

REGULATORY PANEL.

Minutes of meeting held in County Buildings, Wellington Square, Ayr and remotely on 9 December 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. Nelson, Co-ordinator, Democratic Governance.

Attending

Remotely: J. Nicol, Service Lead – Planning and Building Standards; M. McClelland, Co-ordinator (Planning); A. McGibbon, Supervisory Planner; and A. Edgar, Supervisory Planner.

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.

In terms of Council Standing Order No. 17 and the Councillors' Code of Conduct, Councillor Fitzsimmons declared an interest in Planning Application 20/00748/APP – Stumpy Tower due to previous involvement with the Stumpy Tower Committee. No other declarations of interest were made.

3. Minutes of previous meetings.

The minutes of 10 November 2020 ([Special](#)) and 12 November 2020 ([issued](#)) were submitted and approved.

4. South Ayrshire Council (Town of Ayr) (Waiting Restrictions) (Consolidation) Order 2015 Amendment Order 2020 No. 1 – Ayr Grammar Primary School

There was submitted a report ([issued](#)) of 22 October 2020 by the Director – Place seeking approval to make a Traffic Regulation Order (TRO) under the Road Traffic Regulation Act 1984, namely; "South Ayrshire Council (Town of Ayr) (Waiting Restrictions) (Consolidation) Order 2015 Amendment Order 2020 No. 1.

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

5. **South Ayrshire Council (National Health Service Trust Care Parks in South Ayrshire) (Off Street Designated Parking Places and Limited Waiting Order 2020)**

There was submitted a report ([issued](#)) of 3 November 2020 seeking approval to make a Traffic Regulation Order (TRO) under the Road Traffic Regulation Act 1984, namely; "South Ayrshire Council (National Health Service Trust Car Parks in South Ayrshire) (Off Street Designated Parking Places and Limited Waiting) Order 2020".

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

7. **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:-

(a) **20/00743/APP – PRESTWICK – Street Record – Lilybank Road, Prestwick – Erection of Dwellinghouse.**

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 development proposal is contrary to Scottish Planning Policy, the Adopted South Ayrshire Local Development Plan policies in relation to 'Sustainable Development', 'Residential Policy within Settlements, Release Sites and Windfall Sites', and 'Land Use and Transport' as the proposals would result in an increased demand for on-street parking and congestion which would impede the free flow of traffic within public road limits, to the overall detriment of road safety, and residential amenity at this location;
- (2) That the development proposal is contrary to Scottish Planning Policy, the Adopted South Ayrshire Local Development Plan policies in relation to 'Sustainable Development' and 'Residential Policy within Settlements, Release Sites and Windfall Sites' as the proposals would result in the loss of existing valued amenity space for the neighbouring properties sited at 29, 31 and 33 Bellrock Avenue;

- (3) That the development proposal is contrary to Scottish Planning Policy, the Adopted South Ayrshire Local Development Plan policies in relation to 'Sustainable Development' and 'Residential Policy within Settlements, Release Sites and Windfall Sites' as the proposals would result in an unacceptable sense of enclosure to adjacent neighbouring properties sited at 29, 31 and 33 Bellrock Avenue, 1 and 3 James Street;
- (4) That the development proposal is contrary to Scottish Planning Policy, the Adopted South Ayrshire Local Development Plan policies in relation to 'Sustainable Development' and 'Residential Policy within Settlements, Release Sites and Windfall Sites', and 'Land Use as the proposals would result in 'town cramming' by reason that the development would have a detrimental impact on the established character and layout of the area;
- (5) That the development proposal is contrary to Scottish Planning Policy, the Adopted South Ayrshire Local Development Plan policies in relation to 'Sustainable Development', 'Residential Policy within Settlements, Release Sites and Windfall Sites', and 'Land Use and Transport' as the small infill plot is considered to represent over-development which would not provide a suitable residential amenity for the future occupiers of the property due to insufficient private garden ground and off road parking.

List of Determined Plans:

Drawing - Reference No (or Description): LOCATION PLAN

Drawing - Reference No (or Description): PLANS AND ELEVATIONS EXISTING AND PROPOSED

Background Papers:

1. Planning application form and submitted plans 20/00743/APP;
2. Planning Application form, plans; planning application 20/00180/APP;
3. Local Development Plan 2014;
4. Proposed Local Development Plan (LDP2);
5. Scottish Planning Policy (SPP);
6. Consultation responses;
7. Representations Received.

(b) 20/00761/APP – AYR – King George V Playing Fields, Mossie Road – Alterations and Extension to Changing Pavilion

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 the existing off road parking provision shall be retained within the curtilage of the donor property.

Reasons:

- (1) To ensure that the development is carried out in accordance with the approved plans unless otherwise agreed.
- (2) In the interest of road safety and to ensure adequate off-street parking provision.

List of Determined Plans:

Drawing - Reference No (or Description): 101-0027-L(03)001 (Rev. D)
 Drawing - Reference No (or Description): 101-0027-L(03)002 (Rev. D)
 Drawing - Reference No (or Description): 101-0027-L(03)003 (Rev. D)
 Drawing - Reference No (or Description): 101-0027-L(03)004 (Rev. D)
 Drawing - Reference No (or Description): 101-0027-L(04)011 (Rev. D)
 Drawing - Reference No (or Description): 101-0027-L(04)020 (Rev. F)
 Drawing - Reference No (or Description): 101-0027-L(04)025 (Rev. B)
 Drawing - Reference No (or Description): 101-0027-L(04)026 (Rev. B)
 Drawing - Reference No (or Description): 101-0027-L(05)011 (Rev. D)
 Drawing - Reference No (or Description): 101-0027-L(05)040 (Rev. F)
 Drawing - Reference No (or Description): 101-0027-L(20)100 (Rev. D)
 Drawing - Reference No (or Description): 101-0027-L(20)101 (Rev. D)
 Drawing - Reference No (or Description): 101-0027-L(20)200 (Rev. F)
 Drawing - Reference No (or Description): 101-0027-L(20)201 (Rev. F)
 Drawing - Reference No (or Description): 101-0027-L(90)001
 Drawing - Reference No (or Description): 101-0027-L(90)002
 Drawing - Reference No (or Description): 101-0027-L(90)003
 Drawing - Reference No (or Description): 101-0027-L(90)004
 Drawing - Reference No (or Description): 101-0027-L(90)005 (Rev. B)
 Drawing - Reference No (or Description): 101-0027-L(90)006 (Rev. B)
 Drawing - Reference No (or Description): 101-0027-L(90)007 (Rev. C)
 Drawing - Reference No (or Description): 101-0027-L(90)110 (Rev. D)

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 20/00080/APP; and 20/00761/APP;
2. Adopted South Ayrshire Local Development Plan;
3. MPLDP2;
4. Scottish Planning Policy;
5. Consultation responses;
6. Representations.

(c) 20/00784/APP – KIRKOSWALD – 6 Main Road, Kirkoswald, KA19 8HY – Change of Use of Existing Hall to form Home Cook School

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 access to the development will be in accordance with Tom Sweeney Site Plan Drawing 20_454_P05 and dated April 2020. The existing access onto the trunk road will be closed off as per the drawing details.
- (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 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.
- (5) That the ventilation extraction complies with noise rating criteria 25 when measured within a habitable room of the nearest noise sensitive dwelling with windows open sufficiently for ventilation; and 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.

Reasons:

- (1) To ensure that the development is carried out in accordance with the approved plans unless otherwise agreed.
- (2) To ensure that the use of the existing access is discontinued and the safety of traffic on the trunk road is improved and to minimise interference with the safety and free flow of the traffic on the trunk road.
- (3) In the interest of road safety and avoid the discharge of water on to the public road.
- (4) In order to prevent the likelihood of a smell nuisance.
- (5) In order to prevent the likelihood of a noise nuisance.

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) 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.
- (3) 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): 20-454-P01
 Drawing - Reference No (or Description): 20-454-P02
 Drawing - Reference No (or Description): 20-454-P03
 Drawing - Reference No (or Description): 20-454-P04
 Drawing - Reference No (or Description): 20-454-P05
 Drawing - Reference No (or Description): 20-454-P06
 Drawing - Reference No (or Description): 20-454-P07 REV A
 Drawing - Reference No (or Description): 20-454-P08
 Drawing - Reference No (or Description): 20-454-P09 REV A
 Drawing - Reference No (or Description): 20-454-P10
 Drawing - Reference No (or Description): 20-454-P11
 Drawing - Reference No (or Description): 20-454-P12
 Other - Reference No (or Description): Extract Unit to Kitchen
 Other - Reference No (or Description): Extract Unit to Utility Room
 Other - Reference No (or Description): Design and Access Statement
 Other - Reference No (or Description): Business Plan

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 20/00784/APP;
2. Adopted South Ayrshire Local Development Plan;
3. MPLDP2;
4. Scottish Planning Policy;
5. Historic Environment Scotland's Managing Change in the Historic Environment 'the Use and Adaptation of Listed Buildings (published April 2019);
6. South Ayrshire Council's Supplementary Planning Guidance (SPG) on Historic Environment;
7. Consultation responses;
8. Representations.

Councillor Fitzsimmons left the meeting**(d) 20/00748/APP – GIRVAN - Stumpy Tower, Knockcushan Street, Girvan - Erection of Canopy, Notice/Interpretation Boards and Formation of Soft and Hard Landscaping**

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) That notwithstanding the plans hereby approved, full details in respect of the species and density of all planting shall be submitted for the prior written approval of the Planning Authority prior to the commencement of works on site. Thereafter the planting shall be implemented in accordance with the agreed specification to the satisfaction of the Planning Authority.

- (4) That notwithstanding the plans hereby approved, full details and specifications for the proposed lighting and its intended operation shall be submitted for the prior written approval of the Planning Authority in conjunction with Environmental Health prior to the commencement of works on site. Thereafter, the works shall be implemented to the agreed specification and maintained as such for the lifetime of the development to the satisfaction 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 visual amenity, and to safeguard the character and appearance of the conservation area and the setting of the category B-listed building.
- (3) In the interests of visual amenity, and to safeguard the character and appearance of the conservation area and the setting of the category B-listed building.
- (4) In the interests of amenity and to ensure that the method, character, direction and timings of illumination do not cause a distraction to road users and in the interests of road safety.

Advisory Notes:

- (1) The applicant is hereby informed that the granting of planning consent does not carry with it the right to carry out works within the trunk round boundary and that permission must be granted by Transport Scotland Roads Directorate . Where any works are required on the trunk road, contact details are provided on Transport Scotland's response to the planning authority which is available on the Council's planning portal.

Trunk road modification works shall, in all respects, comply with the Design Manual for Roads and Bridges and the Specification for Highway Works published by HMSO. The developer shall issue a certificate to that effect, signed by the design organisation.

Trunk road modifications shall, in all respects, be designed and constructed to arrangements that comply with the Disability Discrimination Act: Good Practice Guide for Roads published by Transport Scotland. The developer shall provide written confirmation of this, signed by the design organisation.

List of Determined Plans:

Drawing - Reference No (or Description): 6202-EX-001
 Drawing - Reference No (or Description): 6202/ L1
 Drawing - Reference No (or Description): 6202/ P4 Rev. D
 Drawing - Reference No (or Description): 6202/P6 Rev. C
 Drawing - Reference No (or Description): 6202/P7 Rev. C
 Drawing - Reference No (or Description): 6202/P8 Rev. C
 Drawing - Reference No (or Description): 6202/ Signage
 Other - Reference No (or Description): MANUFACTURER DETAIL - CANOPY

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. Supplementary Guidance: Historic Environment (available online)
4. Representations (available online)
5. Scottish Planning Policy (available online)
6. Planning Advice Note 71 - Conservation Area Management (available online)
7. Historic Environment Policy for Scotland (available online)
8. Historic Environment Scotland's Managing Change in the Historic Environment series (available online)

Councillor Fitsimmons re-joined the meeting

- (e) **20/00632/FURM – AYR – Ayr Racecourse, 2 Whitletts Road, KA8 0JE - Further Application so as Not to Comply with Condition 1 of Planning Consent 17/00968/FURM (Extend Timescale for Commencement of Development)**

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 permitted shall be commenced prior to 12th October 2023.
- (2) That notwithstanding the approved plans, the three storey block of flats referred to in the submitted plans as block 7 is not hereby approved. Prior to the commencement of the development on site, details shall be submitted to and approved by the Planning Authority of flatted block 7 reduced in height to no more than two storeys in height. Further prior to the commencement of the development on site details shall be submitted of alternative proposals to provide these four flats by increasing the height of the flatted block 1 to four storeys and approved by the Planning Authority. The land to the north of the site immediately adjacent to the new entrance road from Craigie Road shall be planted with an avenue of heavy standard trees, details of which shall be submitted to and approved by the Planning Authority prior to the commencement of development on site. This tree planting shall take place as part of the landscaping for phase 1 of the development.

- (3) That prior to the commencement of development on site, a palette of materials for all external finishes shall be submitted to and approved by the Planning Authority.
- (4) That prior to the commencement of the development, details of the all the hard and soft landscaping treatment of all the amenity open spaces and landscaped areas, the provision of equipped play area(s), and the landscape treatment of the main public open space area within the site with public realm proposals, shall be submitted to and approved by the Planning Authority. Play provision shall be in accordance with the Council's Planning Policy report No. 4 to the entire satisfaction of the Planning Authority.
- (5) Prior to the commencement of the development, details shall be submitted to and approved by the Planning Authority of all footpaths across the site and pedestrian linkages to Craigie Road and Craigie Way.
- (6) That the approved landscaping and play proposals shall be implemented in full by the first date of occupation of the last residential unit or on the completion of the development, whichever is the earlier, to the satisfaction of the Planning Authority. Thereafter all planting of trees, shrubs, plants, grassed areas, and hard landscaping or other public realm works shall be maintained in good condition and, if necessary, replaced to the satisfaction of the Planning Authority.
- (7) That a maintenance schedule for the landscaping works and play area(s) shall be submitted to and approved by the Planning Authority prior to the commencement of development on site.
- (8) That prior to the commencement of development, details of the location, height and materials of all new boundary fences, gates or other means of enclosure shall be submitted to the Planning Authority for written approval.
- (9) That no tree felling shall take place during the bird breeding season from March to July to the satisfaction of the Planning Authority in consultation with Scottish Natural Heritage.
- (10) That trees shall be inspected for bats prior to felling by a competent bat worker to the satisfaction of the Planning Authority in consultation with Scottish Natural Heritage.
- (11) That landscaping works including tree planting shall try to link in with the River Ayr utilising existing urban wildlife corridors or recreating new corridors wherever possible.
- (12) That an updated bat survey shall be carried and submitted for approval of the Planning Authority prior to the felling of any trees or buildings.
- (13) That the findings of the applicants' Ecological Procedures Management Plan 2007 shall be implemented to the satisfaction of the Planning Authority.

- (14) That the findings of the applicants' Arboricultural Survey March 2007 shall be implemented to the satisfaction of the Planning Authority. No tree felling of any mature trees around Western House or the Paddock area shall be removed without the prior written consent of the Planning Authority.

All trees to be retained as identified in this Survey shall be protected during the construction of the new access road in accordance with BS 5837 Trees in relation to Construction 2005.

- (15) That the phasing for the development shall be in accordance with the applicants' submitted drawing 009 unless otherwise agreed in writing with the Planning Authority.
- (16) That the foul and surface water arrangements shall be provided and maintained to the satisfaction of the Planning Authority in consultation with SEPA and Scottish Water. In relation to surface water, the applicant shall treat surface water from the site in accordance with the principles of the SUDS Manual (C697) which was published by CIRIA in March 2007.
- (17) That the findings of the applicants' New Acoustics noise report November 2005 shall be implemented to the satisfaction of the Planning and Environmental Health Authority.
- (18) That prior to the commencement of development, additional information relating to the Acoustic noise report shall be submitted to and approved by the Planning Authority to establish which residential properties require sound attenuation and to what level to ensure that the internal noise level (L_{aeq} TdB) within proposed properties shall not exceed 45dB(A) daytime 7.00 hours to 23.00 hours and 35dB(A) night time 23.00 to 7.00hours (internal measurements assessed with windows sufficiently open for ventilation). In order to achieve this, the measured external background L_{aeq} daytime shall not exceed 55dB(A) and 45dB(A) night time on any part of the site identified for residential dwellings in accordance with PAN 56 :1999.
- (19) That provision of bins for waste storage and collection shall be to the satisfaction of the Planning Authority.
- (20) That before any part of residential development is occupied; the following road network improvements shall be completed to the satisfaction of Roads Authority and the Planning Authority.
- (i) The provision of traffic signals at the Whitletts Road/Hawkhill Avenue junction. The signalised junction shall incorporate pedestrian facilities to aid with the channelisation of pedestrians to specific crossing points (Drawing No.207263/01/A refers);
- (ii) The improvement of Whitletts Road/Craigie Road junction to provide 2 No. right turn lanes from Craigie Road to Whitletts Road east. A 'No Waiting at Any Time' Traffic Order shall be promoted along that section of Whitletts Road (eastbound) from its junction with Burnett Terrace to a point 100 metres east of said junction (Drawing Nos. 207263/02/A and 207263/03/A refer);
- (iii) The provision of a new access road serving the inner area of the Racecourse from Craigie Road. A left turn ban from the access road to the proposed residential element shall be implemented and shall be included in The Event Traffic Management Plan following liaison with the Council as Roads Authority and other relevant and appropriate Agencies, including Strathclyde Police and Strathclyde Fire and Rescue (Drawing No. 207263/04/A refers);

- (iv) The provision of a new access road serving the proposed residential element from Craigie Way (Drawing No. 207263/05/A refers).

The entire length of the access road shall be included within the (Various Roads around Ayr Racecourse, Somerset Park, Rozelle Park and The Old Racecourse, Ayr) (Race Meetings, Football Matches and Special Events Waiting Restrictions) Order 2004;
All costs associated with the network improvements, and the promotion / amendment of any Traffic Regulation Orders shall be borne by the Developer.

- (21) That Stage 2 and 3 Road Safety Audits shall require to be carried out in compliance with the Institution of Highways & Transportation publication titled "Guidelines for the Safety Audit of Highways". This shall apply to new roads, access points, and any alterations to the existing road network carried out under a section 56 Agreement with the Roads Authority and the applicants.
- (22) That within 3 months from the date of this consent, a comprehensive travel plan that sets out proposals for reducing dependency on the private car through provision of a residential travel pack shall be submitted to and approved in writing by the Roads and Planning Authority. The agreed measures shall be implemented from the date of the first occupation of the development to the satisfaction of the Roads and Planning Authority.
- (23) That the applicants shall be required to enter into a Section 56 Agreement with the Roads Authority under the terms of the Road Scotland Act 1984 for any alterations proposed to the existing road network.
- (24) That the location of the points of access and connections with the existing road network shall be to the satisfaction of the Roads Authority.
- (25) That junction access sightlines of 4.5 metres by 60 metres shall be formed and maintained at the points of access with the public road. Sightlines of 2.5 metres by 35 metres shall be maintained for all internal road junctions. No obstructions greater than 1.1 metres shall be permitted within these areas.
- (26) That the formation of any new roads shall comply with the specifications of the Roads Authority, which are detailed in the current Roads Development Guide. Construction Consent shall be required for the formation of any new roads. Traffic calming measures shall be required. Introduction and promotion of Traffic Regulation Orders on any residential roads shall require to be funded by the applicants.
- (27) That turning heads shall be constructed in accordance with the Roads Development Guide.
- (28) That no surface water shall be permitted to discharge onto the public road areas. This shall be achieved by the provision of suitable cut off drains, or other measures, to be agreed with the Roads Authority. Any Sustainable Urban Drainage facility shall be designed such that no maintenance burden will be placed on the Roads Authority.
- (29) That the applicants shall provide resident and visitor parking in accordance with this Department's "Roads Development Guide". Parking bays shall be 2.5 metres by 4.8 metres with minimum aisle widths of 6 metres. All right angle parking bays shall be situated to the

- rear of the footway, these parking bays shall not be adopted by the Roads Authority and shall be drained separately from the adoptable surface water areas.
- (30) That the applicants shall provide a minimum of 0.4 no. secure cycle parking spaces per flat within the site boundaries.
- (31) That all trees shall be located a minimum of 450mm away from the edge of the carriageway and shall require to have root ball containment. The Roads Authority shall not maintain trees within the public carriageway, these shall be maintained under the factoring arrangement and in accordance with the submitted maintenance schedule, which shall be put in place for all the landscape works.

Reasons:

- (1) To extend the period within which development shall be commenced.
- (2) To ensure that flatted block 7 fits with the established character of the area.
- (3) In the interests of the visual amenity of the surrounding area.
- (4) In the interests of the visual amenity of the surrounding area.
- (5) To ensure that satisfactory pedestrian linkages are provided across the site.
- (6) To ensure that the landscaping and play provision is implemented timeously.
- (7) To ensure that the landscaping and play facilities are adequately maintained.
- (8) In the interests of the visual and residential amenity of the surrounding area.
- (9) To ensure wildlife is protected during the breeding season.
- (10) In the interests of wildlife conservation.
- (11) In the interests of wildlife conservation.
- (12) In the interests of wildlife conservation.
- (13) In the interests of wildlife conservation.
- (14) In the interests of the visual amenity of the surrounding area.
- (15) To comply with the outline planning permission.
- (16) To ensure that adequate provision is made for foul and surface water drainage.
- (17) To provide adequate noise attenuation within residential properties.
- (18) To provide adequate noise attenuation within residential properties.
- (19) To ensure adequate provision of domestic waste disposal.
- (20) The road network requires to be upgraded as a consequence of this development.
- (21) The applicants require to obtain the appropriate agreements of the Roads Authority.
- (22) To ensure that an appropriate travel plan is in place for sustainable transport to the site.
- (23) The applicants require to obtain the appropriate agreements of the Roads Authority.
- (24) Accesses require to be suitably designed to comply with Roads Authority standards.
- (25) Accesses require to be suitably designed to comply with Roads Authority standards.
- (26) To accord with the Roads Development Guide.
- (27) To accord with the Roads Development Guide.
- (28) To ensure that surface water does not flow onto the public road.
- (29) To provide adequate parking in accordance with the Roads Development Guide.
- (30) To provide adequate for other modes of sustainable transport.
- (31) To ensure that there a suitable landscape setting for the site and the applicants put in place adequate maintenance arrangements.

List of Determined Plans:

Drawing - Reference No (or Description): LOCATION PLAN

Drawing - Reference No (or Description): 07/01319/REM APPROVED DRAWINGS

Reason for Decision

Extending the timescale within which the development may commence is considered to be acceptable and remains consistent with the reasons of the original application (03/01569/OUT) and the subsequent reserved matters consent (07/01319/REM) were approved. 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. Application form, plans and submitted documentation
2. Consultation replies
3. Representations
4. Adopted South Ayrshire Local Development Plan
5. Modified Proposed Local Development Plan 2
6. Town Centre and Retail Local Development Plan
7. Scottish Planning Policy
8. Report to Regulatory Panel of 28th February 2018 "Planning Application 17/00968/FURM: Further application so as not to comply with condition 1 of planning consent 14/01088/FURM".

(f) **20/00633/FURM – AYR – Ayr Racecourse, 2 Whitletts Road, KA8 0JE – Further Application so as Not to Comply with Condition 1 of Planning Consent 17/00969/FURM (Extend Timescale for Commencement of Development)**

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 permitted shall be commenced prior to 12th October 2023.
- (2) That prior to commencement of development, samples of all materials to be used on external

- surfaces in respect of type, colour and texture shall be submitted to and approved by the Planning Authority. These details shall also include the different pavior treatment for the surfacing to the car parking in front of the new building onto Whitletts Road.
- (3) That prior to the commencement of development on site, the submitted landscaping plans shall be amended to the satisfaction of the Planning Authority and submitted to the Planning Authority for approval. Thereafter approved landscaping and public realm proposals shall be implemented in full prior to the first occupation of any of the retail/leisure units to the satisfaction of the Planning Authority. Thereafter all planting of trees, shrubs, plants, grassed areas, and hard landscaping shall be maintained in good condition and, if necessary, replaced to the satisfaction of the Planning Authority.
 - (4) That details shall be submitted to and approved by the Planning Authority of any fencing, gates or other means of enclosure prior to commencement of development on site.
 - (5) That no tree felling shall take place during the bird breeding season from March to July to the satisfaction of the Planning Authority in consultation with Scottish Natural Heritage.
 - (6) That trees shall be inspected for bats prior to felling by a competent bat worker to the satisfaction of the Planning Authority in consultation with Scottish Natural Heritage.
 - (7) That landscaping works including tree planting shall try to link in with the River Ayr utilising existing urban wildlife corridors or recreating new corridors wherever possible.
 - (8) That an updated bat survey shall be carried and submitted for approval of the Planning Authority prior to the felling of any trees or buildings.
 - (9) That the findings of the applicants' Ecological Procedures Management Plan 2007 shall be implemented to the satisfaction of the Planning Authority.
 - (10) That the findings of the applicants' Arboricultural Survey March 2007 shall be implemented to the satisfaction of the Planning Authority.
 - (11) That the phasing for the development shall be in accordance with the applicant's email dated 9th April 2008 unless otherwise agreed in writing with the Planning Authority.
 - (12) That the foul and surface water arrangements shall be provided and maintained to the satisfaction of the Planning Authority in consultation with SEPA and Scottish Water. In relation to surface water, if the discharge is to the water environment, this shall be in accordance with General Binding Rule (GBR 10) of the Water (Controlled Activities) (Scotland) Regulations 2005 (as amended) to the satisfaction of SEPA.
 - (13) That the findings of the applicants' New Acoustics noise report November 2005 shall be implemented to the satisfaction of the Planning and Environmental Health Authority.
 - (14) That prior to commencement of development details shall be submitted and approved by the Planning and Roads Authority of an adequate area of land within the centre of the racecourse to be set aside for parking on race days. The applicants shall provide and maintain a level of car parking spaces within the inner racecourse area (accessed from Craigie Road) for the spectator stand facilities in compliance with the standards set out in SPP17.

- (15) That the signage indicative proposals are not hereby approved and shall be the subject of advertisement consent in terms of the Town and Country Planning (Control of Advertisements) (Scotland) Amendment Regulations 1992.
- (16) That details shall be submitted to and approved by the Planning Authority of the walkway canopies across the front of the site onto Whitletts Road prior to commencement of development on site.
- (17) That prior to any part of the retail/additional leisure elements of the development being open for usage by the public, the following road network improvements shall be completed to the satisfaction of Roads Authority and the Planning Authority:-
- (i) the provision of traffic signals at the Whitletts Road/Hawkhill Avenue junction. The signalised junction shall incorporate pedestrian facilities to aid with the channelisation of pedestrians to specific crossing points;
 - (ii) the improvement of Whitletts Road/Craigie Road junction to provide 2 no. right turn lanes from Craigie Road to Whitletts Road east. A 'No Waiting at Any Time' Traffic Order shall be promoted along that section of Whitletts Road (eastbound) from its junction with Burnett Terrace to a point 100m east of this junction;
 - (iii) the provision of a new access road serving the inner area of the Racecourse from Craigie Road. A left turn ban from the access road to the proposed residential element shall be implemented and included in The Event Traffic Management Plan to the satisfaction of the Council as Roads Planning Authority;
 - (iv) the provision of a new access road serving the proposed residential element from Craigie Way. Drawing No. 207263/05/A refers. The entire length of the access road shall be included within the (Various Roads Around Ayr Racecourse, Somerset Park, Rozelle Park and The Old Racecourse, Ayr) (Race Meetings, Football Matches and Special Events Waiting Restrictions) Order 2004.
- All costs associated with the network improvements, and the promotion/ amendment of any Traffic Regulation Orders shall be borne by the Developer.
- (18) That Stage 2 and 3 Road Safety Audits shall require to be carried out in compliance with the Institution of Highways & Transportation publication titled "Guidelines for the Safety Audit of Highways". This shall apply to new roads, access points, and any alterations to the existing road network carried out under a section 56 Agreement with the Roads Authority and the applicants.
- (19) That no part of the employment elements 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 and Roads Authority in consultation with Transport Scotland Roads Network Management Directorate. The GTP shall identify the measures to be provided, the system of management, monitoring, review, reporting and the duration of the plan. It shall incorporate measures designed to encourage modes of travel other than private car.
- (20) That no part of the development shall be occupied until a Travel Plan for race meetings has

- been submitted to and approved in writing by the Planning and Roads Authority in consultation with Transport Scotland Roads Network Management Directorate. The GTP shall identify the measures to be provided, the system of management, monitoring, review, reporting and the duration of the plan. It shall incorporate measures designed to encourage modes of travel other than private car.
- (21) That no part of the development shall be occupied until a Travel Plan for race meetings has been submitted to and approved in writing by the Planning and Roads Authority in consultation with Transport Scotland Roads Network Management Directorate. The GTP shall identify the measures to be provided, the system of management, monitoring, review, reporting and the duration of the plan. It shall incorporate measures designed to encourage modes of travel other than private car.
 - (22) That the location of the points of access and connections with the existing road network shall be to the satisfaction of the Roads Authority.
 - (23) That junction access sightlines of 4.5 metres by 60 metres shall be formed and maintained at the points of access with the public road. No obstructions greater than 1.0m shall be permitted within these areas.
 - (24) That the formation of any new roads shall comply with the specifications of the Roads Authority which are detailed in the current Roads Development Guide.
 - (25) That the formation of any new roads shall comply with the specifications of the Roads Authority which are detailed in the current Roads Development Guide.
 - (26) That the applicants shall provide and maintain a minimum of 538 off road parking spaces for the leisure and retail developments within the site in compliance with the standards set out in SPP17. Parking bays shall be 2.5 metres by 4.8 metres with minimum aisle widths of 6 metres.
 - (27) That the applicants shall provide and maintain a minimum of 25 disabled car parking spaces for the leisure and retail developments within the site in compliance with the standards set out in SPP17. Disabled parking bays shall be 3.3 metres by 4.8 metres.
 - (28) That the applicants shall provide and maintain a level of secure cycle parking spaces for the leisure and retail developments in compliance with the standards set out in SPP17, taking into account local circumstances along with the indicative standards referred to in Table 1.11 of "Cycling by Design" (Scottish Executive December 1999).

Reasons:

- (1) To extend the time period within which development shall be commenced.
- (2) In the interests of visual amenity.
- (3) To ensure that the landscaping proposals are carried out timeously.
- (4) To ensure that proposals for boundary treatment and means of enclosure are acceptable.
- (5) To ensure wildlife is protected during the breeding season.
- (6) In the interests of wildlife conservation.
- (7) In the interests of wildlife conservation.
- (8) In the interests of wildlife conservation.
- (9) In the interests of wildlife conservation.
- (10) To ensure that mature trees are protected.
- (11) To accord with the outline planning permission.

- (12) To ensure adequate drainage is provided throughout the site.
- (13) To ensure that the residential amenity of the surrounding area is protected.
- (14) Land requires to be set aside for parking on race days and in the interests of residential amenity.
- (15) Advertisements as indicated require the benefit of advertisement consent and do not form part of this planning application.
- (16) No details have been submitted and these require to be of an acceptable standard.
- (17) To provide road network improvements as a consequence of the development.
- (18) To ensure that the applicants obtain the appropriate agreements of the Roads Authority.
- (19) To ensure that appropriate travel plans are in place for sustainable transport to the site.
- (20) To ensure that appropriate travel plans are in place for sustainable transport to the site.
- (21) To ensure that the applicants obtain the appropriate agreements of the Roads Authority.
- (22) To ensure that accesses are suitably designed to comply with Roads Authority standards.
- (23) To ensure that accesses are suitably designed to comply with Roads Authority standards.
- (24) To accord with the Roads Development Guide.
- (25) To ensure that surface water does not flow onto the public road.
- (26) To provide adequate parking within the site in accordance with SPP 17.
- (27) To provide adequate disabled parking within the site in accordance with SPP 17.
- (28) To ensure that there is adequate provision for other modes of sustainable transport.

List of Determined Plans:

Drawing - Reference No (or Description): LOCATION PLAN

Drawing - Reference No (or Description): 07/00680/REM APPROVED DRAWINGS

Reason for Decision

Extending the timescale within which the development may commence is considered to be acceptable and remains consistent with the reasons why the original application (03/01569/OUT) and subsequent reserved matters consent (07/00680/REM) were approved. 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. Application form, plans and submitted documentation
2. Consultation responses
3. Representations
4. Adopted South Ayrshire Local Development Plan
5. Modified Proposed Local Development Plan 2
6. Town Centre and Retail Local Development Plan
7. Scottish Planning Policy
8. Report to Regulatory Panel of 28th February 2018 "Planning Application 17/00969/FURM: Further application so as not to comply with condition 1 of planning consent14/01088/FURM".

- (g) **20/00669/APPM – MAYBOLE – Carrick Academy, 72-74 Kirkoswald Road, Maybole - Erection of Community Educational Campus Including; Leisure and All Weather Sports Facilities (With Floodlights), Alterations to Road Junctions, Formation of New Access, Car Parking, Coach Drop-Off, Associated Landscaping and One Wind Turbine (17.8 Metre Tip Height)**

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 and a further condition to be added which states that there shall be no pedestrian access points between the application site and Whitefaulds Avenue and the existing pedestrian route between Whitefaulds Avenue and Kirkoswald Road shall be upgraded in width and construction in accordance with a specification to be agreed with the Council as planning authority (in consultation with the Ayrshire Roads Alliance) and subsequently be implemented in accordance with that specification before occupation of the proposed school:

- (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 proposed development shall be carried out in accordance with the flood risk recommendations detailed in the Kaya Consulting Ltd Flood Risk Assessment dated May 2020 submitted with the applications. Specifically:
 - I. The overland flow surface water flood risk identified as part of the watershed analysis shall be mitigated in accordance with the principles described in the Flood Risk Assessment, including interception, rerouting, storage and appropriate finished floor levels.
 - II. The site sustainable urban drainage system design shall consider the future estimates of increased precipitation and shall follow an adaptive approach informed by the most recent DEPA climate change recommendations and shall be in alignment with The Climate Change (Scotland) Act 2009
- (3) That a suitable Sustainable Urban Drainage System shall be designed and constructed in accordance with SUDS Manual CIRIA C735 and other relevant guidance. The Sustainable Urban Drainage System shall 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. Details of the Sustainable Urban Drainage System (SUDS) shall be submitted for the prior written approval of the Council as Planning Authority (in consultation with the Council as Roads Authority). The development shall not be occupied until the SUDS scheme has been completed in accordance with submitted and approved plans.

- (4) That within 6 months of 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:
- I. Nominate a Travel Plan Coordinator to oversee delivery of the plan;
 - II. 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;
 - III. Set modal shift targets which seek to achieve a reduction in car borne travel, and an increase in sustainable travel;
 - IV. 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;
 - V. A monitoring plan to include annual parent/ carer and staff surveys, and biannual parking surveys on Whitefaulds Avenue, Academy Quadrant and McAdam Way to correspond with peak periods of campus demand;
 - VI. Details of review and reporting associated with ongoing monitoring of the plan against targets; and
 - VII. 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 Planning Authority, consultation with the Council as Roads Authority annually for the initial 5 years following campus occupation.
- (5) That before occupation of the campus a School Travel Pack shall be submitted for the prior written approval of the Council as Planning Authority, in consultation with 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. 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.
- (6) That before occupation of the campus a Park and Stride Plan shall be developed and submitted for the prior written approval of the Council as Planning Authority, in consultation with the Council as Roads Authority. The plan shall investigate suitable areas for parents / carers to park within walking distance of the campus, but to discourage localised congestion on those streets contiguous to the campus.

- (7) That the proposed access and egress junctions shall be constructed in accordance with the specifications in the Council's National Roads Development Guide, after consultation with Transport Scotland as trunk roads authority 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, in accordance with the approved Phasing Strategy.
- (8) That the proposed egress junction shall provide access visibility sightline splays of 2.4 metres by 22.0 meters which shall be maintained in both directions at the junction with the public road, unless otherwise approved in writing by the planning authority. There shall be no obstacle greater than 1.05 metres in height within the visibility sightline splays.
- (9) 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.
- (10) 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.
- (11) The applicant shall make provision of upgraded Vehicle Activated signage to replace the existing signs currently in place on the A77 Kirkoswald Road. The precise details and specifications of all infrastructure improvements shall be submitted for the prior written approval of the Council as Planning Authority, in consultation with the Council as Roads Authority, and shall require to be in place prior to occupation of the campus.
- (12) That all road lining and signing shall be reviewed and amended as considered appropriate, to reflect any changes associated with the new campus. The precise details shall be submitted for the prior written approval of the Council as Planning Authority, in consultation with the Council as Roads Authority, and any amendments shall require to be in place prior to occupation of the campus.
- (13) 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.
- (14) That off-road parking spaces shall be provided within the curtilage of the site in line with the provision levels as set out within the BDP drawing May-BDP-02-ZZ-DR-L-PP002 Rev03 (Overall Site Plan). This includes provision for accessible bays (at least 10 across the site), staff/ visitor spaces, pick-up/ drop-off spaces, and school bus bay provision.
- (15) That cycle parking accommodating a minimum of 226 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.

- (16) That prior to the occupation of the campus, a School Bus Access/ Egress Management Plan shall be submitted for the prior written approval of the Council as Planning Authority, in consultation with the Council as Roads Authority. The plan shall set out procedure to ensure the safety of pupils in the vicinity of bus movements within the site, and highlight specific measures to be employed, such as a banksman, as required.
- (17) 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 Planning Authority, in consultation with the Council as Roads Authority. 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, including use of any direct access onto the A77 trunk road.
- (18) That prior to the commencement of the development, details of the lighting within the site shall be submitted for the approval of the Planning Authority, in consultation with Transport Scotland, as Trunk Roads Authority.
- (19) Prior to the commencement of the development, details of the frontage landscaping treatment along the trunk road boundary shall be submitted to, and approved by, the Planning Authority, after consultation with Transport Scotland.
- (20) Prior to the commencement of the development, details of the barrier proposals along the trunk road boundary shall be submitted to, and approved by, the Planning Authority, after consultation with Transport Scotland.
- (21) There shall be no drainage connections from the development site to the trunk road drainage system.
- (22) Prior to the commencement of works on-site, a noise assessment shall be undertaken and submitted to the Planning Authority to determine the likelihood of noise impact detrimental to the residential amenity of nearby dwellings from the proposed fixed plant and the all-weather sports pitches on 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:
- | | | | | |
|------|------------|------|-------------|-----------------------|
| I. | LAEQ16hrs | 35dB | (0700-2300) | internal noise level |
| II. | LAEQ 8hrs | 30dB | (2300-0700) | internal noise level |
| III. | LAMAX | 45dB | (2300-0700) | internal noise level |
| IV. | 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 report shall include details of any mitigation measures necessary to achieve the target noise levels detailed above. The approved mitigation measures shall be fully implemented upon completion of the development and maintained thereafter in perpetuity.
- (23) 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.
- (24) The measures to address land contamination specified in the "Carrick Academy, Kirkoswlad Road, Maybole (Pre-Demolition) Report on Site Investigations" prepared by Mason Evans Partnership Ltd, dated November 2019 shall be implemented in full unless otherwise agreed in writing with the Planning Authority.
- (25) Notwithstanding the landscaping details shown on approved drawing MAY-BDP-02-ZZ-DR-L-PP006 Rev.02 prior to the commencement of work on the construction of the approved development, a revised landscaping scheme shall be submitted to and approved by the Planning Authority which shall include, in addition to the submitted landscaping scheme, tree or hedgerow planting around the perimeter of the second (northernmost) all-weather sports pitch. The revised landscaping scheme shall include the size and specification of all planting material to be included in the landscaping, together with total plant numbers and densities per m², the ground preparation methods, topsoil quality and depth, planting methods, hole sizes and other materials such as mulches and stakes shall also be specified and a maintenance schedule for all areas of soft landscaping shall be submitted to and approved by the Planning Authority. Thereafter the approved landscaping scheme shall be implemented prior to the completion of the development and shall be maintained in accordance with the approved maintenance schedule for a period of five years from the date of completion of the landscaping works.
- (26) No development shall take place within the Phase 1 area of the development site, as outlined on the approved drawing May-BDP-SK(90)LP109, until the developer has secured the implementation of a programme of archaeological works for the Phase 1 area in accordance with a written scheme of investigation which has been submitted by the applicant, agreed by the West of Scotland Archaeology Service,

- and approved by the Planning Authority. 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.
- (27) No development shall take place within the Phase 2 area of the development site, as outlined on the approved drawing May-BDP-SK(90)LP109, until the developer has secured the implementation of a programme of archaeological works for the phase 2 area in accordance with a written scheme of investigation which has been submitted by the applicant, agreed by the West of Scotland Archaeology Service, and approved by the Planning Authority. 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.
- (28) Prior to the commencement of construction work on the all-weather sports pitches, details of the fencing to be erected around the pitches shall be submitted to and approved by the Planning Authority.
- (29) That before any works start on site, the developer shall submit, details and specifications of the protective measures necessary to safeguard the trees on the site during operations. This Planning Authority shall be formally notified in writing of the completion of such measures and no work on site shall commence until the Planning Authority has confirmed in writing that the measures as implemented are acceptable. The protective measures shall be retained in a sound and upright condition throughout the operations and no building materials, soil or machinery shall be stored in or adjacent to the protected area, including the operation of machinery.
- (30) No work shall commence on the construction of the proposed wind turbine until such time as the developer has demonstrated to the satisfaction of the Planning Authority that the wind turbine is capable of operating without resulting in a noise impact detrimental to the residential amenity of nearby dwellings. A noise assessment shall be undertaken and submitted to the Planning Authority and shall be assessed in accordance with procedures set out in ETSU-R-97 'The Assessment and Rating of Noise from Wind Farms' and 'A Good Practice Guide to the Application of ETSU-R-97 The Assessment and Rating of Wind Turbine Noise' published by the Institute of Acoustics.

The following noise limits will be applicable to the wind turbine:

That the wind turbine noise immission level, at a receiver height of 4 m above ground level, up to wind speeds of 10 m/s at 10 m height:-

- I. During daytime (0700 to 2300) shall not exceed 35 dB LA90,10min when measured at the properties listed in the Table.
- II. During night time (2300 to 0700) shall not exceed 30 dB LA90,10min or the measured LA90,10min (background) noise level plus 3 dB, whichever is the greater when measured at the at the properties listed in the Table.

Property	Approx OS Grid Coordinates
73 McAdam Way	229095, 609800
Alva, Kirkoswald Road	229159, 609600
Know View, Kirkoswald Road	228932, 609446

Details of any mitigation measures required so ensure that the above noise limits are met shall be submitted with the assessment and the wind turbine shall, thereafter, be operated in strict accordance with any approved mitigation.

- (31) Prior to first operation of the wind turbine the applicant shall submit and receive written of approval from the Council as Planning Authority for a protocol for investigating any noise complaints relating to the operation of the wind turbine.
- (32) 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.
- (33) That a timetable for implementation of the two proposed outdoor pitches shall be submitted for the prior written approval of the Council as planning authority before any work commences on site. For the avoidance of doubt both outdoor pitches shall be available for use within one year of occupation of the proposed school.
- (34) That before any work commences on site full details and specifications of surface water drainage for the entire red line application site including an overland flow strategy and how these drainage measures are to be maintained in perpetuity shall be submitted for the prior written approval of the planning authority in consultation with Ayrshire Roads Alliance Flooding Officer. For the avoidance of doubt these surface water drainage arrangements shall include both proposed outdoor pitches.

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 acceptable and sustainable manner
- (3) To ensure the site is drained in an acceptable and sustainable manner
- (4) To encourage sustainable means of travel, and to mitigate school related on-street parking.
- (5) To encourage sustainable means of travel, and to mitigate school related on-street parking
- (6) To encourage sustainable means of travel, and to prevent localised congestion.
- (7) In the interest of road safety and to ensure an acceptable standard of construction.
- (8) In the interest of road safety and to ensure an acceptable standard of construction.
- (9) In the interest of road safety.
- (10) In the interest of road safety and to avoid the discharge of water onto the public road.
- (11) For the purposes of road safety and the functional operation of the local road network.
- (12) For the purposes of road safety and the functional operation of the local road

- network.
- (13) In the interest of road safety and to ensure that there is adequate space for manoeuvring and turning.
 - (14) In the interest of road safety and to ensure adequate off-street parking provision.
 - (15) To ensure adequate provision of cycle parking on site, and encourage sustainable means of travel.
 - (16) In the interest of road safety
 - (17) In the interest of road safety and the safety of pupils and staff.
 - (18) In the interest of road safety
 - (19) In the interest of road safety
 - (20) In the interest of road safety
 - (21) In the interest of road safety
 - (22) To avoid noise disturbance in the interests of residential amenity.
 - (23) To ensure all contamination within the site is dealt with.
 - (24) To ensure that all contamination within the site is dealt with.
 - (25) In the interest of visual amenity in order to ensure that the species choice and planting methods are suitable for the site conditions and that the landscaped areas are adequately maintained to ensure establishment of the landscaping.
 - (26) In order to ensure the proper recovery and recording of any unknown archaeological resources within the site
 - (27) In order to ensure the proper recovery and recording of any unknown archaeological resources within the site
 - (28) In the interest of visual amenity, no such details having been supplied
 - (29) In order to protect trees within the site
 - (30) In the interest of residential amenity, in order to ensure that noise sensitive receptors are not adversely affected by noise generated by the proposed wind turbine
 - (31) In the interest of residential amenity
 - (32) In the interest of visual amenity
 - (33) In order to ensure no net loss of outdoor sports facilities.
 - (34) To ensure the site is drained in an acceptably sustainable manner and the drainage infrastructure is properly maintained. In order to ensure the development is protected against flooding in an acceptable manner.

Advisory Notes

(1) Ayrshire Roads Alliance

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.

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 any costs associated with the relocation of any street furniture shall require to be borne by the applicant / developer.

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.

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.

Please note that Roads Construction Consent (RCC) from the Council as Roads Authority shall be required for the formation of any new road. The formation of any new road shall require to comply with the specifications of the Council's National Roads Development Guide and Designing Streets as National Policy.

(2) Sustainable Development (Biodiversity)

The 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).

The works should not lead to contravention of the Habitats Directive / Conservation (Natural Habitats, &c.) Regulations 1994 (as amended).

The area of construction should 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.

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.

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.

Where possible the developer considers the inclusion of bird and bat boxes within the development.

If there are any woodland edges likely to provide important foraging habitat, where possible an experienced ecologist provides input to the lighting schemes so as not

to impact on foraging bats and provide darkened corridors for commuting and foraging.

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.

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.

Should any European EPS, including bats, be found either prior to or during the period of development then the need for EPS licensing should be reviewed.

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.

Where possible that any native hedgerows are retained, or replaced with native species hedgerow enhancements. This could consist of mostly hawthorn, with a mix of hazel, holly, dog rose, willow and elder.

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*). * Applicable to sites > 13km distance from Prestwick Airport.

All holes and excavations greater than 1 m deep should be covered whilst unattended to prevent animals falling in, or ramps should be used in order to provide a means of trapped species to escape. Where this is not possible these areas should be fenced off to prevent accidental entry.

The ends of any pipeline should be capped when unattended, or at the end of each working day to prevent animal access.

(3) Environmental Health

Construction Noise and Dust: 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.

Lighting: 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)

(4) SEPA

Authorisation is required under The Water Environment (Controlled Activities) (Scotland) Regulations 2011 (CAR) to carry out engineering works in or in the vicinity of inland surface waters (other than groundwater) or wetlands. Inland water means all standing or flowing water on the surface of the land (e.g. rivers, lochs, canals, reservoirs).

Management of surplus peat or soils may require an exemption under The Waste Management Licensing (Scotland) Regulations 2011. Proposed crushing or screening will require a permit under The Pollution Prevention and Control (Scotland) Regulations 2012. Consider if other environmental licences may be required for any installations or processes.

A Controlled Activities Regulations (CAR) construction site licence will be required for management of surface water run-off from a construction site, including access tracks, which:

- is more than 4 hectares,
- is in excess of 5km, or
- includes an area of more than 1 hectare or length of more than 500m on ground with a slope in excess of 25 degrees

See SEPA's Sector Specific Guidance: Construction Sites (WAT-SG-75) for details. Site design may be affected by pollution prevention requirements and hence we strongly encourage the applicant to engage in pre-CAR application discussions with a member of the regulatory services team in your local SEPA office. Below these thresholds you will need to comply with CAR General Binding Rule 10 which requires, amongst other things, that all reasonable steps must be taken to ensure that the discharge does not result in pollution of the water environment.

Details of regulatory requirements and good practice advice for the applicant can be found on the Regulations section of our website.

Any INNS present on site must be dealt with appropriately. SEPA Waste Policy provides guidance on the disposal of invasive non-native species and contaminated soils. Further information on invasive non-native species is available on our website.

Construction/demolition works associated with the development of the site must be carried out with due regard to the guidelines on avoidance of pollution. Reference

should be made to the relevant Guidance for Pollution Prevention (GPPs) and to the CIRIA publication C741 "Environmental Good Practice on Site Guide" and the associated pocket book C762.

Queries regarding this SEPA advisory note should be made to planning.sw@sepa.org.uk.

List of Determined Plans:

Drawing - Reference No (or Description): MAY-BDP-ZZ-XX-DR-A-PP001_00 Site Location Plan

Drawing - Reference No (or Description): MAY-BDP-ZZ-XX-DR-A-PP001_00 Site Location Plan

Drawing - Reference No (or Description): MAY-BDP-ZZ-XX-DR-A-PP002_00 Existing Block Plan

Drawing - Reference No (or Description): MAY-BDP-ZZ-XX-DR-A-PP003_02 Block Plan at Phase 1

Drawing - Reference No (or Description): MAY-BDP-ZZ-XX-DR-A-PP004_02 Overall Block Plan

Drawing - Reference No (or Description): MAY-BDP-ZZ-XX-DR-A-PP005_01 Interim Block Plan

Drawing - Reference No (or Description): MAY-BDP-01-EL-DR-A-PP001_03 Proposed Elevations Sheet 1

Drawing - Reference No (or Description): MAY-BDP-01-EL-DR-A-PP002_03 Proposed Elevations Sheet 2

Drawing - Reference No (or Description): MAY-BDP-01-LG-DR-A-PP100_03 Proposed LGF Plans

Drawing - Reference No (or Description): MAY-BDP-01-UG-DR-A-PP101_03 UGF Plans

Drawing - Reference No (or Description): MAY-BDP-01-01-DR-A-PP102_02 Level 01 Floor Plans

Drawing - Reference No (or Description): MAY-BDP-01-02-DR-A-PP103_02 Level 02 Floor Plans

Drawing - Reference No (or Description): MAY-BDP-01-SX-DR-A-PP001_03 Proposed Sections

Drawing - Reference No (or Description): MAY-BDP-01-SX-DR-A-PP002_03 Sections Sheet 2

Drawing - Reference No (or Description): MAY-BDP-01-RL-DR-A-PP104_03 Roof Plan

Drawing - Reference No (or Description): MAY-BDP-ZZ-XX-VS-A-P001_01 3D External View 1

Drawing - Reference No (or Description): MAY-BDP-ZZ-XX-VS-A-P002_01 3D External View 2

Drawing - Reference No (or Description): MAY-BDP-ZZ-XX-VS-A-P003_01 3D External View 3

Drawing - Reference No (or Description): MAY-BDP-ZZ-XX-VS-A-P004_01 3D External View 4

Drawing - Reference No (or Description): Existing Extension - GF

Drawing - Reference No (or Description): Existing Extension - 01

Drawing - Reference No (or Description): Existing Main Building - GF

Drawing - Reference No (or Description): Existing Main Building - 01

Drawing - Reference No (or Description): Existing PE Block

Drawing - Reference No (or Description): MAY-BDP-02-ZZ-DR-L-PP001_03 Site Plan Phase 1

Drawing - Reference No (or Description): MAY-BDP-02-ZZ-DR-L-PP002_03 Overall Site Plan

Drawing - Reference No (or Description): MAY-BDP-02-ZZ-DR-L-PP003_02 Proposed Site Sections

Drawing - Reference No (or Description): MAY-BDP-02-ZZ-DR-L-PP004_02 AWP Comparison

Drawing - Reference No (or Description): MAY-BDP-02-ZZ-DR-L-PP005_02 Landscape Plan Phase 1

Drawing - Reference No (or Description): MAY-BDP-02-ZZ-DR-L-PP006_02 Overall Landscape Plan

Drawing - Reference No (or Description): MAY-BDP-02-ZZ-DR-L-PP007_01 Wind Turbine Shadow Flicker

Drawing - Reference No (or Description): MAY-BDP-Z9-00-DR-A-PP001_02 Pavilion Floor Plans

Drawing - Reference No (or Description): MAY-BDP-Z9-EL-DR-A-PP001_02 Pavilion Elevations

Drawing - Reference No (or Description): MAY-BDP-Z9-SX-DR-A-PP001_02 Pavilion Sections

Drawing - Reference No (or Description): MAY-BDP-Z9-RL-DR-A-PP001_01 Pavilion Roof Plan

Other - Reference No (or Description): Design _ Access Statement

Other - Reference No (or Description): Transport Assessment

Other - Reference No (or Description): Vehicle Tracking Details

Other - Reference No (or Description): Site Investigation Report

Other - Reference No (or Description): Drainage Strategy Report

Other - Reference No (or Description): Flood Risk Assessment

Other - Reference No (or Description): MCC_AWP 8no. 15m 200 lux Flood Lighting Info

Other - Reference No (or Description): DWG 01_MCC_AWP 8no. 15m 200 lux Spill Ltg Spill Lighting Results

Other - Reference No (or Description): Mid Range Columns P9 Data Sheet

Other - Reference No (or Description): E-2PRM-001_00 Tech Draw for 15m

Other - Reference No (or Description): Opto Flood Data Sheet for Luminaire
 Other - Reference No (or Description): Wind Turbine Planning Supporting Pack
 Drawing - Reference No (or Description): 53878-1-Topo Sheet 1
 Drawing - Reference No (or Description): 53878-2-REV A Topo Sheet 2
 Drawing - Reference No (or Description): 53878-3 Rev A Topo Sheet 3
 Drawing - Reference No (or Description): 53878-4-REV A- Topo Sheet 4
 Drawing - Reference No (or Description): 53878 - 5 -REV A - Topo Sheet 5
 Drawing - Reference No (or Description): 53878 - 6 - REV A - Topo Sheet 6
 Other - Reference No (or Description): Phasing Strategy
 Other - Reference No (or Description): Noise Assessment Report
 Other - Reference No (or Description): Site Wide Lighting Strategy
 Drawing - Reference No (or Description): MAY-BHK-ZZ-ZZ-DR-C-04200 Phase 1 Sheet 1 P03
 Drawing - Reference No (or Description): MAY-BHK-ZZ-ZZ-DR-C0420 Phase 1 Sht 2 P04
 Drawing - Reference No (or Description): MAY-BHK-ZZ-ZZ-DR-C04202 Phase 1 sht 3 P04
 Drawing - Reference No (or Description): MAY-BHK-ZZ-ZZ-DR-C04203 Phase 1 sht 4 P04
 Drawing - Reference No (or Description): MAY-BHK-ZZ-ZZ-DR-C04204 Phase 2 sht 1 P02
 Drawing - Reference No (or Description): MAY-BHK-ZZ-ZZ-DR-C04205 Phase 2 sht 2 P04
 Drawing - Reference No (or Description): MAY-BHK-ZZ-ZZ-DR-C04206 Phase 2 sht 2 P04
 Drawing - Reference No (or Description): MAY-BHK-ZZ-ZZ-DR-C04207 Overland Flow P02

Reason for Decision (where approved):

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. Application form, plans and submitted documentation
2. Consultation Responses
3. Representations
4. Adopted South Ayrshire Local Development Plan
5. Modified Proposed Local Development Plan 2
6. Scottish Planning Policy
7. Application 19/01007/PAN

The meeting ended at 12.10 p.m.