

REGULATORY PANEL.

Minutes of meeting in County Buildings, Ayr and held remotely
on 6 October 2021 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 Brian McGinley and Margaret Toner.

Attending: K. Briggs, Service Lead – Legal and Licensing; A. McGuinness, Planning Co-ordinator;
and A. Gibson, Committee Services Officer;

Attending

Remotely: A. McGibbon, Supervisory Planner, D. Clark, Supervisory Planner; and K. Braidwood,
Ayrshire Roads Alliance.

Also

Attending

Remotely: Various applicants/agents and interested parties to address the Panel.

1. Opening Remarks.

The Chair confirmed to Members the procedures to conduct this meeting and advised that the meeting was being broadcast live.

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. **Applications for Planning Permission.**

There were submitted reports (issued) of September 2021 by the Director - Place on planning applications for determination.

The Panel decided as follows:-

- (1) **21/00614/PPP – SYMINGTON – Land at Knockendale Farm, C93 from B730 junction north-west of Bogend south-west to Brewlands Road, Symington, north-east from Symington** – Planning permission in principle for the erection of two dwellinghouses.

Decided: to approve the application, subject to the following conditions:-

- (a) that formal application(s) for the Approval of Matters Specified in Conditions shall be submitted to, and approved by, the Council before commencement of development. Such application(s) shall be made not later than three years from the date of this permission or, if later, within 6 months from when an earlier approval for the same matters was refused or dismissed on appeal. The proposed development shall commence within two years from the approval of the requisite Matters Specified in Condition application, or in the case of approval of different matters on different dates, from the requisite approval for the last such matter being obtained;
- (b) that full details of the proposed development, including the siting, design, external appearance, means of access, landscaping measures, and any other matters specified in conditions below, shall be submitted for the approval of the Planning Authority as outlined in Condition 1 of this planning permission;
- (c) that this planning permission in principle, subject to the specified planning conditions, relates to the plan(s) as listed below;
- (d) that at the Approval of Matters Specified in Conditions stage a design statement shall be submitted which demonstrates how the design and siting of the development takes cognisance of the character of the surrounding area. The design statement shall have cognisance of the Council's supplementary guidance in relation to Rural Housing and/ or any subsequent document prepared by the Council in relation to rural housing;
- (e) that at the Approval of Matters Specified in Conditions stage details shall be submitted of the proposed house which shall not exceed one and a half storeys in height with the wall-head not extending above ground level ceiling level;
- (f) that the proposed access shall be constructed in accordance with the specifications in the Council's National Roads Development Guide. The access shall be constructed, as approved, prior to completion of the development;
- (g) that the private access shall be surfaced for a minimum of 5 metres as measured from the rear of the public roadway, prior to occupation. Precise detail and specifications of the required surfacing 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;

- (h) that junction access visibility sightline splays of 2.4 metres by 215 meters shall be maintained in both directions at the junction with the public road and vegetation at the location shall be cut back to provide for this. There shall be no obstacle greater than 1.05 metres in height within the visibility sightline splays;
- (i) 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;
- (j) that off-road parking spaces shall be provided within the existing site boundary to satisfy provision levels as defined within the Council's adopted National Roads Development Guide, with parking layouts designed to comply with the guidance set out in the National Roads Development Guide, and within the Designing Streets publication as National Policy;
- (k) that integral or detached garages within the curtilage of a property intended to form part of the parking provision for the dwelling shall have internal garage dimensions of a minimum of 7m x 3m, per vehicle;
- (l) that notwithstanding the plans hereby approved, the rear (southern) boundary of the application site shall be delineated by way of hedging, the details of which shall be submitted the at the Approval of Matters Specified in Conditions stage; and
- (m) that at the Approval of Matters Specified in Conditions stage details shall be submitted of the proposed Sustainable Urban Drainage Systems (SUDS) which shall be prepared in accordance with the provisions of Scottish Environment Protection Agency (SEPA) Guidance Note No.8.

Reasons:

- (a) to be in compliance with Section 59 of The Town and Country Planning (Scotland) Act 1997 as amended by section 21 of the Planning Etc. (Scotland) Act 2006;
- (b) to be in compliance with Section 59 of The Town and Country Planning (Scotland) Act 1997 as amended by section 21 of the Planning Etc. (Scotland) Act 2006;
- (c) to clarify the extent of the planning permission and to be in compliance with Section 59 of The Town and Country Planning (Scotland) Act 1997 as amended by section 20 of the Planning etc. (Scotland) Act 2006;
- (d) in order to retain the rural character and amenity of the area;
- (e) in the interest of visual amenity, and so as to retain the rural character and setting of the locality;
- (f) In the interest of road safety and to ensure an acceptable standard of construction;
- (g) in the interest of road safety and to ensure an acceptable standard of construction;
- (h) in the interest of road safety and to ensure an acceptable standard of construction. To avoid the possibility of unnecessary reversing of vehicles onto the public road;
- (i) in the interest of road safety and to avoid the discharge of water onto the public road;
- (j) in the interest of road safety and to ensure adequate off-street parking provision;

- (k) in the interest of road safety and to ensure adequate off-street parking provision;
- (l) in the interest of visual amenity, and so as to retain the rural character and setting of the locality; and
- (m) to ensure the site is drained in an acceptably sustainable manner and the drainage infrastructure is properly maintained.

Advisory Notes:

- 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.

List of Determined Plans:

Drawing - Reference No (or Description): EX(00)003;
 Drawing - Reference No (or Description): EX(00)004; and
 Drawing - Reference No (or Description): L(00)005.

Reason for Decision:

The principle of the development hereby approved can be justified in terms of the development plan, and subject to appropriate conditions and the submission of application(s) for the Approval of Matters Specified in Conditions, there is no significant adverse impact on the amenity of neighbouring land and buildings.

In terms of Council Standing Order No. 13.3, the Panel agreed to vary the order of business as hereinafter minuted.

(2) [21/00370/APPM](#) – MAYBOLE – Land at Crosshill Road – Erection of residential development.

Decided: to approve the application, subject to the following conditions:-

- (a) that the development hereby granted shall be implemented in accordance with the approved plan(s) as listed below and as forming part of this permission unless a variation required by a condition of the permission or a non-material variation has been agreed in writing by the Planning Authority.
- (b) prior to the commencement of development, a phasing plan setting out the sequence of construction of the land engineering works, roads, parking areas, hard and soft landscaped areas, public open spaces, equipped play area, footpaths and SUDS features shall be submitted to and approved by the planning authority. The construction of the development shall thereafter proceed in accordance with the approved phasing plan, and no item shall be omitted, unless the prior written permission of the planning authority is received for an amendment to the approved phasing plan.
- (c) 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;

- i) retention of existing hedging as far as possible along eastern boundary,
 - ii) details of planting within the open space area to the north east of the site along the rear property boundaries to minimise the impact of the development on St John's Cottage,
 - iii) details of perimeter buffer landscape planting along the eastern boundary of the site, and
 - iv) the use of native nectar rich species and fruiting species. These might include Blackthorn (*Prunus spinosa*), Crab apple (*Malus sylvestris*), Elder (*Sambucus nigra*), Hawthorn (*Crataegus monogyna*), Hazel (*Corylus avellana*), Holly (*Ilex aquifolium*), Rowan (*Sorbus aucuparia*) and Silver birch (*Betula pendula*);
- (d) the landscaping scheme approved under condition 3 of this permission shall be implemented in a phased manner concurrent with construction of the housing. Prior to the commencement of development, a landscaping phasing plan shall be submitted to and approved by the Planning Authority. Unless otherwise agreed in writing with the Planning Authority, the scheme as approved shall be implemented within the first planting season following the completion or occupation of the last house within the relevant phase of the development, whichever is the sooner;

- (e) prior to the occupation of the first house a maintenance schedule for all areas to be landscaped in accordance with the details approved under conditions 3 and 4 of this permission shall be submitted to and approved by the Planning Authority. The landscaped areas shall be maintained for a period of five years from the date of completion of the landscaping within the relevant phase of the development;
- (f) that the detailed arrangements for complying with the Council's Supplementary Planning Guidelines 'Open Space and Designing New Residential Developments' through the provision of toddler play facilities on site and the upgrading of play facilities within the nearby Glebe Park shall be submitted for the prior written approval of the planning authority before any works start on site. For the avoidance of doubt this shall involve the payment of a commuted sum in relation to the off-site play provision within Glebe Park;
- (g) that a performance bond or alternative financial mechanism, agreed by the Council, covering the cost of the landscaping of the development, as approved under conditions 3 and 4 of this permission and play facility scheme as approved under condition 6 of this permission, shall be submitted to, approved in writing by the planning authority and executed before any works commence within the relevant phase. For the purposes of calculating the landscape bond quantum, details of the landscaping works to be implemented within areas that are to be maintained by a factor, including the total length of hedging; the species, number and size of all plants to be included within the areas of shrub and herbaceous planting; the species, size and number of trees and details of ground preparation methods, topsoil quality & depth, planting methods, hole sizes and other materials such as mulches and stakes shall be submitted to the planning authority;
- (h) that notwithstanding the plans hereby approved and prior to commencement of development, phasing details of the footbridge installation shall be submitted to the Planning Authority for written approval;
- (i) no ground or vegetation clearance works shall be undertaken outwith the main bird nesting season (March to August inclusive), unless the development site has been inspected by a suitably experienced ecologist, before work commences, to determine the presence of any nesting birds;
- (j) that no development shall take place within the development site as outlined in red on the approved plan until the developer has secured the implementation of a programme of archaeological works in accordance with a written scheme of investigation which has been submitted to, and approved by the Planning Authority, in agreement with the West of Scotland Archaeology Service. Thereafter the developer shall ensure that the programme of archaeological works is fully implemented and that all recording and recovery of archaeological resources within the development site is undertaken to the satisfaction of the Planning Authority in agreement with the West of Scotland Archaeology Service;
- (k) 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;

- (l) 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;
- (m) prior to occupation of the first dwelling within the development a Residential 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 Travel Pack shall include information on walking, cycling and public transport facilities and services within the vicinity of the development sites, including journey times by sustainable modes of transport to key local destinations. The Travel Pack shall be distributed to all new residents within the development;
- (n) that all new roads infrastructure associated with the development shall be designed and constructed to adoptable standards, as specified by the Council's National Roads Development Guide, and take full cognisance of the principles of Designing Streets as National Policy. The precise details and specifications of all new roads infrastructure shall be submitted for the written approval of the Council as Planning Authority (in consultation with the Council as Roads Authority), prior to commencement of work on site;
- (o) that junction access visibility sightline splays of 2.4 metres by 60.0 metres 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;
- (p) 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;
- (q) 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;
- (r) that off-road parking spaces for all house types shall be provided within the existing site boundary to satisfy provision levels as defined within the SCOTS National Roads Development Guide, as adopted by the Council. Details of parking layouts designed to comply with the guidance set out in the National Roads Development Guide shall be submitted for the prior written approval of the Council as Planning Authority (in consultation with the Council as Roads Authority);
- (s) that integral or detached garages within the curtilage of a property intended to form part of the parking provision for the dwelling shall have internal garage dimensions of a minimum of 7m x 3m, per vehicle;

- (t) that designated bin collection points shall be located a maximum of 15 metres from the public carriageway, before occupation of the development. Details and specification of the siting and design of bin collection points shall be submitted for the prior written approval of the Council as Planning Authority (in consultation with the Council as Roads Authority) prior to the commencement of work on site;
- (u) no construction work shall be carried out on any phase of the development unless and until an effective vehicle wheel washing facility has been installed in accordance with details that shall be submitted for the written approval of the Council as Roads Authority prior to its installation, if required for that phase. When required, such facility shall be retained in working order and used such that no vehicle shall leave the site carrying earth and mud in their wheels in such a quantity which will cause a nuisance or hazard to the road system in the locality;
- (v) that prior to the commencement of development, the applicant/ developer shall submit a Construction Traffic Management Plan (CTMP) for the written approval of the Planning Authority, in consultation with the Council as Roads Authority. The plan shall provide all relevant information pertaining to traffic implications associated with construction, including details of the methodology for the movement of construction traffic to and from the site. The CTMP shall require the agreement of the Council as Planning Authority prior to any movement of construction traffic associated with the site;
- (w) a Sustainable Urban Drainage System (SUDS) design for the site shall be approved and implemented prior to the occupation of the first dwelling;
- (x) that prior to the commencement of work, details of the proposed landscaping scheme, signage and fencing associated with the SUDS areas shall be submitted for the written approval of the Planning Authority. Thereafter the management and aftercare of the scheme shall be carried out in accordance with these approved details to the satisfaction of the Planning Authority;
- (y) that prior to the commencement of work, details of earthworks and soil storage arrangements within the site shall be submitted to and approved by the Planning Authority. Such details shall confirm the location and height of any storage bunds;
- (z) that any proposed discharge of surface water to the water environment shall be in accordance with the principles of the CIRIA SUDS Manual (C753) and compliant with Sewers for Scotland v4.0; and
- (aa) that all surface water runoff up to a 1 in 200 event plus climate change shall be retained on the development site prior to release at agreed rates to the water environment in accordance with details to be submitted to and approved by the Planning Authority before work commences on site.

Reasons:

- (a) to ensure that the development is carried out in accordance with the approved plans unless otherwise agreed;
- (b) to ensure that all elements of the proposed development are provided at an appropriate stage in the development in the interest of the proper planning of the area;
- (c) in the interests of visual amenity and to ensure a satisfactory standard of local environmental quality;
- (d) to ensure the approved landscaping details are implemented at an appropriate time and no areas are left in an unsatisfactory condition in respect to landscaping for an unacceptable length of time in the interest of visual amenity;
- (e) to ensure that the approved landscaping details are properly maintained for a sufficient length of time to ensure that all areas of planting are established in the interest of visual amenity;
- (f) in the interests of the proper planning of the area and to ensure that the proposed development is in compliance with the Council's Supplementary Planning Guidelines 'Open Space and Designing New Residential Developments' through the provision or upgrading of play facilities within the nearby area;
- (g) to ensure that the approved landscaping is implemented in the event that the developer is unable to complete the development;
- (h) to ensure that this element of the proposed development is provided at an appropriate stage in the development in the interest of the proper planning of the area;
- (i) in the interest of nature conservation;
- (j) to establish whether there are any archaeological interests on this site and allow for archaeological excavation and recording;
- (k) in the interests of visual and residential amenity;
- (l) in the interests of visual amenity;
- (m) to encourage sustainable means of travel;
- (n) in the interest of road safety and to ensure an acceptable standard of construction;
- (o) in the interest of road safety and to ensure an acceptable standard of construction. To avoid the possibility of unnecessary reversing of vehicles onto the public road;
- (p) in the interest of road safety and to avoid the discharge of water onto the public road;
- (q) in the interest of road safety and to ensure that there is adequate space for manoeuvring and turning;
- (r) in the interest of road safety and to ensure adequate off-street parking provision;
- (s) in the interest of road safety and to ensure adequate off-street parking provision;
- (t) in the interest of road safety;
- (u) in the interest of road safety;
- (v) In the interest of road safety;
- (w) to ensure the site is drained in an acceptable and sustainable manner;
- (x) in the interests of visual amenity;
- (y) in the interests of visual amenity and to protect the soil resource within the site;
- (z) to ensure the site is drained in an acceptable and sustainable manner; and
- (aa) to ensure the site is drained in an acceptable and sustainable manner.

Advisory Notes:

- (1) Please note that work should be undertaken in compliance with legislation and guidance relating to Scottish Environment Protection Agency (SEPA) Guidance Note No.8 which can be found at the website of SEPA as follows: www.sepa.org.uk
- (2) The Council as Roads Authority advises that all works on the carriageway to be carried out in accordance with the requirements of the Transport (Scotland) Act 2005 and the Roads (Scotland) Act 1984.
- (3) 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.
- (4) 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.
- (5) 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.
- (6) 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.
- (7) 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.
- (8) The Council as Roads Authority advises that prior to the commencement of works to construct any new or amended roads infrastructure; a Stage 2 Road Safety Audit in compliance with HD 19/03 of the Standard for Highways Design Manual for Roads and Bridges shall be completed and submitted for the prior written approval of the Council as Roads Authority. This applies to all proposed new roads and any alterations to existing roads carried out under a Section 56 Agreement with the Council as Roads Authority & the applicant.
- (9) The Council as Roads Authority advises that a Stage 3 Road Safety audit in compliance with HD 19/03 of the Standard for Highways Design Manual for Roads and Bridges should be submitted for the prior written approval of the Council as Roads Authority prior to the occupation of the first dwelling, unless an alternative time period is approved. This applies to all proposed new roads and any alterations to existing roads carried out under a Section 56 Agreement with the Roads Authority & the applicant. The requirement to complete a Road Safety Audit includes for addressing the recommendations contained within the audit report.
- (10a) 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).
- b) 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).

- c) 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.
 - d) 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.
 - e) 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.
 - f) Where possible the developer considers the inclusion of bird and bat boxes within the development.
 - g) 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.
 - h) 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.
 - i) Should any European EPS be found either prior to or during the period of development then the need for EPS licensing should be reviewed.
 - j) 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.
 - k) 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 escape. Where this is not possible these areas should be fenced off to prevent accidental entry.
 - l) Pipe work etc. if stored in the open, should be capped or sealed or blocked up during storage so as to prevent it being used by animals.
- (11) 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).
- (12) 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 licenses may be required for any installations or processes.

- (13) 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 it is strongly encouraged to engage in pre-CAR application discussions with a member of the regulatory services team in your local SEPA office.
- (14) Details of regulatory requirements and good practice advice can be found on the Regulations section of the SEPA website. If you are unable to find the advice you need for a specific regulatory matter, please contact a member of the regulatory services team in your local SEPA office at: 31 Miller Road, Ayr, KA7 2AX Tel: 01292 294000.

List of Determined Plans:

- Drawing - Reference No (or Description): L(02)111 Elevations;
 Drawing - Reference No (or Description): L(02)211[;
 Drawing - Reference No (or Description): L(02)311;
 Drawing - Reference No (or Description): L(02)611;
 Drawing - Reference No (or Description): L(02)711;
 Drawing - Reference No (or Description): L(02)811;
 Drawing - Reference No (or Description): Section 1-1 Footbridge Section;
 Drawing - Reference No (or Description): 2A/12/0190 X;
 Drawing - Reference No (or Description): A3 MDS 33 GA Rev C;
 Drawing - Reference No (or Description): EBD269_340_1 of 1;
 Drawing - Reference No (or Description): PRJ012760-DRA-3001;
 Drawing - Reference No (or Description): L(02)111 Floor Plans;
 Drawing - Reference No (or Description): Indicative Layout Detail (Pumping Station);
 Drawing - Reference No (or Description): EBD269_100_Tunnoch Farm, Maybole_1 of 1 Revision A;
 Drawing - Reference No (or Description): 19325-SK-14;
 Drawing - Reference No (or Description): 19325-SK-15;
 Other - Reference No (or Description): Garden Area Statistics Revision A;
 Other - Reference No (or Description): Design and Access Statement;
 Other - Reference No (or Description): Flood Risk Assessment[;
 Other - Reference No (or Description): Ecological Constraints Survey;
 Other - Reference No (or Description): Transportation Assessment;
 Drawing - Reference No (or Description): L(01)211;
 Drawing - Reference No (or Description): L(00)001;
 Drawing - Reference No (or Description): L(00)002;
 Drawing - Reference No (or Description): L(00)103;
 Drawing - Reference No (or Description): L(01)311;
 Drawing - Reference No (or Description): L(01)611;
 Drawing - Reference No (or Description): L(01)711; and
 Drawing - Reference No (or Description): L(01)811.

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.

(3) [21/00756/APP](#) – TROON – 130 BENTINCK DRIVE – Erection of a dwellinghouse.

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

- (a) that the development proposal is contrary to the provisions of the South Ayrshire Local Development Plan, specifically LDP Policy: Sustainable Development and LDP Policy: Residential Development within Settlements, Release Sites and Windfall Sites, by reason that the application site is not sympathetic or characteristic of the locale, which is characterised by a sense of spaciousness derived from the pattern of development, the generously proportioned plots and the low density of development. Consequently, the development of the site is considered to introduce a discordant feature which would disrupt the existing spacious relationship between buildings and open space, and interrupt and unbalance the open aspect and balanced rhythm of the streetscene at this location, to the detriment of the visual amenity of the locality, resulting in over-development and suburbanisation of the site, and the new dwellinghouse and the properties at 130 and 130A Bentinck Drive being sited in significantly smaller plots than that which is typical of the immediate area;
- (b) that the development proposal is contrary to the provisions of South Ayrshire Local Development Plan, specifically LDP Policy: Historic Environment, and the provisions of the Historic Environment Policy for Scotland, in that the proposed development will have an adverse impact on the character and setting of the category C listed building at 130/130A Bentinck Drive and Troon Conservation Area by virtue of the locale not being characterised by infill developments, and the proposals result in a plot which is not sympathetic or characteristic of the locale, which is characterised by a sense of spaciousness derived from the pattern of development, the generously proportioned plots and the low density of development. Consequently, the development of the site is considered to introduce a discordant feature which would disrupt the existing spacious relationship between buildings and open space, and interrupt and unbalance the open aspect and balanced rhythm of the streetscene at this location, to the detriment of the character, setting and visual amenity of the locale, resulting in over-development and suburbanisation of the site, and the proposed dwellinghouse and 130/130A Bentinck Drive being sited in significantly smaller plots than that which is typical of the immediate area;

- (c) that development of the application site is contrary to Scottish Planning Policy objectives in relation to Sustainability and Placemaking in so far as the proposal will erode the distinctiveness of the site and its townscape setting, creates a plot which is not sympathetic or characteristic of the locality which is characterised by sense of spaciousness derived from the pattern of development, the generously proportioned plots and the low density of development. Consequently, the development of the site is considered to introduce a discordant feature which would disrupt the existing spacious relationship between buildings and open space, and interrupt and unbalance the open nature and balanced rhythm of the streetscene at this location, to the detriment of the visual amenity of the locality, resulting in over-development and suburbanisation of the site, and the proposed dwellinghouse and 130/130A Bentinck Drive being sited in significantly smaller plots than that which is typical of the immediate area; and
- (d) that the development proposal is contrary to the provisions of the South Ayrshire Local Development Plan, specifically LDP Policy: Sustainable Development and LDP Policy: Residential Development within Settlements, Release Sites and Windfall Sites, by reason that the proposed dwellinghouse would be detrimental to the amenity of 130 and 130A Bentinck Drive to the north by reason of loss of light and the proximity of the proposed dwellinghouse to existing windows, thereby creating an unacceptable sense of enclosure.

List of Determined Plans:

Drawing - Reference No (or Description): LP;
Drawing - Reference No (or Description): PL01;
Drawing - Reference No (or Description): PL02;
Drawing - Reference No (or Description): PL03;
Drawing - Reference No (or Description): PL04;
Drawing - Reference No (or Description): PL05;
Drawing - Reference No (or Description): PL06; and
Drawing - Reference No (or Description): PL07

The meeting ended at 11.15 a.m.