

REGULATORY PANEL.

Minutes of meeting in County Buildings, Wellington Square, Ayr,
on 7th October 2015 at 10.00 a.m.

Present: Councillors Peter Convery (Chair), Ian Cavana, Ian Douglas, Ann Galbraith, Sandra Goldie, William J. Grant and Hugh Hunter.

Apology: Councillor Andy Campbell.

Attending: C. Cox, Planning Manager; A. Brown, Co-ordinator (Legal Services, Property and Contracts); D. Clark, Supervisory Planner; and A. Gibson, Committee Services Officer.

Also attending: S. Turner, Head of Roads - Ayrshire Roads Alliance.

1. 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.

2. Minutes of previous meeting.

The Minutes of 10th September 2015 (issued) ([link attached](#)) were submitted and approved.

3. Order Under the Road Traffic Regulation Act 1984.

There was submitted a report (issued) ([link attached](#)) of 14th September 2015 by the Executive Director – Economy, Neighbourhood and Environment seeking approval to make an Order under the Road Traffic Regulation Act 1984, namely "South Ayrshire Council (Main Street, Ayr – Southbound Slip Road to River Street) (One-Way Operation and Prohibition of Right Turn) Order 2015."

Decided: to approve the making of the above-named Order.

4. **Application for Planning Permission.**

There was submitted a report (issued) ([link attached](#)) of September 2015 by the Executive Director – Economy, Neighbourhood and Environment on a current application for determination.

The Panel decided as follows:-

15/00751/APP –AYR- land at Harebell Place - – Erection of residential development with associated car parking and landscaping.

Councillor Galbraith, seconded by Councillor Grant, moved that a site visit take place prior to determination of the application.

By way of an Amendment, Councillor Douglas, seconded by Councillor Goldie moved that determination of the application be made at this meeting, without the need for a site visit.

On a vote being taken by a show of hands, four Members voted for the Amendment and three for the Motion. The Amendment was accordingly declared to be carried and the Panel proceeded to determine the application.

Adjournment.

The time being 11.10 a.m., the Panel agreed to adjourn.

Resumption of meeting.

The Panel resumed at 11.25 a.m.

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 occupancy of the proposed residential units shall be restricted solely to those with special needs arising in one or more of the following categories; those on the Council's medical priority list, those with physical disabilities and older people with mobility difficulties. Any variation from this list of occupancy types shall be submitted for the prior written approval of the planning authority;
- (3) that prior to the commencement of development, samples or a brochure of all materials to be used on external surfaces, in respect of type, colour and texture, shall be submitted for the prior written approval of the Planning Authority;

- (4) that before any works start on site a scheme of landscaping indicating the siting, numbers, species and heights (at time of planting) of all trees, shrubs and hedges to be planted, and the extent and profile of any areas of earthmounding, shall be submitted for the prior written approval of the Planning Authority. The scheme as approved shall be implemented within 6 months / first planting season following the completion or occupation of the development, whichever is the sooner. The open space/landscaped area shall be retained as open space and to this approved standard;
- (5) that the proposed access shall be constructed in accordance with the specifications in the Council's Roads Development Guide Section 5, to the satisfaction of the planning authority, in conjunction with the Ayrshire Roads Alliance;
- (6) that the private access shall be surfaced for a minimum of 5 metres as measured from the rear of the public footway prior to the completion and occupation of the development. Precise details and specifications of the required surfacing shall be submitted for the prior written approval of the Planning Authority before any work commences on site;
- (7) that before the proposed dwellinghouses are occupied the off street parking spaces shown on plan L20-404 shall be provided within the curtilage in accordance with the Roads Development Guide;
- (8) 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; and
- (9) 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.

Reasons:

- (1) to be in compliance with Section 58 of the Town and Country Planning (Scotland) Act 1997 as amended by Section 20 of the Planning Etc. (Scotland) Act 2006;
- (2) the amenity and open space provision of the proposed development is acceptable only the basis that it is to be occupied by a limited range of people with medical needs that would benefit from shared amenity space and shared supervision;
- (3) in the interests of visual amenity;
- (4) in the interests of visual amenity and to ensure a satisfactory standard of local environmental quality;
- (5) in the interest of road safety and to ensure an acceptable standard of construction;
- (6) in the interest of road safety and to ensure an acceptable standard of construction;
- (7) in the interest of road safety and to ensure adequate off-street parking provision;
- (8) to ensure the site is drained in an acceptably sustainable manner and the drainage infrastructure is properly maintained; and
- (9) in the interests of visual and residential amenity.

Advisory Notes:

- 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.
- 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.
- The Council as Roads Authority advises that all costs incurred with crossing existing footway to be borne by the applicant/developer and carried out to SAC specification.
- The Council as Roads Authority advises that the Council will not be liable to adopt the drainage system as it is wholly contained within private ownership.
- The Council as Roads Authority advises that access to the site shall be by way of a footway crossing, in accordance with the Council's Roads Development Guide and any redundant footway crossing shall be reinstated to adjacent footway line and level before completion of the development.
- 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.
- That the discharge of water onto the public road carriageway shall be prevented by drainage or other means.
- 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 5228-1:2009 Code of Practice for noise and vibration control on construction and open sites - Part 1 : Noise, and the Control of Pollution Act 1974.
- That before the commencement of development that suitable additional parking provision (for general use) be identified in the vicinity of the development.

List of Determined Plans:

Drawing - Reference No (or Description): L(20)401 REV. A;
 Drawing - Reference No (or Description): L(20)402 REV. B;
 Drawing - Reference No (or Description): L(20)413;
 Drawing - Reference No (or Description): L(20)409 REV. A;
 Drawing - Reference No (or Description): L(20)405 REV. B;
 Drawing - Reference No (or Description): L(20)407 REV. B;
 Drawing - Reference No (or Description): L(20)406 REV. B;
 Drawing - Reference No (or Description): L(20)408 REV. B; and
 Drawing - Reference No (or Description): L(20)410 REV. A

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.

5. **Order Under the Road Traffic Regulation Act 1984.**

There was submitted a report (issued [\(link attached\)](#) of 23rd September 2015 by the Executive Director – Economy, Neighbourhood and Environment seeking approval to make an Order under the Road Traffic Regulation Act 1984, namely “South Ayrshire Council (Disabled Persons’ Parking Places and Revocation) Order 2015.”

Decided: to approve the making of the above-named Order.

The meeting ended at 11.30 a.m.