description): PWK-BDP-01-VS-DR-A-PP002;
 Drawing - Reference No (or Description): PWK-BDP-01-VS-DR-A-PP001;
 Drawing - Reference No (or Description): PWK-BDP-01-SX-DR-A-PP001;
 Drawing - Reference No (or Description): PWK-BDP-01-EL-DR-A-PP002;
 Drawing - Reference No (or Description): PWK-BDP-01-EL-DR-A-PP001;
 Drawing - Reference No (or Description): PWK-BDP-01-02-DR-A-PP201;
 Drawing - Reference No (or Description): PWK-BDP-01-01-DR-A-PP101;
 Drawing - Reference No (or Description): PWK-BDP-01-00-DR-A-PP001;
 Drawing - Reference No (or Description): PKW-BHK-01-ZZ-DR-C-40202;
 Drawing - Reference No (or Description): 53879_01_02 Revision A;
 Drawing - Reference No (or Description): 53879_01_01 Revision A;
 Drawing - Reference No (or Description): 150 19 12 Revision S1;
 Drawing - Reference No (or Description): Floor Plan as Existing;
 Other - Reference No (or Description): PAC Report;
 Other - Reference No (or Description): Site Investigation Report;
 Drawing - Reference No (or Description): PWK-BHK-ZZ-ZZ-DR-C-40410 Revision P01;
 Drawing - Reference No (or Description): PWK-BHK-ZZ-ZZ-DR-C-40409 Revision P01;
 Drawing - Reference No (or Description): PWK-BHK-ZZ-ZZ-DR-C-40408 Revision P02;
 Drawing - Reference No (or Description): PWK-BHK-ZZ-ZZ-DR-C-40407 Revision P02;
 Drawing - Reference No (or Description): PWK-BHK-ZZ-ZZ-DR-C-40405 Revision P02;
 Drawing - Reference No (or Description): PWK-BHK-ZZ-ZZ-DR-C-40203 Revision P03;
 Drawing - Reference No (or Description): PWK-BHK-ZZ-ZZ-DR-C-40201 Revision P02;
 Drawing - Reference No (or Description): PWK-BHK-ZZ-ZZ-DR-A-0120 Revision P02;
 Drawing - Reference No (or Description): PWK-BHK-ZZ-ZZ-DR-A-0110 Revision P02;
 Drawing - Reference No (or Description): PWK-BDP-ZZ-XX-DR-A-PP003;
 Drawing - Reference No (or Description): PWK-BDP-ZZ-XX-DR-A-PP001;
 Drawing - Reference No (or Description): PWK-BDP-XX-DR-A-PP002;
 Drawing - Reference No (or Description): PWK-BDP-02-ZZ-DR-L-90012;
 Drawing - Reference No (or Description): PWK-BDP-02-ZZ-DR-L-90001 Revision 02;
 Drawing - Reference No (or Description): PWK-BDP-01-VS-DR-A-PP004;
 Other - Reference No (or Description): Design and Access Statement;
 Other - Reference No (or Description): Tree Survey and Arboricultural Constraints Report;
 Other - Reference No (or Description): Flood Risk Assessment;
 Other - Reference No (or Description): Drainage Strategy Report;
 Other - Reference No (or Description): Noise Assessment Report (A and B);
 Other - Reference No (or Description): Transport Assessment (February 2020);
 Other - Reference No (or Description): Transport Assessment Addendum (August 2020);
 Other - Reference No (or Description): Logistics Report;
 Other - Reference No (or Description): Bat Survey; and
 Other - Reference No (or Description): Preliminary Ecological Appraisal Report.

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 2.45 p.m.