

**SOUTH AYRSHIRE COUNCIL (SPECIAL).**

Minutes of special meeting in County Buildings, Wellington Square, Ayr,  
on 15th February 2010 at 11.20 a.m.

- Present: Councillors Winifred Sloan (Provost), John Allan, Andy Campbell, Douglas Campbell, Peter Convery, Ian Douglas, Stan Fisher, Ian Fitzsimmons, Ann Galbraith, Bill Grant, John Hampton, Hugh Hunter, Mary Kilpatrick; Elaine Little, Mairi Low, John McDowall, Nan McFarlane, Bill McIntosh, Helen Moonie, Alec Oattes, Mike Peddie and Margaret Toner.
- Apologies: Councillors Eddie Bulik, Ian Cavana, Brian Connolly, Hywel Davies, Sandra Goldie, Robin Reid, Philip Saxton and Tom Slider.
- Attending: J.G. Peterkin, Depute Chief Executive and Executive Director - Development and Environment; V. Andrews, Head of Legal and Administration; M. Newall, Head of Planning and Enterprise; C. Monaghan, Head of Policy, Performance and Communication; D. Robertson, Public Communications Manager; C. Cox, Planning Manager; C. Parish, Priority Projects Team Leader; G. Fiddes, Supervisory Engineer (Transportation); C. Bradshaw, Assistant Public Communications Officer; and A. Gibson, Committee Administrative Officer.

**1. Provost's Remarks.**

The Provost

- (1) welcomed everyone present to this special meeting of the Council; and
- (2) advised that Councillor McIntosh, seconded by Councillor McFarlane, had submitted an Emergency Motion regarding the Ministry of Defence and the Department of Transport announcement to transfer the UK's Search and Rescue Helicopter (SAR-H) operations to a private consortium, Soteria as part of a £7 billion contract and that this matter would be taken immediately after the application for planning permission.

**2. Declaration of Interest.**

Councillors Grant and McIntosh declared an interest in the following planning application in view of their SPT Board roles as nominees of this Council and withdrew for consideration of the following planning application:-

**3. Application for Planning Permission – Land at Kilmarnock Road, Monkton (Ref: 09/00814/OUT).**

Following consideration of the outline planning application for the formation of a Park and Ride Facility on land at Kilmarnock Road, Monkton at a pre-determination hearing held by the Regulatory Panel (Special) (Page 127, paragraph 3), immediately prior to this meeting, the Provost advised that the application would now be determined by this special meeting of the Council.

**Decided:** to agree that the Depute Chief Executive and Executive Director – Development and Environment be given delegated powers to approve the application, subject to referral of the application to Scottish Ministers and the following conditions:-

- (1) 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 six 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;
- (2) 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;
- (3) that this planning permission in principle, subject to the specified planning conditions, relates to the plan(s) as listed below;
- (4) that at the formal application for the Approval of Matters Specified in Conditions, the detailed plans for the approval of the Planning Authority shall include suitably scaled block layout plans showing existing ground levels and proposed ground levels and cross-sections of the site. These details shall respect the existing topography of the site wherever possible and provide a parking layout which is formed at different levels in a terraced layout as appropriate to take account of the different levels across the site;
- (5) that in terms of condition (1) above, at the formal application for Approval of Matters Specified in Conditions a detailed landscaping scheme shall be submitted to the Planning Authority for the prior approval of the Planning Authority, which shall include a buffer strip of 2 metres either side of the hedgerow onto Kilmarnock Road where it is possible to retain the hedgerow, maximising and gapping up of the existing hedgerow, and the provision of a new hedgerow behind the visibility sightline splays with a landscaped buffer strip of 2 metres either side of the new hedgerow, where the existing hedgerow is to be removed along the Kilmarnock Road frontage. In addition this landscaping scheme shall include detailed landscape plans at a recognised metric scale. 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 square metre. 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. The landscaping scheme shall include the proposed maintenance schedule in accordance with paragraph 9.15 of the Environmental Statement. The scheme as approved shall be implemented within six months or the first planting season following the completion or occupation of the development, whichever is the sooner;

- (6) that details shall be submitted at the stage of the formal application for Approval of Matters Specified in Conditions for the approval of the Planning Authority of the condition of all trees within the site. If no felling of trees is to take place, no further information is required in terms of this condition. Following approval of that planning application, if there is any tree to be subject to arboricultural treatment this is checked, by an independent qualified bird surveyor, prior to any work being undertaken for both breeding/roosting birds in accordance with paragraph 9.54 of environmental statement;
- (7) that details shall be submitted at the stage of the formal application for Approval of Matters Specified in Conditions for the approval of the Planning Authority to specify which if any trees require to be felled within the red line site or buffer zone. If no felling of trees is to take place, no further information is required in terms of this condition. If felling of trees is to be carried out either within the application site or within the 50 metre buffer zone of the site, a detailed bat survey undertaken by an independent qualified bat surveyor shall be carried out of each tree to be felled, and this survey shall be submitted to the Planning Authority prior to any works being undertaken. In addition, if there is a significant delay between the survey and the inspection another survey may be required by the Planning Authority to be undertaken before commencement of any arboricultural works take place, in accordance with paragraph 9.37 of the environmental statement, to ensure compliance with EC Habitats Directive, which is transposed into domestic law through the Conservation (Natural Habitats, &c.) Regulations 1994; The Conservation (Natural Habitats, &c.) Amendment (Scotland) Regulations 2007; Wildlife & Countryside Act 1981 as amended by the Nature Conservation (Scotland) Act 2004;
- (8) that details shall be submitted at the stage of the formal application for Approval of Matters Specified in Conditions for the approval of the Planning Authority of the lighting proposals which incorporate the mitigation methods as recommended in paragraph 12.16 of the environmental statement;
- (9) that details shall be submitted at the stage of the formal application for Approval of Matters Specified in Conditions for the approval of the Planning Authority of the proposals to ensure that access to the woodland strip is prohibited, in accordance with paragraphs 9.126 and 9.133 of the environmental statement;
- (10) that details shall be submitted at the stage of the formal application for Approval of Matters Specified in Conditions for the approval of the Planning Authority of a best practice method statement for both the construction and operational phases of this development be produced and implemented in relation to sediment loading and the creation of the SUDS outfall, as per 9.133 and 9.149 of the environmental statement;

- (11) that details shall be submitted at the stage of the formal application for Approval of Matters Specified in Conditions for the approval of the Planning Authority of the proposals to remove any scrub, hedge and/or vegetation. Thereafter any removal of any scrub, hedge and or vegetation (including grassland) shall be undertaken outwith the breeding bird season March to July inclusive, and that it is checked, by an independent qualified bird surveyor for roosting birds prior to any work being undertaken in accordance with paragraphs 9.134, 9.147, 9.148, and 9.54 of the environmental statement. If work is essential during this period a survey and inspection of any and all possible nesting areas must be undertaken to make certain that no nests are occupied, disturbed and or destroyed. If breeding birds are found, work shall cease until the breeding period ends;
- (12) that in relation to condition (3) above relating to the submission of a landscaping scheme at the submission stage of the formal application for Approval of Matters Specified in Conditions for the approval of the Planning Authority, the landscaping in relation to the woodland, native hedgerow trees, clipped mixed species hedgerow and SUDS margins shall be in accordance with the landscape drawing 1746/01 as detailed in paragraph 9.129 of the environmental statement and that the specific plant species detailed in 9.147 of the environmental statement, to assist in the mitigation of the development, be incorporated into the landscape plans;
- (13) that in relation to condition (3) above relating to the submission of a landscaping scheme at the submission stage of the formal application for Approval of Matters Specified in Conditions for the approval of the Planning Authority, the applicant shall provide further landscaping details in relation to amenity grass, rough grass and meadow grass areas in accordance with paragraphs 9.51, 9.62, 9.80, 9.81, and 9.137 of the environmental statement;
- (14) that surface water from the site shall be treated in accordance with the principles of the Sustainable Urban Drainage Systems (SUDS) Manual published by CIRIA in March 2007. At the formal application for the Approval of Matters Specified in Conditions stage and for the approval of the Planning Authority full details of the methods to be employed, following discussions with SEPA, and including where appropriate calculations, along with details of how these measures shall be maintained in perpetuity and shall be submitted for the formal prior written approval of the Planning Authority before any work commences on site;
- (15) that details shall be submitted at the formal application for the Approval of Matters Specified in Conditions stage for the approval of the Planning Authority of the proposed measures to be taken to ensure that the drainage from the site is designed so that the Dow's Burn is free from pollution both during construction and during the operation of the car park;
- (16) that at the formal application for the Approval of Matters Specified in Conditions stage for the approval of the Planning Authority, a fully completed Drainage Impact Assessment form shall be submitted to and approved by the Planning Authority in consultation with Scottish Water;

- (17) that at the formal application for the Approval of Matters Specified in Conditions stage for the approval of the Planning Authority, details shall be submitted of proposals for the provision of an oil interceptor on the site for use prior to discharge to the public sewer and /or SUDS arrangements as referred to in condition (14) above. No substance shall be discharged to the public sewerage system that is likely to interfere with the free flow of its content, have detriment to treatment/disposal of their contents, or be prejudicial to health;
- (18) that at the formal application for the Approval of Matters Specified in Conditions stage, further details shall be submitted for the approval of the Planning Authority in consultation with SEPA, of an assessment of local air quality in terms of the objectives outlined in the Local Air Quality Management Technical Guidance 2009 and NSCA Guidance;
- (19) that at the formal application for the Approval of Matters Specified in Conditions stage for the approval of the Planning Authority, details shall be submitted of all lighting proposals within the site for the construction stage of development and on operation of the facility for the approval of the Planning Authority in consultation with Prestwick Airport. The individual lighting columns shall be no more than 8 metres in height to the satisfaction of the Planning Authority;
- (20) that this development shall not operate as a long stay car park and shall close outwith operating hours and at the formal application for the Approval of Matters Specified in Conditions stage, details shall be submitted of the operational hours of the proposed facility for the approval of the Planning Authority;
- (21) that should any cranes be proposed to be used during the construction stage, details shall be submitted at the formal application for the Approval of Matters Specified in Conditions stage to be approved by the Planning Authority in consultation with Prestwick Airport;
- (22) that in terms of condition (4) above, at the formal application for the Approval of Matters Specified in Conditions stage for the approval of the Planning Authority, details shall be submitted of the measures proposed to minimise the attraction of birds to the area and the provision closed waste bins for the approval of the Planning Authority in consultation with Prestwick Airport;
- (23) that at the formal application for the Approval of Matters Specified in Conditions stage, details shall be submitted for the approval of the Planning Authority of the provision of profilers, traffic loops, counter cabinets, posts, batteries, connectors and solar panels within the site boundaries and at Kilmarnock Road. Precise details of the siting and specifications of the count sites shall be submitted for the formal prior written approval of the Planning Authority and Roads Authority before any work commences on site;

- (24) that at the formal application for the Approval of Matters Specified in the Conditions stage, for the approval of the Planning Authority, plans shall be provided for signing and lining, in accordance with the Traffic Signs Regulations and General Directions 2002, between the development and National Cycle Network Route 7, and the development and the A77 cycle route. A detailed plan showing the design and specification to a scale not less than 1:500 shall be submitted for the prior written approval of the Planning Authority before any work commences;
- (25) that at the formal application for the Approval of Matters Specified in the Conditions stage, the applicant shall provide details for the approval of the Planning Authority for a minimum car parking of 4 no. spaces plus 4% of total number for disabled people;
- (26) that at the formal application for the Approval of Matters Specified in the Conditions stage for the approval of the Planning Authority, details shall be submitted for the internal road layout and location of accesses with the public road network. A detailed plan showing the design and specification to a scale not less than 1:500 shall be submitted for the prior written approval of the Planning Authority before any work commences;
- (27) that at the formal application for the Approval of Matters Specified in the Conditions stage, plans shall be submitted for the approval of the Planning Authority, to provide for a right hand turning facility into the development from Kilmarnock Road in accordance with Design Manual for Roads and Bridges Volume 6 Section 2 Part 6 TD 42/95. A detailed plan showing the design and specification to a scale not less than 1:500 shall be submitted for the prior written approval of the Planning Authority before any work commences;
- (28) that at the formal application for the Approval of Matters Specified in the Conditions stage, details shall be submitted for the approval of the Planning and Roads Authority of the signing strategy, in consultation with Transport Scotland. A detailed plan showing the design and specification to a scale not less than 1:500 shall be submitted for the prior written approval of the Planning Authority before any work commences;
- (29) that at the formal application for the Approval of Matters Specified in the Conditions, details shall be submitted for the approval of the Planning Authority for the servicing of the reception building. A detailed plan showing the design and specification to a scale not less than 1:500 shall be submitted for the prior written approval of the Planning Authority before any work commences;
- (30) that at the formal application for the Approval of Matters Specified in the Conditions, details shall be submitted for the approval of the Planning Authority of raised boarding facilities to be provided at all bus stops within the site boundaries. Precise details of the siting and specifications of the required boarding facilities shall be submitted for the formal prior written approval of the Planning Authority before any work commences on site;

- (31) that at the formal application for the Approval of Matters Specified in the Conditions, details shall be submitted for the approval of the Planning Authority of secure barriers to be provided at all accesses and egresses to the car parks. Precise details of the siting and specifications of the gates / barriers shall be submitted for the formal prior written approval of the Planning Authority before any work commences on site;
- (32) that prior to completion of the development any barriers shall not open onto the public roadway;
- (33) that at the formal application for the Approval of Matters Specified in the Conditions, details shall be submitted for the approval of the Planning Authority of junction access visibility sightline splays of 9.0 metres by 120.0 metres and these shall be maintained in both directions at the junction with the public road at all times. There shall be no obstacle greater than 1.05 metre in height within the visibility sightline splays;
- (34) that at the formal application for the Approval of Matters Specified in the Conditions stage, the plans for the access/egress arrangements for the facility shall be submitted for the approval of the Planning Authority. The plans shall incorporate an engineering solution to discourage cars from turning right from the development onto Kilmarnock Road in the direction of the village of Monkton. A detailed plan showing the design and specification to a scale not less than 1:500 shall be submitted for the prior written approval of the Planning Authority before any work commences;
- (35) that at the formal application for the Approval of Matters Specified in the Conditions, details shall be submitted for the approval of the Planning Authority of provision of parking bays which shall be a minimum 5 metres x 2.5 metres with minimum aisle widths of 6 metres;
- (36) that at the formal application for the Approval of Matters Specified in the Conditions, details shall be submitted for the approval of the Planning Authority of the provision for cycle stands accommodating a minimum of 25 cycles within the site boundaries. Precise details of the siting and specifications of the required cycle stand shall be submitted for the formal prior written approval of the Planning Authority before any work commences on site;
- (37) 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; and
- (38) that at the formal application for the Approval of Matters Specified in the Conditions stage, a comprehensive traffic management proposal shall be submitted, to include designated construction traffic routes and no construction traffic generated by the development shall be routed through Monkton.

Reasons:

- (1) 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;
- (2) 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. In order to retain proper control over the development proposal;
- (3) 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;
- (4) to reduce the visual impact of the development from the surrounding area;
- (5) in the interests of visual amenity and to ensure a satisfactory standard of local environmental quality;
- (6) to protect any roosting or breeding birds within the site, as per the Wildlife and Countryside Act 1981 as amended by the Nature Conservation (Scotland) Act 2004;
- (7) and (8) to protect bats and in the interests of wildlife conservation;
- (9) and (10) to protect the adjacent watercourse of Dow's Burn and the species who either reside there or use the corridor as a means of transit;
- (11) to protect any roosting or breeding birds within the site, as per the Wildlife & Countryside Act 1981 as amended by the Nature Conservation (Scotland) Act 2004;
- (12) and (13) to ensure biodiversity conservation and enhancement of the site;
- (14) to ensure the site is drained in an acceptably sustainable manner and the drainage infrastructure is properly maintained;
- (15) to ensure that pollutants from the development do not permeate into the watercourse;
- (16) in order to ensure the development is protected against flooding in an acceptable manner;
- (17) in the interests of health and safety;
- (18) to ensure that the development does not adversely impact on the air quality of the surrounding area;
- (19) to minimise light spill from the site and in the interests of airport safety;
- (20) to ensure that this development operates as a park and ride facility;
- (21) and (22) in the interests of airport safety;
- (23) to monitor the impact of the development on the road network;
- (24) to encourage sustainable means of travel;
- (25) to ensure adequate provision of disabled parking;
- (26), (27) in the interest of road safety and to ensure an acceptable standard of construction;
- (29) to (31) and (34)
- (28) and (32) in the interest of road safety;
- (33) in the interest of road safety and to ensure acceptable visibility at road junctions;
- (35) in the interest of road safety and to ensure that there is adequate space for manoeuvring and turning;



- (36) to ensure adequate provision of cycle storage on site. To encourage sustainable means of travel;
- (37) in the interest of road safety and avoid the discharge of water on to the public road; and
- (38) to ensure that construction traffic does not travel through Monkton to access the site.

Advisory Notes:

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 a Road Opening Permit shall be required for any work within the public road limits;

The Council, as Roads Authority, advises that the Council shall not be liable to adopt the drainage system as it is wholly contained within private ownership;

The Council, as Roads Authority, advises that at the detailed application stage the plans should include a stage 2 Road Safety Audit in compliance with HD 19/03 of the Standard for Highways Design Manual for Roads and Bridges. This applies to all proposed new roads and any alterations to existing roads carried out under a Section 56 Agreement with the Roads Authority and the applicant. No later than 1 month after completion of the development, unless an alternative time period is approved, a Stage 3 Road Safety audit in compliance with HD 19/03 of the Standard for Highways Design Manual for Roads and Bridges shall be submitted to the Roads Authority. The requirement to complete a Road Safety Audit includes for addressing the recommendations contained within the audit report;

The Council, as Roads Authority, advises that access to the site by cars shall be by way of dropped kerbs, in accordance with the Council's Roads Development Guide figure 5.7 before completion of the development; and

The Council, as Roads Authority, advises that any costs associated with the implementation of a Real Time Passenger Information System shall require to be borne by the Applicant/Developer.

List of Determined Plans:

Drawing – Reference No (or Description): Submitted Location Plan – Site Boundary Plan; and

Drawing – Reference No (or Description): Submitted OS Base Location Plan 1746/04

**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 an application for the Approval of Matters Specified in Conditions, there is no significant adverse impact on the amenity of the neighbouring land and buildings.

At this point, Councillors Grant and McIntosh re-joined the meeting.

### 3. **Emergency Motion.**

In terms of Council Standing Order No. 9(l) on the grounds of urgency, there was submitted (tabled) an Emergency Motion, proposed by Councillor McIntosh and seconded by Councillor McFarlane:-

“that the Ministry of Defence and the Department of Transport have announced plans to transfer the UK’s Search and Rescue Helicopter (SAR-H) operations to a private consortium – Soteria – as part of a £7 billion contract;

that South Ayrshire Council is deeply concerned to learn that the contract allows the search and rescue services provided from HMS Gannet to be moved from Prestwick and that it is intended that these be relocated to Glasgow. The Council welcomes the fact that concern has also been expressed by local MPs and MSPs;

that HMS Gannet has delivered a very successful search and rescue service for almost 40 years. It has been an important part of the local community and local economy of South Ayrshire. This was highlighted last July when services personnel from the base (along with colleagues from RAF Prestwick) were granted the Freedom of South Ayrshire;

that South Ayrshire Council therefore wishes to:-

- (1) confirm full support for the retention of HMS Gannet at Prestwick;
- (2) commit to working with local politicians, key interests and the wider community to build a strong case for the retention of search and rescue services at Prestwick;
- (3) ask the Chief Executive to ensure that there is appropriate liaison with HMS Gannet, the Soteria Consortium, Prestwick Airport, the Ministry of Defence and the Department of Transport on issues related to HMS Gannet arising from the SAR-H contract; and
- (4) be assured by the Soteria Consortium that any changes to HMS Gannet arising from the contract are preceded by full consultation with the personnel based at HMS Gannet.”

**Decided:** unanimously, to approve the terms of the Emergency Motion.

The meeting ended at 11.40 a.m.