

REGULATORY PANEL.

Minutes of meeting in County Buildings, Wellington Square, Ayr
on 16th November 2017 at 10.00 a.m.

Present: Councillors Craig Mackay (Chair), Ian Cavana, Peter Convery, Ian Fitzsimmons, Mary Kilpatrick and Margaret Toner.

Apologies: Councillors Andy Campbell and Brian Connolly.

Attending: F. Mullen, Planning Manager; K. Briggs, Legal and Licensing Manager; A. Cooke, Priority Projects Co-ordinator; M. McClelland, Planning Co-ordinator; D. Love, Supervisory Planner; G. Senior, Ayrshire Roads Alliance; and A. Gibson, Committee Services Officer.

1. Declarations of Interest.

With regard to:-

- (1) item 4/1 on the agenda relating to the planning application report for a proposed wind farm at Altercannoch, B7027 Main Street, Barrhill – Council Boundary, south from Barrhill (Ref: 15/01484/APP), Councillor Fitzsimmons advised that he knew the owner of the land and would not take part in consideration of this application;
- (2) item 4/4 on the agenda relating to the planning application report for alterations and extension to a care home at 2 Seafield, Road, Ayr (Ref: 17/00938/APP), Councillor Kilpatrick advised that she would leave the room during consideration of this application as she knew the owner of the care home; and
- (3) item 4/7 on the agenda relating to the planning application report for the erection of signage at 169 Whitletts Road, Ayr (Ref: 17/01061/ADV), Councillor Cavana advised that he had spoken to the applicant and local residents on this application and would not take part in consideration of this application.

2. Minutes of previous meeting.

The Minutes of 4th October 2017 ([issued](#)) were submitted and approved.

3. **South Ayrshire Council (A719 Dunure Road, Ayr) (30mph Speed Limit Extension) Order 2017.**

There was submitted a report ([issued](#)) of 18th September 2017 by the Executive Director – Economy, Neighbourhood and Environment seeking formal approval to make a Traffic Regulation Order (TRO) under the Road Traffic Regulation Act 1984, namely; “South Ayrshire Council (A719 Dunure Road, Ayr (30mph Speed Limit Extension) Order 2017”.

Having heard questions from various Members of the Panel, it was noted that, it was the view of the Ayrshire Roads Alliance that this Order would be sufficient to alleviate the currents issues encountered at this location.

Decided: to approve the making of the above named Traffic Regulation Order.

4. **Applications for Planning Permission.**

There were submitted reports (issued) of November 2017 by the Executive Director – Economy, Neighbourhood and Environment on current applications for determination.

The Panel decided as follows:-

With regard to item 1 above (declarations of interest), it was noted that Councillor Fitzsimmons would not participate in the following item:-

- (1) **15/01484/APPM** – BARRHILL – Proposed Wind Farm, Altercannoch, B7027 Main Street Barrhill – Council Boundary, South From Barrhill, Barrhill, South Ayrshire – Erection of 8 wind turbines and associated development including formation of access tracks, meteorological masts, ancillary infrastructure, control building and substation compound, temporary construction, compound and 3 borrow pits.

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

Landscape, Visual and Cumulative Impact

- (a) that the proposed development would be contrary to Scottish Planning Policy, South Ayrshire Local Development Plan policies 'Wind Energy' and 'Landscape Quality' and 'South Ayrshire Council Supplementary Guidance on Wind Energy 2015' as it would be sited on the outer edges of the Plateau Moorland with Forestry and Wind Farms (18c) Landscape Character type and it would thus have a significant adverse effect on the character of the highly sensitive, smaller scale Intimate Pastoral Valley (13) of the Duisk Valley and on the South Ayrshire Scenic Area. The close proximity of this development to the Duisk Valley would result in a number of significant adverse effects occurring on views from roads and settlement. In many of these views, the turbines of this proposal would appear significantly larger than turbines within the nearby operational and under-construction wind farms of Arecleoch, Kilgallioch and Mark Hill which are located either side of the Duisk Valley but set well back thus minimising landscape and visual impact on this more sensitive landscape. When seen in combination with these baseline wind farm developments, this proposal would strongly contribute to significant adverse cumulative effects due to

the muddled appearance of apparently different-sized turbines and its contrast with the established association of large turbines with the core upland plateau landscape. Views from the A714 and B7027 and from a number of residential properties lying within the Duisk Valley would be particularly affected in this respect. It is considered that the scale and siting, together with there being no scope to mitigate the landscape and visual effects mean that the proposed development cannot be accommodated in the landscape in a manner which respects its main features and character and it will consequently have a significant adverse landscape and visual impact. There is no over-riding reason to depart from Scottish Planning Policy, South Ayrshire Local Development Plan policy or Supplementary Guidance on Wind Energy;

Tourism

- (b) that the proposed development is contrary to the aims of the South Ayrshire Local Development Plan to promote tourism in that it does not respect the character of the local landscape and will have an adverse impact on the scenic qualities of the Duisk Valley scenic area. There is no over-riding reason to depart from South Ayrshire Local Development Plan policy;

Residential Amenity

- (c) that due to the large scale and close proximity of the proposed turbines together with the extent and nature of the views involved, the proposal would have an unacceptably adverse impact on residential amenity of the local residents in Barrhill and individual properties highlighted within 2km of the nearest turbine and other individual rural properties just over 2km from the nearest turbine. Consequently the application proposal is considered to be contrary to South Ayrshire Local Development Plan policies; 'Sustainable development', 'Renewable Energy' and 'Wind Energy', 'South Ayrshire Council Supplementary Guidance on Wind Energy 2015' and Scottish Planning Policy as it would have an adverse effect on residential amenity. There is no over-riding reason to depart from Scottish Planning Policy, South Ayrshire Local Development Plan policy or Supplementary Guidance on Wind Energy;

Historic Environment

- (d) that the proposed development would be contrary to Scottish Planning Policy, the advice contained within PAN 2/2011, Planning and Archaeology, 'Managing Change in the Historic Environment: Setting', the South Ayrshire Local Development Plan policy 'Archaeology' and 'South Ayrshire Council Supplementary Guidance on Wind Energy 2015' on the grounds that the proposed site and surrounding area represents a pre-historic landscape of high archaeological value and the proposed development by virtue of its overwhelming size, scale and proximity to recorded sites would have significant indirect effects on the setting of these heritage assets. There is no over-riding reason to depart from Scottish Planning Policy, the advice contained within PAN 2/2011, Planning and Archaeology, 'Managing Change in the Historic Environment: Setting', South Ayrshire Local Development Plan policy or Supplementary Guidance on Wind Energy;

Private Water Supplies

- (e) that the proposed development would be contrary to Scottish Planning Policy, South Ayrshire Local Development Plan policies 'Sustainable Development' and 'Water Environment' and 'South Ayrshire Council Supplementary Guidance on Wind Energy 2015' in that the proposal has not demonstrated that it will not harm the water environment in relation to private water supplies, sources and catchment zones. There are no over-riding reasons to depart from Scottish Planning Policy, Development Plan Policy or Supplementary Guidance on Wind Energy;

List of Determined Plans:

Drawing - Reference No (or Description): 60289428-ALT-ENG-001-B Dec 2015;
 Drawing - Reference No (or Description): 60289428-ALT-ENG-0010-B Dec2015;
 Drawing - Reference No (or Description): 60289428-ALT-ENG-0011-B Dec 2015;
 Drawing - Reference No (or Description): 60289428-ALT-ENG-0012-A Dec 2015;
 Drawing - Reference No (or Description): 60289428-ALT-ENG-002-K Dec 2015;
 Drawing - Reference No (or Description): 60289428-ALT-ENG-003-B Dec 2015;
 Drawing - Reference No (or Description): 60289428-ALT-ENG-004-B Dec 2015;
 Drawing - Reference No (or Description): 60289428-ALT-ENG-005-B Dec 2015;
 Drawing - Reference No (or Description): 60289428-ALT-ENG-006-B Dec 2015;
 Drawing - Reference No (or Description): 60289428-ALT-ENG-007-B Dec 2015;
 Drawing - Reference No (or Description): 60289428-ALT-ENG-008-B Dec 2015;
 Drawing - Reference No (or Description): 60289428-ALT-ENG-009-C Dec 2015;
 Other - Reference No (or Description): PWS- UPDATE TO ES CH10 Table 10.7 March 2016;
 Other - Reference No (or Description): ES ADD'M SECTION 2 Report BRUK 1 Aug 2016;
 Other - Reference No (or Description): ES ADD'M SECTION 3 (PART1) Report BRUK 1 Au 2016;
 Other - Reference No (or Description): ES ADD'M SECTION 3 (PART 2) Report BRUK 1 Aug 2016;
 Other - Reference No (or Description): ES ADD'M SECTION 3 (PART 3) Report BRUK 1 Aug 2016;
 Other - Reference No (or Description): ES ADD'M SECTION 3 (PART 4) Report BRUK 1 Aug 2016;
 Other - Reference No (or Description): ES ADD'M SECTION 3(PART 5) Report BRUK 1 Aug 2016;
 Other - Reference No (or Description): ES ADD'M SECTION 4 (PART 1) Report BRUK 1 Aug 2016;
 Other - Reference No (or Description): ES ADD'M SECTION 4(PART 2) Report BRUK 1 Aug 2016;
 Other - Reference No (or Description): ES ADD'M SECTION 5 Report BRUK 1 Aug 2016;
 Other - Reference No (or Description): ES ADD'M SECTION 6 Report BRUK 1 Aug 2016;
 Other - Reference No (or Description): ES ADDENDUM Report BRUK 2 Aug 2016;
 Other - Reference No (or Description): ES ADDENDUM Report BRUK 3 Aug 2016;
 Other - Reference No (or Description): ES ADDENDUM Report BRUK 4 Aug 2016;
 Other - Reference No (or Description): ES ADDENDUM SECTION 1 Report BRUK 5 Aug 2016;
 Other - Reference No (or Description): ES ADDENDUM SECTION 2 (PART 1) Report BRUK 5 Aug 2016;

Other - Reference No (or Description): ES ADDENDUM SECTION 2 (PART 2) Report BRUK 5 Aug 2016;
 Other - Reference No (or Description): ES ADDENDUM SECTION 3 Report BRUK 5 Aug 2016;
 Other - Reference No (or Description): ES ADDENDUM Report BRUK 6 Aug 2016;
 Other - Reference No (or Description): ES NON TECHNICAL SUMMARY Vol 1 Dec 2015;
 Other - Reference No (or Description): ES MAIN REPORT Vol 2 Dec 2015;
 Other - Reference No (or Description): ES LANDSCAPE _VISUAL Vol 3 Dec 2015;
 Other - Reference No (or Description): ES APPENDICES Vol 4 Dec 2015;
 Other - Reference No (or Description): ES CONFIDENTIAL ANNEX Vol 5 Dec 2015;
 Other - Reference No (or Description): DESIGN & ACCESS STATEMENT Dec 2015;
 Other - Reference No (or Description): PAC REPORT Dec 2015;
 Other - Reference No (or Description): PLANNING STATEMENT Dec 2015;
 Other - Reference No (or Description): ES ADDENDUM BRUK1 Summary Aug 2016;
 Other - Reference No (or Description): ES ADD'M SECTION 1 Additional info Aug 2016;
 Other - Reference No (or Description): ES ADD'M II A714 ACCESSAPPRAISAL May 2017;
 Other - Reference No (or Description): ES ADD'M II CULTURAL ASSESSMENT May 2017; and
 Other - Reference No (or Description): ES ADD'M II PWS UPDATE May 2017.

- (2) [17/00445/PPP](#) - **PRESTWICK - 22-24 Links Road** - Erection of extra care accommodation (Class 8) for the elderly (69 apartments) with associated parking and landscaping.

The time being 11.35 a.m., the Panel adjourned. The Panel resumed at 11.40 a.m. The Legal and Licensing Manager confirmed that there had been no discussion of the application by Members during the adjournment.

The time being 11.48 a.m., the Panel adjourned to allow a Member of the Panel to discuss with officers an amendment to the proposals in the report that she may wish to make. The Panel resumed at 11.51 a.m.

Decided: to grant delegated powers to the Executive Director – Economy, Neighbourhood and Environment to approve this application for planning permission subject to the signing of a S75 legal agreement relating to the need for occupiers to be aged over 70 years old and for each owner to be in receipt of a care package and 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) the site shall be restricted to a use within Class 8 of the Schedule of the Town and Country Planning (Use Classes)(Scotland) Order 1997;

- (c) 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;
- (d) 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;
- (e) that before any works start on site a scheme of landscaping indicating the siting, numbers, species and heights (at time of planning) 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 the 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;
- (f) that before any works start on site, details of the future management and aftercare of the proposed landscaping and planting shall be submitted for approval in writing by the Planning Authority. Thereafter the management and aftercare of the landscaping and planting shall be carried out in accordance with these approved details;
- (g) that before occupation of the development a Travel Plan shall be submitted for the prior written approval of the Council as Planning Authority (in consultation with the Council as Roads Authority). The Travel Plan shall identify the measures and initiatives to be implemented in order to encourage modes of travel to and from the development other than by single occupancy private car trips. The Travel Plan shall clearly define the system of management, monitoring, review, reporting and the duration of the plan;
- (h) that before 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;
- (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 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;
- (k) that a minimum of 38 off-road parking spaces shall be provided within the existing site boundary, consisting of 34 standard bays and 4 disabled bays. Full Details of the parking layout 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;
- (l) that cycle parking accommodating a minimum of 5 cycles shall be provided within the site boundary. 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;
- (m) that careful consideration shall be given to access facilities and parking accommodation for mobility aids including motorised mobility scooters and electric wheelchairs. Precise details of the siting and specifications of associated facilities 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;
- (n) 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) before any work commences on site;
- (o) that the applicant/developer shall, prior to the movement of any construction traffic to or from the site, submit a Construction Traffic Management Plan for the written approval of the Council as Roads Authority, and Police Scotland. The plan shall describe the methodology for the movement of construction traffic to and from the site and shall require the agreement of the Council as Roads Authority and Police Scotland prior to any movement of construction traffic associated with the site;
- (p) that no 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;

- (q) that full details of the Sustainable Urban Drainage System (SUDS) proposals for the development shall be submitted for the prior written approval of the Council as Roads Authority before any work commences on site. No dwellings shall be occupied until the SUDS has been completed; and
- (r) that prior to the occupation of the development, a noise prevention scheme detailing relevant measures to minimise aircraft noise within the development should be submitted for the written approval of the Planning Authority.

Reasons:

- (a) to ensure that the development is carried out in accordance with the approved plans unless otherwise agreed;
- (b) in order to retain proper planning control over the use of the property;
- (c) in the interests of visual amenity;
- (d) in the interests of visual and residential amenity;
- (e) in the interests of visual amenity and to ensure a satisfactory standard of local environmental quality;
- (f) in the interests of visual amenity; to ensure that adequate measures are put in place to protect the landscaping and planting in the long term;
- (g) to encourage sustainable means of travel;
- (h) to encourage sustainable means of travel;
- (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 that there is adequate space for manoeuvring and turning;
- (k) in the interest of road safety and to ensure adequate off-street parking;
- (l) to ensure adequate provision of cycle parking on site, and encourage sustainable means of travel;
- (m) to ensure adequate provision of facilities for residents with mobility issues, and encourage sustainable means of travel;
- (n) in the interest of road safety;
- (o) in the interest of road safety;
- (p) in the interest of road safety;
- (q) to ensure the site is drained in an acceptable and sustainable manner; and
- (r) in the interest of residential amenity.

Advisory Notes:

- There is an obligation entered into under Section 75 of the Town and Country Planning (Scotland) Act 1997 (as amended) in connection with this decision. A summary of the terms of the Section 75 agreement are set out within the report of handling of the application which can be inspected during office opening hours at the Planning Service, South Ayrshire Council, Burns House, Burns Statue Square, Ayr, KA7 1UT.
- The Council as Road's Authority advises as follows:
 - 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.
 - All works on the carriageway must 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 will not adopt the parking court or access road on its completion.
- The Council as Environmental Health Authority advises as follows:
 - That 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.
 - During construction work you must comply with the permitted working times and noise levels as detailed on the document entitled "*Noise Levels and Working Times to be Applied to Noisy Works on Construction Sites*" which is available to download from the Environmental Health pages of the South Ayrshire Council website.

- SEPA were consulted on this application and have provided the following advice to the applicant:
 - The surface water drainage for this scale of development is authorised under General Binding Rules (GBRs) 10 and 11 of the Water Environment (Controlled Activities) (Scotland) Regulations 2011 (as amended) (CAR). Further information on this matter can be found on our website at http://www.sepa.org.uk/water/water_publications.aspx. However, the design of the drainage system must be site specific and dependent upon the contaminants at the site, the remediation strategy and the risks posed by any residual contamination, in addition to the normal design considerations.
 - Any proposed discharge of surface water to the water environment must be in accordance with the principles of the SUDS Manual (C753) published by CIRIA.
 - It is a requirement of The Water Environment (Controlled Activities)(Scotland) Regulations 2011 (as amended) (CAR) to provide a SUD system throughout the construction phase of the development to ensure adequate protection of the water environment. The system should comply with the Rules detailed in GBR 10 & 11. Suitable pollution control measures should be employed wherever there is an identifiable risk to the water environment. This should give particular consideration to contaminated surface water run off arising from earthworks, roads, drainage, compounds, concrete batching facilities and any other associated infrastructure.
 - 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 Pollution Prevention Guidance (PPG) Notes available on our website at www.sepa.org.uk and to the CIRIA publication C741 "Environmental Good Practice on Site Guide" and the associated pocket book C762.
 - Any waste materials imported to the site during construction must be stored and used only in accordance with a waste management licence or exemption under the Waste Management Licensing (Scotland) Regulations 2011. Similarly, any waste materials removed from the site must be disposed of at a suitably licensed or exempt waste management facility in accordance with these Regulations.
 - The applicants and their contractors should be fully aware of the relevant requirements relating to the transport of controlled waste by registered carriers and the furnishing and keeping of duty of care waste transfer notes.
 - Authorisation is required under The Water Environment (Controlled Activities) (Scotland) Regulations 2011 (as amended) (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.
- Details of regulatory requirements and good practice advice for the applicant can be found on the Regulations section of our website. If you are unable to find the advice you need for a specific regulatory matter, please contact a member of the regulatory team in your local SEPA office at 31 Miller Road, Ayr, KA7 2AX; Tel: 01292 294000.
- Glasgow Prestwick Airport were consulted under their obligations as a statutory consultee and advise the following:
 - To minimise the number of birds attracted to the area consideration of the type of waste bins used on site should be made to discourage the number of birds in the vicinity, fully enclosed or covered skips must be used.
 - Landscaping or planting of any new trees / shrubs may attract birds by providing feeding, nesting and roosting habitat, large quantities of berry-bearing species should be avoided.
 - Gulls may rest on flat roofs and Swifts and Swallow will nest inside roof space and inside buildings to which they can gain access, wherever possible measures to minimise their attractiveness should be taken.
 - Notification of the use of cranes and associated equipment during construction phase would have to be granted permission in advance by the Airport if the crane is to be used within 6km of the aerodrome/airfield and its height exceeds 10m or that of the surrounding structures or trees.
- Should the existing buildings remain standing more than 12 months after the bat survey of May 2017 then further updated dawn/dusk surveys should be undertaken prior to demolition. If bats are found to be roosting then a bat protection plan should be produced.

List of Determined Plans:

Other - Reference No (or Description): TRANSPORT STATEMENT July 2017;
 Drawing - Reference No (or Description): LANDSCAPE GENERAL ARRANGEMENT 5846_1001 RevC;
 Drawing - Reference No (or Description): PLANTING PLAN 5846_2002 RevB;
 Drawing - Reference No (or Description): TOPOGRAPHICAL SURVEY SC-2043-01-AC-000 A;
 Drawing - Reference No (or Description): PROPOSED SITE PLAN SC-2043-01-AC-002 L;
 Drawing - Reference No (or Description): PROPOSED GROUND FLOOR PLAN SC-2414-01-AC-020 H;
 Drawing - Reference No (or Description): PROPOSED FIRST FLOOR PLAN SC-2043-01-AC-030 H;
 Drawing - Reference No (or Description): PROPOSED SECOND FLOOR SC-2043-01-AC-040 H;
 Drawing - Reference No (or Description): PROPOSED THIRD FLOOR SC-2043-01-AC-050 H;
 Drawing - Reference No (or Description): PROPOSED ROOF PLAN SC-2043-01-AC-060 D;
 Drawing - Reference No (or Description): PROPOSED ELEVATIONS SC-2043-01-AC-080 D;
 Drawing - Reference No (or Description): LOCATION PLAN SC-2043-01-AC-101 C;
 Drawing - Reference No (or Description): SWEEP PATH ANALYSIS SC-2043-04-DE-13;
 Other - Reference No (or Description): STAGE 2 BAT SURVEY REPORT MAY 2017;
 Other - Reference No (or Description): DRAINAGE IMPACT ASSESSMENT JULY 2017;
 Other - Reference No (or Description): ECOLOGICAL WALKOVER SURVEY NOVEMBER 2016;
 Other - Reference No (or Description): FLOOD RISK ASSESSMENT JULY 2017;
 Other - Reference No (or Description): HOUSING AND SOCIAL NEEDS REPORT JUNE 2017;
 Other - Reference No (or Description): PLANNING STATEMENT JULY 2017;
 Other - Reference No (or Description): ILLUSTRATION VIEW 1 SOUTH EAST;
 Drawing - Reference No (or Description): PROPOSED ELEVATIONS SC-2043-01-AC-081 D;
 Other - Reference No (or Description): ILLUSTRATION VIEW 2 EAST;
 Other - Reference No (or Description): ILLUSTRATION VIEW 3 LINKS ROAD;
 Drawing - Reference No (or Description): LANDSCAPE MASTERPLAN 5846_0001 REVC;
 Other - Reference No (or Description): IMPRESSION PROPOSED MATERIALS SC-2043-01-AC-085;
 Other - Reference No (or Description): DESIGN AND ACCESS STATEMENT JULY 2017;
 Other - Reference No (or Description): PRE-APP CONSULTATION REPORT;
 Drawing - Reference No (or Description): PROPOSED SITE PLAN WITH LEVELS SC-2043-01-AC-003;
 Drawing - Reference No (or Description): ELEVATIONS WITH HEIGHTS SC-2043-01-AC-082;
 Drawing - Reference No (or Description): ELEVATIONS WITH HEIGHTS SC-2043-01-AC-083;

Drawing - Reference No (or Description): ELEVATIONS IN CONTEXT SC-2043-01-AC-087;

Other - Reference No (or Description): AIRCRAFT NOISE IMPACT ASSESSMENT R-7865-EK1-MI; and

Other - Reference No (or Description): SITE INVESTIGATION REPORT CCL02896.CD21.

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 time being 11.55 a.m., the Panel agreed to adjourn. The Panel resumed at 12 noon.

- (3) [17/00663/APP](#) – PRESTWICK – 3 St. Quivox Road, KA9 1LJ – Change of Use and Alterations and Extension to Garage/Car Sales Building to form 6 No. shops (Class 1) and 1 No. Professional Service (Class 2) Unit and Formation of Car Parking.

The Panel heard from Councillor Hunter, local member who then withdrew from the meeting.

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) That, no development shall commence on-site until such a time as the applicant has submitted details for the written approval of the Planning Authority, in conjunction with the Ayrshire Roads Alliance, of a new re-aligned public footpath parallel to the frontage of the building, and also a parking lay-by to an adoptable standard for up to 7 vehicles at the frontage of the site and St Quivox Road. Thereafter, the new footway and parking lay-by shall be implemented as per the agreed specification, prior to the commencement of development, or the occupation of the first unit, whichever is the sooner;
- (c) That within 6 months of development occupation a Travel Plan shall be submitted for the formal prior written approval of the Council as Planning Authority (in consultation with the Council as Roads Authority). The Travel Plan shall identify the measures to be implemented, 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;

- (d) The applicant / developer shall, prior to commencement of works on site, submit a Servicing Management Plan for the formal prior written approval of the Council as Planning Authority (in consultation with the Council as Roads Authority). The plan shall describe the arrangements for servicing of the proposed retail units within the site, which thereafter, shall be implemented as per the agreed specification;
- (e) That, any doors shall open inwards away from the public footway and roadway; and
- (f) 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 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.

Reasons:

- (a) to ensure that the development is carried out in accordance with the approved plans unless otherwise agreed;
- (b) in the interests of road safety and to ensure the functional operation of the local road network;
- (c) to encourage sustainable means of travel;
- (d) in the interest of road safety;
- (e) in the interest of road safety; and
- (f) to ensure all contamination within the site is dealt with.

Advisory Notes:

- The Council as Roads Authority advises that promotion of Traffic Regulation Orders resulting from this development will require to be fully funded by the applicant - including any relevant road signs and markings.
- 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.
- 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.
- 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

List of Determined Plans:

Drawing - Reference No (or Description): LOCATION PLAN/ BLOCK PLAN;
 Drawing - Reference No (or Description): EXISTING GROUND FLOOR PLAN;
 Drawing - Reference No (or Description): EXISTING FIRST FLOOR PLAN;
 Drawing - Reference No (or Description): EXISTING REAR AND SIDE ELEVATION;
 Drawing - Reference No (or Description): PROPOSED BLOCK PLAN;
 Drawing - Reference No (or Description): PROPOSED GROUND FLOOR PLAN;
 Drawing - Reference No (or Description): PROPOSED FIRST FLOOR PLAN;
 Drawing - Reference No (or Description): PROPOSED FRONT ELEVATION;
 Drawing - Reference No (or Description): PROPOSED REAR AND SIDE ELEVATION;
 Drawing - Reference No (or Description): PARKING LAYOUT; and
 Drawing - Reference No (or Description): EXISTING FRONT ELEVATION.

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.

Councillor Kilpatrick, having previously declared an interest in the following planning application, withdrew from the meeting at this point.

- (4) [17/00938/APP](#) – AYR – 2 Seafield Road, KA7 4AA – Alterations and extension to care home.

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) 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; and
- (c) that off street parking provision shall be provided within the site in accordance with the submitted and approved layout plan.

Reasons:

- (a) to ensure that the development is carried out in accordance with the approved plans unless otherwise agreed;
- (b) in the interests of visual amenity; and
- (c) in the interest of road safety and to ensure adequate off-street parking provision. To reduce the potential for congestion and obstruction caused by off-site car parking.

List of Determined Plans:

Drawing - Reference No (or Description): 17.04.01;
 Drawing - Reference No (or Description): 17.04.02;
 Drawing - Reference No (or Description): 17.04.03;
 Drawing - Reference No (or Description): 17.04.04;
 Drawing - Reference No (or Description): 17.04.05;
 Drawing - Reference No (or Description): 17.04.06;
 Drawing - Reference No (or Description): 17.04.07;
 Drawing - Reference No (or Description): 17.04.08;
 Drawing - Reference No (or Description): 17.04.09;
 Drawing - Reference No (or Description): 17.04.10;
 Drawing - Reference No (or Description): 17.04.11;
 Drawing - Reference No (or Description): S1, S2, S3, S4; and
 Drawing - Reference No (or Description): 3D VISUALS OF PROPOSED EXTENSION.

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.

Councillor Kilpatrick re-joined the meeting at this point.

- (5) [17/00965/PPP](#) – ANNBANK – Plot of Land at Mill Road - Planning Permission in principle for the Erection of a Dwellinghouse.

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

- (a) that the development proposal is contrary to the Adopted South Ayrshire Local Development Plan: Core Investment Area policy in that the proposal is not considered to represent; residential development of an allocated housing site, (shown in the settlement maps); sustainable economic growth of Glasgow Prestwick Airport, the Enterprise Zone, other airport- related industry and infrastructure; promotion rural diversification and tourism; non-residential re-use of a substantially intact building, which will benefit the local environment; and promotion and improvement the environmental quality and range of amenities within town centres;
- (b) that the development proposal is contrary to the Adopted South Ayrshire Local Development Plan Green Belt policy in that the proposal does not represent development which; contributes to the economic and environmental sustainability of the existing green belt uses; is associated with agriculture or horticulture, provides essential infrastructure, protects, promotes and develops green networks and opportunities for access to the countryside, is required as a national priority and there are no other suitable sites available;
- (c) that the development proposal is contrary to the Adopted South Ayrshire Local Development Plan Rural Housing policy as the development does not represent development which is; the replacement of an existing house, an extension to an existing house, the conversion and reuse of a genuinely redundant building of traditional or local character and domestic scale, a home that is essential to a rural business; and
- (d) that the development proposal is contrary to the adopted Supplementary Guidance entitled Rural Housing in that the development does not represent development which is; the replacement of an existing house, an extension to an existing house, the conversion and reuse of a genuinely redundant building of traditional or local character and domestic scale, a home that is essential to a rural business.

List of Determined Plans:

Drawing - Reference No (or Description): LOCATION PLAN;
 Drawing - Reference No (or Description): 1A;
 Drawing - Reference No (or Description): 3; and
 Drawing - Reference No (or Description): 7.

- (6) [17/01008/MSC](#) – ANNBANK– Land between Glenview and Eastburn, B744 junction at B742 north of Annbank – B743 Annbank – Erection of two dwellinghouses and formation of associated access and landscaping.

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) that off street parking provision shall be provided within the site in accordance with the submitted and approved layout plan;
- (c) 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 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; and
- (d) 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:

- (a) to ensure that the development is carried out in accordance with the approved plans unless otherwise agreed;
- (b) in the interest of road safety and to ensure adequate off-street parking provision. To reduce the potential for congestion and obstruction caused by off-site car parking;
- (c) in the interests of visual amenity and to ensure a satisfactory standard of local environmental quality; and
- (d) 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.
- 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.
- 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 treatment plants located outwith the application site do not form part of the planning permission approved and require planning permission in their own right.

List of Determined Plans:

Drawing - Reference No (or Description): 01;
 Drawing - Reference No (or Description): 0362 PP 01; and
 Drawing - Reference No (or Description): 0362 PP 02.

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 time being, 1.40 p.m., the Panel agreed to adjourn for five minutes. The Panel resumed at 1.45 p.m.

With regard to item 1 above (declarations of interest), it was noted that Councillor Cavana would not participate in the following item:-

(7) [17/01061/ADV](#) – AYR – 169 Whitletts Road – Erection of signage.

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

- (a) that the proposal is contrary to the provisions of the South Ayrshire Local Development Plan, specifically LDP Policy: Sustainable Development, by reason of its illumination and operation, will have a significant adverse impact on residential amenity along this section of Whitletts Road, particularly during later evening hours, and has the potential to have an adverse impact on road safety in the locale;
- (b) that the proposal is contrary to the provisions of Strategic Policy 1 and Guidance Policy 16 of South Ayrshire Council's Planning Guidance "Design Guidelines for Advertisement and Commercial Signage", by reason of its illumination and operation, which will adversely impact on residential amenity along this section of Whitletts Road, particularly during later evening hours, and has the potential to have an adverse impact on road safety in the locale;
- (c) that the proposal, by reason of its illumination and operation, will have a significant adverse impact on residential amenity along this section of Whitletts Road, particularly during later evening hours; and
- (d) that the proposal, by reason of its illumination and operation, has the potential to have an adverse impact on road safety in the locale.

List of Determined Plans:

Drawing - Reference No (or Description): LOCATION PLAN;
 Drawing - Reference No (or Description): DRAWING AS PROPOSED;
 Other - Reference No (or Description): PHOTOGRAPH AS EXISTING; and
 Other - Reference No (or Description): PHOTOGRAPH AS EXISTING.

The meeting ended at 2.10 p.m.