

REGULATORY PANEL.

Minutes of meeting in County Buildings, Wellington Square, Ayr
on 28th February 2018 at 10.00 a.m.

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

Apology: Councillor Andy Campbell.

Attending: F. Mullen, Planning Manager; A. Brown, Co-ordinator (Legal Services, Property and Contracts); M. McClelland, Planning Co-ordinator; A. Edgar, Supervisory Planner; D. Love, Supervisory Planner; and A. Gibson, Committee Services Officer.

Also

Attending: S. Turner and J. Webb, Ayrshire Roads Alliance.

1. Declarations of Interest.

In terms of Council Standing Order No. 17 and the Councillors' Code of Conduct and with regard to:-

- (1) item 4(2) on the agenda relating to 50 Racecourse Road, Ayr (Ref: 17/01381/APP) Councillor Kilpatrick advised that she would leave the room during consideration of this application as she knew various parties involved with this application; and
- (2) items 4(8) and 4(9) on the agenda relating to Ayr Racecourse, 2 Whitletts Road, Ayr (Refs: 17/00968/FURM and 17/00969/FURM) Councillor Cavana advised that he would leave the room during consideration of these applications as had had an involvement in these applications.

2. Minutes of previous meetings.

The Minutes of [26th January](#) (Site Visit) and [1st February](#) 2018 (issued) were submitted and approved.

3. Orders Under the Road Traffic Regulation Act 1984.

There were submitted reports (issued) of 24th January 2018 by the Executive Director – Economy, Neighbourhood and Environment seeking approval to make the following Orders under the Road Traffic Regulation Act 1984, namely

- (1) "[South Ayrshire Council \(Various Roads, Maybole\) \(Prohibition of Waiting\) Order 2018](#)"; and
- (2) "[South Ayrshire Council \(Carrick Street, Greenside, Ladyland Road and Miller Street, Maybole\) \(One-Way Operation\) Order 2018](#)".

Decided: to agree, following concerns expressed by Members, to continue consideration of these Orders to a future meeting of this Panel to ensure full consultation was undertaken with residents.

4. Applications for Planning Permission.

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

The Panel decided as follows:-

- (1) [17/01369/APP](#) – AYR – Ground floor left, the Shieling, 10 Racecourse Road – Alterations to dwellinghouse and erection of linked garage, erection of dwellinghouse, double garage and fence and formation of access.

Decided: that determination of this application be continued to allow a site visit to be conducted.

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

- (2) [17/01381/APP](#) – AYR – 50 Racecourse Road– Change of use, alterations and extension to offices (class 2) to form residential development and associated landscaping works.

Decided: that determination of this application be continued to allow a site visit to be conducted.

Councillor Kilpatrick rejoined the meeting at this point.

- (3) [17/01316/APP](#) – GIRVAN – 3 Dalrymple Street– Subdivision of retail unit to form 2 separate retail units.

Decided: to approve the application subject to the condition 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.

Reason: to ensure that the development is carried out in accordance with the approved plans unless otherwise agreed.

List of Determined Plans:

Drawing - Reference No (or Description): 17_329_LP01;
 Drawing - Reference No (or Description): 17_329_BP01; and
 Drawing - Reference No (or Description): 17_329_W01.

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.

- (4) [17/01384/APP](#) – COYLTON – The Coyle House, Sundrum Park– Part change of use of dwellinghouse to form commercial teaching swimming pool.

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

- (a) that the development proposal is contrary to the South Ayrshire Local Development Plan: Spatial Strategy in that the development proposal represents development outwith the boundaries of a settlement, and which has not demonstrated a site specific requirement for a rural based location, and no justification has been provided for a departure from this policy;
- (b) that the development proposal is contrary to the 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, and no justification has been provided for a departure from this policy;

- (c) that the development proposal is contrary to the South Ayrshire Local Development Plan Policy in relation to Sustainable Development in that the development proposal is considered to adversely impact on the amenity of the area by reason of the activity associated with the operation of the facility; particularly during concentrated times of the day and evening;
- (d) that the development proposal is contrary to the South Ayrshire Local Development Plan Policy in relation to Land Use and Transport in that the site is not accessible by a choice of means of transport, and the development proposal does not provide for travel by a choice of means of transport, and no justification has been provided for a departure from this policy; and
- (e) that the development proposal is considered to adversely impact on the residential amenity of the area by reason of the increased activity associated with the operation of the facility; particularly during concentrated times of the day and evening.

List of Determined Plans:

Drawing - Reference No (or Description): 599/L1; and

Drawing - Reference No (or Description): 599/B1.

- (5) **17/01330/MSCM –TROON – Land to the north-east of Barassie Farm, Kilmarnock Road** – Approval of matters specified in conditions for planning permission in principle 11/00540/PPPM – Erection of 62 residential units, associated works, landscaping and amended layout and house types (-incorporating 18 additional houses).

Decided: to agree that the Executive Director of Economy, Neighbourhood and Environment be granted delegated powers to approve this application for Approval of Matters Specified in Conditions subject to the necessary legal agreements being concluded in relation to the related application reference 17/00814/FURM and the issuing of that permission and the following conditions:-

- (a) that the development hereby granted shall be implemented in accordance with the 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 road parking spaces shall be provided in accordance with the Council's Roads Development Guide within the existing site boundaries prior to completion of the dwellinghouses;
- (c) 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;

- (d) that junction access visibility sightline splays of 2 metres by 43 metres shall be maintained in both directions at the junction with the public road. There shall be no obstacle greater than 1.05 metre in height within the visibility sightline splays'
- (e) 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 submitted to and approved by the planning 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'
- (f) the applicant/developer shall, prior to the commencement of work on site, submit a Construction Traffic Management Plan to the Roads Authority and Police Scotland. The plan shall detail the routing of all construction traffic to and from the development, and will include a programme of works detailing the anticipated number and classification of vehicle per month over the construction period. The Construction Traffic Management Plan shall require the written approval of the Planning Authority, prior to commencement on site;
- (g) that before occupation of the first dwelling, a Residential Travel Pack shall be submitted for the formal prior written approval of the Council as Planning Authority (in consultation with the Council as Roads Authority). The Residential Travel Pack shall provide information on pedestrian, cycling and public transport opportunities in the vicinity of the development site to encourage modes of travel other than private car;
- (h) that the private driveways shall be surfaced for a minimum of 2 metres as measured from the rear of the public footway prior to occupation. 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;
- (i) that prior to completion of the development any gates shall open inwards away from the public roadway with 45° splays from the gate posts, or that any wall, fence or hedge bounding the site shall be not more than 1 metre in height (as measured from the adjoining road level) for a distance of 1.5 metres on both sides of the access;
- (j) that no dwellinghouse hereby granted planning permission shall be occupied unless:- a) it has been served by a properly surfaced and adequately drained carriageway and footway; b) its respective access has been formed by a dropped kerb detail; and c) the adoptable road is illuminated by an approved street lighting scheme;
- (k) that driveways associated with dwellinghouses shall be designed in accordance with the standards as set out within the Council's Roads Development Guide, and be consistent with the design ethos as set out within Designing Streets;

- (l) that parking bays shall, depending on their type and orientation, be a minimum of: In-curtilage parking bays: 5.5 metres x 3 metres; Garages shall only be considered towards parking if an internal dimension of 7 metres x 3 metres can be demonstrated. All parking bays shall satisfy the design standards as set out within Designing Streets and the Council's Roads Development Guide;
- (m) that the housing development hereby approved shall accord with the conditions of the application of approval of matters specified in conditions 12/00163/MSCM in terms of the provision of the road and housing layout, earthworks strategy including agreed levels, drainage arrangements, provision of landscaping, both structural and internal to the site and provision of village greens and public open space, and the provision of footpaths within and linking the site to the surrounding area;
- (n) that the location, layout, design and species and genus of the proposed landscaping are hereby approved and the landscaping shall be carried out in accordance with the approved plans and shall be fully implemented prior to the occupation of the last house within this phase of the development;
- (o) that all works shall be carried out in accordance with the Ecological Management Plan approved under MSC Approval reference 12/00163/MSCM and if works to remove existing hedges and trees is required, a qualified ecologist shall be employed, to the satisfaction of the Planning Authority;
- (p) That all landscaping works and open space provision shall be retained as open space and maintained in accordance with the maintenance schedule contained within approved drawing number 127.90.01 "Landscape Proposal (Sheet 1 of 4)". Notwithstanding the approved maintenance schedule, the maintenance works for Beech, Photinia or other garden hedge shall include replacement of any hedge plants that are found to be removed, dying or severely diseased or damaged shall be replaced by hedge plants of similar size and species to those originally planted. These should be replaced as soon as seasonal weather conditions allow;
- (q) that the factoring arrangement and the maintenance schedule shall be put in place for the landscape works, grassed and planted areas, including trees, within the public road limits, trees, culverts and burns in accordance with the landscape maintenance schedule contained within approved drawing number 127.90.01 "Landscape Proposal (Sheet 1 of 4);
- (r) that notwithstanding the plans hereby approved, 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.
- (s) 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. Full details of the methods to be employed, following discussions with SEPA, and including where appropriate calculations, along with details of how these measures will be maintained in perpetuity, shall be submitted for approval in writing by this Planning Authority prior to the commencement of any works on site;

- (t) that the foul drainage arrangements for the site shall be to the satisfaction of the Planning Authority, in consultation with SEPA and Scottish Water;
- (u) that no part of any phase of the development shall be occupied until the Sustainable Urban Drainage System (SUDS) to which that part of the development relates has been completed in accordance with the submitted and approved plans;
- (v) that the presence of any previously unsuspected or unencountered 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 by the Planning Authority;
- (w) prior to the commencement of work, a plan showing all landscaped areas which are to be maintained by a factor shall be submitted to and approved by the Planning Authority. Such details shall show, for each such parcel of land, the extent of the land concerned in square meters and the layout, design, species and number of each type of plant. Performance bonds shall be submitted to the Planning Authority prior to the commencement of work to cover the cost of the landscape works, grassed and planted areas, including trees within the public road limits, trees, culverts and burns;
- (x) unless otherwise agreed in writing with the planning authority, none of the dwelling-houses hereby approved shall be occupied until such time as the developer has provided additional play equipment commensurate with the scale of development hereby approved. Prior to the commencement of development, details of the additional play equipment and its location shall be agreed in writing with the Planning Authority. A Performance Bond shall be submitted to the Planning Authority to cover the cost of the provision of the additional play equipment required by this condition;
- (y) notwithstanding the approved plans, the layout for plots 951 and 952 is not hereby approved. Prior to the commencement of construction work, a revised layout for these plots shall be submitted to and approved by the planning authority showing parking for plot 952 accessed from the residential streets and not from the distributor road;
- (z) that the housing development hereby approved shall accord with the conditions of the application for approval of matters specified in conditions 12/00163/MSCM in terms of the provision of the road and housing layout, earthworks strategy including agreed levels, drainage arrangements, provision of landscaping, both structural and internal to the site and provision of public open space and provision of footpaths within and linking to the surrounding area;
- (aa) that the internal noise level (Taeq T dB) within the proposed properties shall not exceed 45dB(A) daytime 07:00 hours to 23:00 hours and 35dB(A) night time 2300 hours to 07:00 hours (internal measurements assessed with windows sufficiently open for ventilation). In order to achieve this, the measured external background LAeq daytime shall not exceed 55dB(A) and 45dB(A) night time on any part of the site marked for dwellings;

- (bb) notwithstanding approved drawing number ARC/001-03, the details of the garden enclosures for plots 244, 250 and 293 are not hereby approved. Prior to the commencement of development, revised details for the garden enclosures shall be submitted to and approved by the Planning Authority. Such details shall show 1.8 meter high masonry walls or combination of masonry walls with timber fencing with an overall height of 1.8 metres, erected along the boundaries of plots 250 and 293 adjacent car parking bays and the boundary of plot 244 adjacent to the public road; and
- (cc) notwithstanding approved drawing number ARC/001-03, the details of the garden enclosures for plots 241, 242 and 247 are not hereby approved. Prior to the commencement of development, revised details of the garden boundaries shall be submitted to and approved by the planning authority. Such details shall show the rear gardens for plots 241 and 242 increased in area.

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;
- (c) in the interest of road safety and avoid the discharge of water on to the public road;
- (d) in the interest of road safety and to ensure acceptable visibility at road junctions;
- (e) in the interest of road safety;
- (f) in the interest of road safety;
- (g) to encourage sustainable means of travel;
- (h) in the interest of road safety and to ensure an acceptable standard of construction;
- (i) in the interest of road safety;
- (j) in the interest of road safety;
- (k) in the interest of road safety and to ensure that there is adequate space for manoeuvring and turning;
- (l) in the interest of road safety and to ensure that there is adequate space for manoeuvring and turning;
- (m) to comply with the first formal application for matters specified in conditions 12/00163/MSCM;
- (n) in the interest of visual amenity;
- (o) in the interest of biodiversity;
- (p) in the interest of visual amenity;
- (q) to ensure that all landscaped areas/burns/culverts are properly maintained;
- (r) in the interest of visual amenity;
- (s) to attenuate surface water in the site
- (t) in the interests of health and safety;
- (u) to attenuate surface water in the site;
- (v) to ensure all contamination within the site is dealt with;
- (w) to ensure that the whole site is developed in an integrated manner and in the interest of visual amenity;
- (x) to comply with the Local Development Plan policies and in the interest of amenity
- (y) in the interest of road safety;
- (z) to comply with the terms of the first formal application for matters specified in conditions 12/00163/MSCM;

- (aa) to avoid noise disturbance in the interest of residential amenity;
- (bb) in the interest of visual amenity and in accordance with the approved Design and Access Statement for the development; and
- (cc) in the interest of amenity in order to ensure that houses within the development have adequate private open space.

Advisory Notes:

- Please note that Construction Consent from the Roads Authority will be required for the formation of any new road. The formation of any new road will require to comply with the specifications of the Roads Authority which are detailed in the latest Roads Development Guide publication.
- The Council as Roads Authority advises that the rights of the utilities to enter the enclosed area in order to gain access to their services in accordance with their rights under law should be maintained.
- 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 access to the site shall be by way of dropped kerbs, in accordance with the Council's Roads Development Guide before completion of the development.
- 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 only signs complying with the requirements of `The Traffic Signs Regulations and General Directions 2002¿ are permitted within public road limits.
- 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 to the Roads Authority no later than 1 month after completion of the development. 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. The requirement to complete a Road Safety Audit includes a requirement to address the recommendations contained within the audit report.
- 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.

- 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

List of Determined Plans:

Drawing - Reference No (or Description): BFT-A-1B-420;
 Drawing - Reference No (or Description): BFT-A-1B-601;
 Drawing - Reference No (or Description): BFT-A-1B-600;
 Drawing - Reference No (or Description): BFT-C-2B-420;
 Drawing - Reference No (or Description): BFT-C-2B-601;
 Drawing - Reference No (or Description): BFT-C-2B-600;
 Drawing - Reference No (or Description): BFT-D-2B-420;
 Drawing - Reference No (or Description): BFT-D-2B-601;
 Drawing - Reference No (or Description): BFT-D-2B-600;
 Drawing - Reference No (or Description): BFT-E-3B-420;
 Drawing - Reference No (or Description): BFT-E-3B-601;
 Drawing - Reference No (or Description): BFT-E-3B-600;
 Drawing - Reference No (or Description): BFT-AFF/023;
 Drawing - Reference No (or Description): BFT-97/82-3S-420;
 Drawing - Reference No (or Description): BFT-97/82-3S-610;
 Drawing - Reference No (or Description): BFT-97/82-3S-600;
 Drawing - Reference No (or Description): BFT-COMP1-601;
 Drawing - Reference No (or Description): BFT-COMP1-600;
 Drawing - Reference No (or Description): BFT-COMP1-420;
 Drawing - Reference No (or Description): BFT-97-SD-430;
 Drawing - Reference No (or Description): W20-111-4D-400;
 Drawing - Reference No (or Description): W20-111-4D-420;
 Drawing - Reference No (or Description): W20-111-4D-600;
 Drawing - Reference No (or Description): W21-SD-05-38;
 Drawing - Reference No (or Description): W21-SD-05-37;
 Drawing - Reference No (or Description): W21-SD-05-32A;
 Drawing - Reference No (or Description): ARC/001-03;
 Drawing - Reference No (or Description): E9341/2008 REV.A A;
 Drawing - Reference No (or Description): W20-117-4D-400 B;
 Drawing - Reference No (or Description): W20-117-4D-420 REV B B;
 Drawing - Reference No (or Description): W20-117-4D-600 C;
 Drawing - Reference No (or Description): W20-130-4D-400 REV D D;
 Drawing - Reference No (or Description): W20-130-4D-420 REV B B;
 Drawing - Reference No (or Description): W20-130-4D-600 REV B B;
 Drawing - Reference No (or Description): W20-140-5D-420;
 Drawing - Reference No (or Description): W20-140-5D-600 REV E E;
 Drawing - Reference No (or Description): BFT-140-4D-420;
 Drawing - Reference No (or Description): BFT-140-4D-610;
 Drawing - Reference No (or Description): BFT-140-4D-600;
 Drawing - Reference No (or Description): W20-148-5D-400 REV A A;

Drawing - Reference No (or Description): W20-148-5D-420 REV E E;
Drawing - Reference No (or Description): W20-148-5D-610 REV E E;
Drawing - Reference No (or Description): W20-148-5D-600 REV B B;
Drawing - Reference No (or Description): BFT-148-5D-420;
Drawing - Reference No (or Description): BFT-148-5D-610;
Drawing - Reference No (or Description): BFT-148-5D-600
Drawing - Reference No (or Description): 127.90-02;
Drawing - Reference No (or Description): 127.80.03;
Drawing - Reference No (or Description): 127.90.04
Drawing - Reference No (or Description): W20-150-5D-400 REV C C;
Drawing - Reference No (or Description): W20-150-5D-420 REV B B;
Drawing - Reference No (or Description): W20-150-5D-610 REV D D;
Drawing - Reference No (or Description): W20-150-5D-600 REV C C;
Drawing - Reference No (or Description): BFT-150-5D-421;
Drawing - Reference No (or Description): BFT-150-5D-611;
Drawing - Reference No (or Description): BFT-150-5D-601;
Drawing - Reference No (or Description): BFT-150-5D-420;
Drawing - Reference No (or Description): BFT-150-5D-610;
Drawing - Reference No (or Description): BFT-150-5D-600;
Drawing - Reference No (or Description): BFT-ARC/002;
Drawing - Reference No (or Description): BFT-157-5D-420;
Drawing - Reference No (or Description): BFT-157-5D-610;
Drawing - Reference No (or Description): BFT-157-5D-600;
Drawing - Reference No (or Description): W20-165-5D-400 A;
Drawing - Reference No (or Description): W20-165-5D-420 REV A A;
Drawing - Reference No (or Description): W20-165-5D-610 REV B B;
Drawing - Reference No (or Description): W20-165-5D-600 REV B B;
Drawing - Reference No (or Description): W20-174-6D(3)-400 REV A A;
Drawing - Reference No (or Description): W20-174-6D(3)-420 REV A A;
Drawing - Reference No (or Description): W20-174-6D(3)-600 C;
Drawing - Reference No (or Description): BFT-174-6D(3)-600 C;
Drawing - Reference No (or Description): BFT-174-6D(3)-620;
Drawing - Reference No (or Description): BFT-174-6D(3)-620;
Drawing - Reference No (or Description): W20-174-6D(3)-620 REV C C;
Drawing - Reference No (or Description): BFT-177-5D-430;
Drawing - Reference No (or Description): BFT-177-5D-610;
Drawing - Reference No (or Description): BFT-177-5D-600;
Drawing - Reference No (or Description): W20-SD-05-04;
Drawing - Reference No (or Description): BFT-ARC-022;
Drawing - Reference No (or Description): W20-191-5D-400 B;
Drawing - Reference No (or Description): W20-191-5D-420 B;
Drawing - Reference No (or Description): W20-191-5D-610 C;
Drawing - Reference No (or Description): W20-191-5D-600 C;
Drawing - Reference No (or Description): BFT-191-5D-420;
Drawing - Reference No (or Description): BFT-191-5D-610;
Drawing - Reference No (or Description): BFT-191-5D-600;
Drawing - Reference No (or Description): W20-209-5D-400 A;
Drawing - Reference No (or Description): W20-209-5D-420 A;
Drawing - Reference No (or Description): W20-209-5D-610 D;

Drawing - Reference No (or Description): W20-209-5D-600 D;
 Drawing - Reference No (or Description): W20-223-5D-400 B;
 Drawing - Reference No (or Description): W20-223-5D-420 B;
 Drawing - Reference No (or Description): W20-223-5D-610 D;
 Drawing - Reference No (or Description): W20-223-5D-600 C;
 Drawing - Reference No (or Description): BFT-223-5D-430;
 Drawing - Reference No (or Description): BFT-223-5D-610;
 Drawing - Reference No (or Description): BFT-223-5D-600;
 Drawing - Reference No (or Description): W20-SD-05-01;
 Drawing - Reference No (or Description): W20-SD-05-02;
 Drawing - Reference No (or Description): G/SMH/1066;
 Drawing - Reference No (or Description): E9341/1501-4 E; and
 Drawing - Reference No (or Description): 127.90-01.

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.

- (6) [17/01329/FURM](#) – AYR – Queen Margaret Academy, Dalmellington Road– Further application so as not to comply with condition 1 of planning permission 17/00216/APPM to amend position of car park access junction.

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

- (a) that the development hereby granted shall be implemented in accordance with the 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 the outdoor sports facilities shall be completed and operational within 1 year of completion of the school building;
- (c) that the existing landscaping towards the roundabout and to the SE boundary along A77, shall be improved and enhanced with additional native tree planting. Before any works start on site, detailed landscape plans at a recognised metric scale showing the required additional planting 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. The scheme as approved shall be implemented within the first planting season following the occupation of the development. The open space/landscaped area shall be retained as open space and to this approved standard;

- (d) that all landscaping works and open space provision shall be completed in accordance with the approved landscape drawings prior to the occupation of the school. The open space/landscaped area shall be retained as open space and to this approved standard;
- (e) that the mature tree belt to the North of the site, at Annfield Burn, shall be retained and protected during the construction works in accordance with BS5837:2012 Trees in relation to Design, Demolition and Construction, to the satisfaction of the Planning Authority;
- (f) that before any works start on site, the developer shall submit, details and specifications of the protective measures necessary to safeguard the trees on the site during operations. This Planning Authority shall be formally notified in writing of the completion of such measures and no work on site shall commence until the Planning Authority has confirmed in writing that the measures as implemented are acceptable. The protective measures shall be retained in a sound and upright condition throughout the operations and no building materials, soil or machinery shall be stored in or adjacent to the protected area, including the operation of machinery;
- (g) that the recommendations for further surveys and mitigation measures shall be implemented as outlined in the Ecological Appraisal conducted by Bridley Associates. The proposed shrub and tree planting shall be UK native species where possible and the wildflower meadow shall use native nectar rich species. Bird and bat boxes shall be installed;
- (h) that the applicant shall comply with the findings of noise impact assessment QUEEN MARGARET ACADEMY REV - 00 21st February 2017;
- (i) that the applicant shall comply with the findings of light pollution study KEIR/QMA 004 Date - 02/17;
- (j) that the presence of any previously unsuspected or unencountered contamination that becomes evident during the development of the site shall be brought to the attention of the Planning Authority within one week of the find. At this stage, a comprehensive contaminated land investigation shall be carried out if requested by the Planning Authority;
- (k) that the proposed all-weather sports pitches shall not be in use after 10.00pm. A management plan clarifying the operational arrangements to demonstrate compliance with this hours of operation restriction shall be submitted for the prior written approval of the planning authority before facilities become operational;

- (l) 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;
- (m) that before occupation of the new school 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 include information on existing pedestrian facilities on the principal walking routes to and from the school within the catchment. 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 private car. The Travel Plan shall clearly define the system of management, monitoring, review, reporting and the duration of the plan;
- (n) that before occupation of the new school a School Travel Pack shall be submitted for the prior written approval of the Council as Planning Authority (in consultation with the Council as Roads Authority). The School Travel Pack shall include information on walking, cycling and public transport facilities and services along principle routes within the catchment area. The Travel Pack shall be distributed to all pupils upon initial opening of the new school, and to new pupils as part of the new intake annually thereafter;
- (o) that all new roads infrastructure associated with the development shall require to 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 prior written approval of the Council as Planning Authority (in consultation with the Council as Roads Authority). All roads infrastructure shall be constructed, as approved by condition and in conjunction with the necessary Roads permissions (RCC or S56), prior to school opening;
- (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 Planning 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 a maximum of 104 standard 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 a further 2 spaces for disabled users. In addition, a drop-off facility with capacity to accommodate 9 cars shall be included within the layout, with a second drop-off area to accommodate 3 taxis. Details of parking layouts designed to comply with the guidance set out in the Council's National Roads Development Guide, and Designing Streets as National Policy, shall be submitted for the prior written approval of the Council as Planning Authority (in consultation with the Council as Roads Authority);
- (s) that a maximum of 8 school bus parking spaces shall be provided within the existing site boundary to satisfy provision levels of demand as stipulated by SAC Education. Details of the school bus parking layouts shall be submitted for the prior written approval of the Council as Planning Authority (in consultation with the Council as Roads Authority);
- (t) that cycle parking accommodating a minimum of 36 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;
- (u) that plans, supplemented by swept path analysis of the largest vehicle type reasonably expected to be serving the development, shall be submitted for the prior written approval of the Council as Planning Authority (in consultation with the Council as Roads Authority), and shall require to accord with paragraph 3.1.3 of the Council's National Roads Development Guide. The turning areas shall be constructed, as approved, prior to completion of the development;
- (v) that the applicant shall submit swept path analysis demonstrating that each school bus bay can independently be safely accessed and egressed, for the formal prior written approval of the Council as Planning Authority;
- (w) 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;
- (x) 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; and

- (y) details of the Sustainable Urban Drainage System (SUDS) shall be submitted for the prior written approval of the Council as Planning Authority (in consultation with the Council as Roads Authority). The development shall not be occupied into the SUDS scheme has been completed in accordance with submitted and approved plans.

Reasons:

- (a) to ensure that the development is carried out in accordance with the approved plans unless otherwise agreed;
- (b) to ensure timeous replacement of pitches directly affected by development and maintain local access to pitch facilities;
- (c) in the interests of visual amenity and to ensure a satisfactory standard of local environmental quality. The additional tree planting can in time form more continuous landscape strip that would benefit screening and local biodiversity;
- (d) to ensure landscaping works are completed at an appropriate stage in the development of the site;
- (e) in the interests of visual amenity and to ensure that all trees worthy of retention are satisfactorily protected before and during works on site;
- (f) in order to ensure that no damage is caused to the existing trees during development operations;
- (g) in the interests of natural heritage. To maximise potential to enhance bio-diversity and to encourage the identified species to nest / roost on the site;
- (h) to avoid noise disturbance in the interests of residential amenity;
- (i) to avoid light disturbance in the interests of residential amenity;
- (j) to ensure all contamination within the site is dealt with;
- (k) In the interests of residential amenity and to retain proper control over the development proposal;
- (l) to establish whether there are any archaeological interests on this site and allow for archaeological excavation and recording;
- (m) to encourage sustainable means of travel;
- (n) to encourage sustainable means of travel;
- (o) in the interest of road safety and to ensure an acceptable standard of construction;
- (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) to ensure adequate provision of cycle parking on site, and encourage sustainable means of travel;
- (u) to reasonably avert the reversing of vehicles onto the main road, and in the interests of road safety;
- (v) in the interest of road safety
- (w) in the interest of road safety;
- (x) in the interest of road safety; and
- (y) to ensure the site is drained in an acceptable and sustainable manner.

Advisory Notes:

- SportsScotland has advised that the new synthetic pitches should be designed and constructed by a recognised specialist pitch contractor such as 'The Sports and Play Construction Association' (www.sapca.org.uk) This is to ensure appropriate design and construction of replacement pitches. SportsScotland would be happy to provide input to this matter.
- Road Opening Permit: 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.
 Roads (Scotland) Act: 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.
 New Roads and Street Works Act 1991: 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.
 Costs of Street Furniture: 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.
 Costs of TROs: 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.
 Signage to TSRGD 2016: 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.
 RSA Stage 2: 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.
 RSA Stage 3: 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 no later than 1 month after completion of the development, 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.
 Road Will Not Be Adopted: The Council as Roads Authority advises that the Council will not adopt the access roads into the school site upon their completion.
 Drainage Not Adopted: The Council as Roads Authority advises that the Ayrshire Roads Alliance will not be liable to adopt the drainage system as it is wholly contained within private ownership.

List of Determined Plans:

Drawing - Reference No (or Description): (PL)AP001 REV 00 Location Plan;
 Drawing - Reference No (or Description): (PL)AP004 REV 01 Proposed Block Plan;
 Drawing - Reference No (or Description): (PL)LP001 V01 Landscape Plan;
 Drawing - Reference No (or Description): 700 REV C Swept Path Analysis;
 Other - Reference No (or Description): SUPPORTING STATEMENT;

The following plans and documentation approved under permission 17/00216/APPM:

Drawing - Reference No (or Description): (PL)AS001 Sections AA and BB;
 Drawing - Reference No (or Description): (PL)AS002 Sections CC, DD _ EE;
 Drawing - Reference No (or Description): (PL)LS001 REV 0.0 Landscape Sections;
 Other - Reference No (or Description): Contractor Logistics;
 Drawing - Reference No (or Description): 500 REV A Drainage Layout;
 Drawing - Reference No (or Description): Existing First Floor Pla;
 Other - Reference No (or Description): Land Ownership Plan;
 Other - Reference No (or Description): Drainage Strategy Plan;
 Other - Reference No (or Description): Transport Statement;
 Other - Reference No (or Description): Tree Survey Report;
 Other - Reference No (or Description): Outdoor Sports Facilitie;
 Other - Reference No (or Description): Design _ Access Statemen;
 Other - Reference No (or Description): Ecology Report;
 Other - Reference No (or Description): Flood Risk Assessment;
 Other - Reference No (or Description): Noise Impact Assessment;
 Other - Reference No (or Description): PAC Report;
 Other - Reference No (or Description): Geotech Design Site Invs;
 Drawing - Reference No (or Description): Existing G/F Plan;
 Drawing - Reference No (or Description): (PL)AP002 Existing Block Plan;
 Drawing - Reference No (or Description): (PL)AP005 Proposed General Arrange;
 Drawing - Reference No (or Description): (PL)AP010 Proposed General Arrange;
 Drawing - Reference No (or Description): 701 REV B Swept Path Analysis;
 Drawing - Reference No (or Description): KEIR QMA_004 Light Pollution Study;
 Drawing - Reference No (or Description): T-01 Exist Topographical S;
 Drawing - Reference No (or Description): (PL)AE001 elevations 1 of 2;
 Drawing - Reference No (or Description): (PL)AE002 elevations 2 of 2;
 Drawing - Reference No (or Description): (PL)AP006 Level One;
 Drawing - Reference No (or Description): (PL)AP007 Level Two;
 Drawing - Reference No (or Description): (PL)AP008 Level Three;
 Drawing - Reference No (or Description): (PL)AP009 Level Four;

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.

- (7) [17/00536/PPPM](#) – DUNDONALD – Land at Kilmarnock Road – Application for planning permission in principle for the erection of residential development, associated access roads, open space, landscaping and other required infrastructure.

Decided: to agree that the Executive Director of Economy, Neighbourhood and Environment be granted delegated powers to approve this application for planning permission in principle subject to the signing of a S75 legal agreement and the following conditions:-

- (a) 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;
- (b) that this planning permission in principle, subject to the specified planning conditions, relates to the plan(s) as listed below. For the avoidance of doubt, the requirements of the conditions of this permission will necessitate an amendment to the plans listed below including the indicative masterplan/design statement;
- (c) that the development hereby permitted shall not exceed 250 dwellings;
- (d) that at the first application for Approval of Matters Specified in Conditions (AMSC), the applicant shall submit the following information:
 - (i) A phasing plan which sets out the programme of works detailing the proposed phasing for the provision of the roads, housing, structural landscaping, provision of play equipment and other associated works for each phase of the development, all to the satisfaction of and the approval of the Planning Authority.
 - (ii) A Design and Access Statement demonstrating compliance with the requirements of the Local Development Plan and government policy including 'Creating Places' and 'Designing Streets' together with the Council's Guidance on 'Open Space and Designing New Residential Development' and 'New Housing Developments and Affordable Housing' and Supplementary Guidance on 'Housing Site Design Briefs' (DUN1, DUN2 and DUN3).'
 - (iii) Suitably scaled block layout plans showing: existing ground levels, proposed ground levels and finished floor levels of each proposed dwellinghouse together with cross sectional plans indicating the extent of the development site, the proposed finished floor levels, and the ridge level of the proposed development, the levels of all adjacent land and buildings and their relationship to the proposed development and any existing or proposed screening measures (eg wall or fencing).
 - (iv) A detailed landscaping scheme for soft and hard landscaping within the application site, which includes a schedule of works and completion dates for said soft and hard landscaping, play area(s) and play equipment; and details of future landscaping maintenance, management and aftercare within the application site. The scheme of landscaping and play provision shall be

suitably secured by the provision of a financial bond, or other means agreed with the Planning Authority, covering the cost of works, to be lodged prior to the granting of formal permission. The detailed landscape plans shall be at a recognised metric scale and 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. 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.

- (v) A staged programme and plan showing the location of the points of access and connections with the existing public road network;
- (e) 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 by the applicant, agreed by the West of Scotland Archaeology Service, and approved by the Planning Authority. Thereafter the developer shall ensure that the programme of archaeological works is fully implemented and that all recording and recovery of archaeological resources within the development site is undertaken to the satisfaction of the Planning Authority in agreement with the West of Scotland Archaeology Service;
- (f) that before occupation of the first dwelling within the development a Residential 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 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;
- (g) that all new roads infrastructure associated with the development shall require to 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 prior written approval of the Council as Planning Authority (in consultation with the Council as Roads Authority). All roads infrastructure shall be constructed, as approved by condition and in conjunction with the necessary Roads Construction Consents, prior to occupation of any dwellings within an associated construction phase;

- (h) that the public road along the full length of the development frontages on both the B750 Kilmarnock Road and the B730 Tarbolton Road shall be resurfaced to the specification as provided by the Council as Roads Authority, prior to completion of the development;
- (i) that at the Approval of Matters Specified in Conditions stage, plans detailing junction layouts shall be submitted for the prior written approval of the Council as Planning Authority (in consultation with the Council as Roads Authority). The junction layouts shall require to accord with the Council's National Roads Development Guide, and with Designing Streets as National Policy. For the avoidance of doubt, the junction designs as set out within the supporting Transport Assessment document are not deemed to be approved by the Council as Roads Authority;
- (j) 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;
- (k) 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;
- (l) 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;
- (m) 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;
- (n) that at the Approval of Matters Specified in Conditions stage, plans detailing all turning areas shall be submitted for the prior written approval of the Council as Planning Authority (in consultation with the Council as Roads Authority). The turning areas shall require to accord with paragraph 3.1.3 of the Council's National Roads Development Guide;
- (o) prior to any development commencing the applicant shall submit a swept path analysis accommodating the largest size of vehicle expected to be used by or serve the development for the formal prior written approval of the Council as Planning Authority;
- (p) 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;

- (q) that public footways with a minimum width of 2m shall be provided along the site frontage(s) on the B750 Kilmarnock Road and the B730 Tarbolton Road, to be designed in accordance with the specifications as set out within the Council's National Roads Development Guide. The footways shall be constructed, as approved, prior to completion of the development;
- (r) that footpath, cycle and equestrian links as considered appropriate shall be provided with existing public roads and footways at locations to the satisfaction of the Council as Planning Authority (in consultation with the Council as Roads Authority);
- (s) 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;
- (t) 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;
- (u) the applicant shall submit plans of all proposed new bus stops for the prior written approval of the Council as Planning Authority (in consultation with the Council as Roads Authority), and shall ensure that all residential units within the development are located within 400m of a new or existing bus stop. The bus stop details shall include the exact proposed location of the stops in addition to specifications of a flag and pole, bus shelter (where appropriate) and associated bus boarder kerbing. All new bus stops shall be constructed, as approved, prior to completion of the development;
- (v) that all new bus stops shall be required to incorporate Real Time Passenger Information screens (RTPI) compatible with the existing Ayrshire Real Time system, prior to the completion of the development. This shall include supply and installation of an isolatable power source within a power termination pillar, the required ducting, a post retention socket compatible with a Trueform Elite pole, a Trueform Elite pole, and a 6 line bann display or equivalent, the cost of which to be met by the developer. The developer shall also be responsible for providing 5 years maintenance cover for the screens. The designs, locations and specifications of the RTPI screens associated with all new bus stop(s) shall be submitted for the written approval of the Roads Authority prior to their installation;

- (w) A 'Surface Water Management Plan' to be developed for the site in accordance with the guidelines as set out in the "Water Assessment and Drainage Assessment Guide" as produced by the Sustainable Urban Drainage Scottish Working Party and 'The SuDS Manual CIRIA C753. At the Approval of Matters Specified in Conditions stage full details of the methods to be employed, following discussions with SEPA, and including where appropriate calculations, along with details of how these measures will be maintained in perpetuity, shall be submitted for the formal prior written approval of the Council as Planning Authority before any work commences on site;
- (x) 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 by the Planning Authority;
- (y) that at Approval of Matters Specified in Conditions stage a detailed flood risk assessment report including SEPA Flood Risk Assessment (FRA) Checklist SS-NFR-F-001 - Version 13 shall be submitted for the prior written approval of the Council as Planning Authority, in consultation with SEPA, before any work commences on site. For the avoidance of doubt this will include:-
- (i) Confirmation that the channel gradient is based on survey data;
 - (ii) The submitted sensitivity analysis to be quantified;
 - (iii) The relief level of Dundonald Bridge to be confirmed; and
 - (iv) The capacity of the crossings upstream of Dundonald Bridge to be confirmed and the risk of blockage assessed;
- (z) that all future applications for the approval of matters specified in conditions shall fully consider and address the effects of noise pollution upon future residential properties. The impact of the noise from noise generating development on noise sensitive receptors shall comply with the following criteria:

Maximum Target Noise Levels within the noise sensitive receptor to be used in the determination:

LAEQ16hrs	35dB	(0700-2300)	internal noise level
LAEQ 8hrs	30dB	(2300-0700)	internal noise level
LAMAX	45dB	(2300-0700)	internal noise level
LAEQ 16hrs	50dB	(0700-2300)	outside amenity space

In addition the significance of effect to be no greater than neutral as per Technical Advice Note Assessment of Noise (TAN) Table 3.5 page 20.

All noise measurements should be undertaken by a competent acoustic consultant and be detailed in a report submitted to the Planning Authority for approval.

For the avoidance of doubt, ensuring that these noise standards are fully complied with may include the use of the following design measures; separation distances from noise sources, orientation of dwellings and gardens, landscaped bunding, acoustic fencing and ventilation measures, although this list is not exhaustive. The required 'Design & Access Statement' shall demonstrate fully how noise mitigation has been considered and addressed.

In addition it should be noted that the internal levels shall be met with windows open sufficiently for ventilation purposes (normally 10% of the opening area). Closed windows with mechanical ventilation would only be considered as a last resort.

Reasons:

- (a) 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;
- (b) to ensure the development is carried out in accordance with the approved plans unless otherwise agreed;
- (c) in the interests of the proper planning of the area;
- (d) in order to retain proper control over the development proposal, to ensure compliance with the Local Development Plan and Supplementary Guidance and in the interests of residential, visual amenity, natural heritage and accessibility. Due also to the sloping nature of the site and to ensure that there is no significant detrimental impact on adjacent properties;
- (e) to establish whether there are any archaeological interests on this site and allow for archaeological excavation and recording;
- (f) to encourage sustainable means of travel;
- (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;
- (i) in the interest of road safety and to ensure an acceptable standard of construction;
- (j) in the interest of road safety and to avoid the discharge of water onto the public road;
- (k) in the interest of road safety and to ensure that there is adequate space for manoeuvring and turning;
- (l) in the interest of road safety and to ensure adequate off-street parking provision;
- (m) in the interest of road safety and to ensure adequate off street parking provision;
- (n) to reasonably avert the reversing of vehicles onto the main road, and in the interests of road safety;
- (o) in the interest of road safety;
- (p) in the interest of road safety;
- (q) in the interest of road safety and to ensure that adequate provision is made for pedestrians;
- (r) to encourage sustainable means of travel;
- (s) in the interest of road safety;
- (t) in the interest of road safety;
- (u) to provide accessible public transport;
- (v) to provide accessible public transport;

- (w) to ensure the site is drained in an acceptably sustainable manner and the drainage infrastructure is properly maintained;
- (x) to ensure all contamination within the site is dealt with;
- (y) in order to ensure that the proposed development does not place buildings and persons at flood risk contrary to planning policy; and
- (z) in the interests 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.
- SEPA were consulted on this application and have provided the following advice for the applicant:
 The SEPA Flood Maps have been produced following a consistent, nationally-applied methodology for catchment areas equal to or greater than 3km² using a Digital Terrain Model (DTM) to define river corridors and low-lying coastal land. The maps are indicative and designed to be used as a strategic tool to assess, flood risk at the community level and to support planning policy and flood risk management in Scotland. For further information please visit <http://www.sepa.org.uk/environment/water/flooding/flood-maps/>.
 SEPA refer the applicant to the document entitled: "Technical Flood Risk Guidance for Stakeholders". This document provides generic requirements for undertaking Flood Risk Assessments and can be downloaded from <http://www.sepa.org.uk/media/162602/ss-nfr-p-002-technical-flood-risk-guidance-for-stakeholders.pdf>. Please note that this document should be read in conjunction with Policy 41 (Part 2).
 SEPA Flood Risk Assessment checklist should be completed and attached within the front cover of any flood risk assessments issued in support of a development proposal which may be at risk of flooding. The document will take only a few minutes to complete and will assist SEPA review process. It can be downloaded from <http://www.sepa.org.uk/media/159170/flood-risk-assessment-checklist.xls>.
 Please note that SEPA is reliant on the accuracy and completeness of any information supplied by the applicant in undertaking its review, and can take no responsibility for incorrect data or interpretation made by the authors.
 It is noted that a proposed foul pump is illustrated on the Drainage with Site Contours drawing on Page. 7 of the Outline Design/Masterplan Statement. SEPA would take the opportunity to highlight that the pumping station and its associated infrastructure should be designed to function without the requirement for any emergency overflow arrangement. Mitigation measures should be implemented to address potential environmental impact from mechanical failure. SEPA preference to an emergency overflow arrangement would be the adoption of appropriate storage capacity.
 Please note, should the pumping station be served by an emergency overflow discharging to the water environment then a licence will be required under CAR.

Construction/demolition works associated with the development of the site must be carried out with due regard to the guidelines on avoidance of pollution. Reference should be made to the relevant Guidance for Pollution Prevention (GPPs) Notes available via SEPA website and to the CIRIA publication C715 "Environmental Good Practice On Site - Pocket Book".

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 also 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.

It is a requirement of CAR to provide a SUDS 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's 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. Please note that the final SUDS intended for the treatment of surface run off post development are not appropriate to be used for construction phase SUDS.

In order for the government's renewable energy and heat demand targets to be met, it is important that all types of new development consider the role they play in using heat from renewable sources. Paragraph 154 of SPP states that the planning system should support the transformational change to a low carbon economy including deriving "11% of heat demand from renewable sources by 2020" and supporting "the development of a diverse range of electricity generation from renewable energy technologies - including the expansion of renewable energy generation capacity - and the development of heat networks". SEPA have recently published new development management guidance on Heat Networks and District Heating, supported by a background paper, setting out SEPA expectations to support the achievement of these targets in line with SEPA duties under the Climate Change (Scotland) Act 2009. SEPA require that new substantial development ensure that their heat demand is met through district heating networks subject to the outcomes of feasibility statement prepared in line with the Scottish Government's Planning Advice on Heat. SEPA therefore encourage that the proposed development connects to and develops a district heating network. It is encouraged that a feasibility study is undertaken to consider how the proposed development will be designed to accommodate district heating pipe networks to enable connection to any local district heating networks that become available in the future should onsite district heating not be feasible. Please be aware that this has the potential to alter the layout of the proposed development.

- Scottish Water were consulted on this application and have provided the following advice for the applicant:

There is currently sufficient capacity in the Bradan Water Treatment Works. However, please note that further investigations may be required to be carried out once a formal application has been submitted to Scottish water.

This proposed development will be fed from Meadowhead Waste Water Treatment Works. Unfortunately, Scottish Water is unable to confirm capacity at this time so to allow Scottish water to fully appraise the proposals. Scottish Water suggest that the applicant completes a Pre-Development Enquiry (PDE) Form and submits it directly to Scottish Water. The applicant can download a copy of Scottish water PDE Application Form, and other useful guides, from Scottish Water's website at the following link www.scottishwater.co.uk/business/connections/connecting-your-property/newdevelopment-process-and-applications-forms/pre-development-application.

The applicant should be aware that Scottish water is unable to reserve capacity at their water and/or waste water treatment works for the proposed development. Once a formal connection application is submitted to Scottish Water after full planning permission has been granted, Scottish water will review the availability of capacity at that time and advise the applicant accordingly.

For reasons of sustainability and to protect our customers from potential future sewer flooding, Scottish Water will not normally accept any surface water connections into our combined sewer system.

There may be limited exceptional circumstances where Scottish water would allow such a connection for brownfield sites only, however this will require significant justification from the customer taking account of various factors including legal, physical, and technical challenges. In order to avoid costs and delays where a surface water discharge to Scottish water combined sewer system is anticipated, the developer should contact Scottish Water at the earliest opportunity with strong evidence to support the intended drainage plan prior to making a connection request. Scottish water will assess this evidence in a robust manner and provide a decision that reflects the best option from environmental and customer perspectives.

- South Ayrshire Environmental Health were consulted on this application and have provided the following advice for the applicant:

The proposed street lighting comply with the Institution of Lighting Professionals' "Guidance Notes for the Reduction of Obtrusive Light".

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.

On completion the dwelling(s) must meet the tolerable standard as described in Section 87 of the Housing (Scotland) Act 1987 (as amended), be provided with all standard amenities and meet the requirements of Scottish Water.

- The Council as Roads 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 roads 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 requirement of the Transport (Scotland) Act 2005 and the Roads (Scotland) Act 1984.

In order to comply with the requirements of the New Roads and Street Works Act 1991, all works carried out in association with the development on the public road network, including those involving the connection of any utility to the site, must be co-ordinated so as to minimise their disruptive impact. This co-ordination shall be undertaken by the developer and his contractors in liaison with the local roads authority and the relevant utility companies.

The council as roads authority advises that any costs associated with the relocation of any street furniture shall require to be borne by the applicant/developer.

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

The Council as Roads Authority advises that only signs complying with the requirements of 'The Traffic Signs Regulations and General Directions 2016' are permitted within public road limits.

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

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 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 and the applicant.

The Council as Roads Authority advises that a Stage 3 Road Safety audit in compliance with HD 19/03 of the Standard Highways Design Manual for Roads and Bridges should be submitted to the prior written approval of the Council as Roads Authority no later than 1 month after completion of the development, 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 and the applicant. The requirement to complete a Road Safety Audit includes for addressing the recommendations contained with the audit report.
- South Ayrshire Council Sustainable Development Team advise as follows:

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

Should any European Protected Species (EPS) be found either prior to or during the period of development then a qualified ecologist should be contacted immediately for advice before proceeding with works. Advice from SNH may be required and the ecologist should be able to determine this.

Should any European Protected Species (EPS) be found either prior to or during the period of development then the need for EPS licensing should be reviewed.
If there is a requirement for any tree felling then it may be appropriate for the developer to conduct a survey (in season) for potentially roosting bats/nesting birds.

List of Determined Plans:

Drawing - Reference No (or Description): LOCATION PLAN 1610-PLA-001;
Drawing - Reference No (or Description): INDICATIVE MASTERPLAN 1610-PLA-003;
Drawing - Reference No (or Description): INDICATIVE PHASING PLAN 1610-PLA-004;
Drawing - Reference No (or Description): LANDSCAPE STRATEGY PPP STAGE PLA DDD-001A;
Other - Reference No (or Description): DRAINAGE STRATEGY May 2017;
Other - Reference No (or Description): ECOLOGY REPORT;
Other - Reference No (or Description): FLOOD RISK ASSESSMENT May 2016;
Other - Reference No (or Description): GROUND INVESTIGATION May 2017;
Other - Reference No (or Description): OUTLINE DESIGN MASTERPLAN STATEMENT;
Other - Reference No (or Description): PRE-APPLICATION CONSULTATION REP May 2017; and
Other - Reference No (or Description): TRANSPORT STATEMENT May 2017.

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.

Councillor Cavana, having previously declared an interest in the following two planning applications, withdrew from the meeting at this point.

- (8) [17/00968/FURM](#) – AYR – Ayr Racecourse, 2 Whitletts Road – further application so as not to comply with condition 1 of planning consent 14/01089/FURM.

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

- (a) that the development hereby permitted shall be commenced prior to 12th October 2020;

- (b) that notwithstanding the approved plans, the three storey block of flats referred to in the submitted plans as block 7 is not hereby approved. Prior to the commencement of the development on site, details shall be submitted to and approved by the Planning Authority of flatted block 7 reduced in height to no more than two storeys in height. Further prior to the commencement of the development on site details shall be submitted of alternative proposals to provide these four flats by increasing the height of the flatted block 1 to four storeys and approved by the Planning Authority. The land to the north of the site immediately adjacent to the new entrance road from Craigie Road shall be planted with an avenue of heavy standard trees, details of which shall be submitted to and approved by the Planning Authority prior to the commencement of development on site. This tree planting shall take place as part of the landscaping for phase 1 of the development;
- (c) that prior to the commencement of development on site, a palette of materials for all external finishes shall be submitted to and approved by the Planning Authority;
- (d) that prior to the commencement of the development, details of the all the hard and soft landscaping treatment of all the amenity open spaces and landscaped areas, the provision of equipped play area(s), and the landscape treatment of the main public open space area within the site with public realm proposals, shall be submitted to and approved by the Planning Authority. Play provision shall be in accordance with the Council's Planning Policy report No. 4 to the entire satisfaction of the Planning Authority;
- (e) prior to the commencement of the development, details shall be submitted to and approved by the Planning Authority of all footpaths across the site and pedestrian linkages to Craigie Road and Craigie Way;
- (f) that the approved landscaping and play proposals shall be implemented in full by the first date of occupation of the last residential unit or on the completion of the development, whichever is the earlier, to the satisfaction of the Planning Authority. Thereafter all planting of trees, shrubs, plants, grassed areas, and hard landscaping or other public realm works shall be maintained in good condition and, if necessary, replaced to the satisfaction of the Planning Authority;
- (g) that a maintenance schedule for the landscaping works and play area(s) shall be submitted to and approved by the Planning Authority prior to the commencement of development on site;
- (h) 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;
- (i) that no tree felling shall take place during the bird breeding season from March to July to the satisfaction of the Planning Authority in consultation with Scottish Natural Heritage;

- (j) that trees shall be inspected for bats prior to felling by a competent bat worker to the satisfaction of the Planning Authority in consultation with Scottish Natural Heritage;
- (k) that landscaping works including tree planting shall try to link in with the River Ayr utilising existing urban wildlife corridors or recreating new corridors wherever possible;
- (l) that an updated bat survey shall be carried and submitted for approval of the Planning Authority prior to the felling of any trees or buildings;
- (m) that the findings of the applicants' Ecological Procedures Management Plan 2007 shall be implemented to the satisfaction of the Planning Authority;
- (n) that the findings of the applicants' Arboricultural Survey March 2007 shall be implemented to the satisfaction of the Planning Authority. No tree felling of any mature trees around Western House or the Paddock area shall be removed without the prior written consent of the Planning Authority. All trees to be retained as identified in this Survey shall be protected during the construction of the new access road in accordance with BS 5837 Trees in relation to Construction 2005;
- (o) that the phasing for the development shall be in accordance with the applicants' submitted drawing 009 unless otherwise agreed in writing with the Planning Authority.
- (p) that the foul and surface water arrangements shall be provided and maintained to the satisfaction of the Planning Authority in consultation with SEPA and Scottish Water. In relation to surface water, the applicant shall treat surface water from the site in accordance with the principles of the SUDS Manual (C697) which was published by CIRIA in March 2007;
- (q) that the findings of the applicants' New Acoustics noise report November 2005 shall be implemented to the satisfaction of the Planning and Environmental Health Authority;
- (r) that prior to the commencement of development, additional information relating to the Acoustic noise report shall be submitted to and approved by the Planning Authority to establish which residential properties require sound attenuation and to what level to ensure that the internal noise level (L_{aeq} TdB) within proposed properties shall not exceed 45dB(A) daytime 7.00 hours to 23.00 hours and 35dB(A) night time 23.00 to 7.00hours (internal measurements assessed with windows sufficiently open for ventilation). In order to achieve this, the measured external background L_{Aeq} daytime shall not exceed 55dB(A) and 45dB(A) night time on any part of the site identified for residential dwellings in accordance with PAN 56 :1999;
- (s) that provision of bins for waste storage and collection shall be to the satisfaction of the Planning Authority;

- (t) that before any part of residential development is occupied; the following road network improvements shall be completed to the satisfaction of Roads Authority and the Planning Authority;
- (i) The provision of traffic signals at the Whitletts Road/Hawkhill Avenue junction. The signalised junction shall incorporate pedestrian facilities to aid with the channelisation of pedestrians to specific crossing points (Drawing No.207263/01/A refers);
 - (ii) The improvement of Whitletts Road/Craigie Road junction to provide 2 No. right turn lanes from Craigie Road to Whitletts Road east. A 'No Waiting at Any Time' Traffic Order shall be promoted along that section of Whitletts Road (eastbound) from its junction with Burnett Terrace to a point 100 metres east of said junction (Drawing Nos. 207263/02/A and 207263/03/A refer);
 - (iii) The provision of a new access road serving the inner area of the Racecourse from Craigie Road. A left turn ban from the access road to the proposed residential element shall be implemented and shall be included in The Event Traffic Management Plan following liaison with the Council as Roads Authority and other relevant and appropriate Agencies, including Strathclyde Police and Strathclyde Fire and Rescue (Drawing No. 207263/04/A refers); and
 - (iv) The provision of a new access road serving the proposed residential element from Craigie Way (Drawing No. 207263/05/A refers). The entire length of the access road shall be included within the (Various Roads around Ayr Racecourse, Somerset Park, Rozelle Park And The Old Racecourse, Ayr) (Race Meetings, Football Matches And Special Events Waiting Restrictions) Order 2004;
- All costs associated with the network improvements, and the promotion / amendment of any Traffic Regulation Orders shall be borne by the Developer;
- (u) that Stage 2 and 3 Road Safety Audits shall require to be carried out in compliance with the Institution of Highways & Transportation publication titled "Guidelines for the Safety Audit of Highways". This shall apply to new roads, access points, and any alterations to the existing road network carried out under a section 56 Agreement with the Roads Authority and the applicants;
- (v) that within 3 months from the date of this consent, a comprehensive travel plan that sets out proposals for reducing dependency on the private car through provision of a residential travel pack shall be submitted to and approved in writing by the Roads and Planning Authority. The agreed measures shall be implemented from the date of the first occupation of the development to the satisfaction of the Roads and Planning Authority;
- (w) that the applicants shall be required to enter into a Section 56 Agreement with the Roads Authority under the terms of the Road Scotland Act 1984 for any alterations proposed to the existing road network;

- (x) that the location of the points of access and connections with the existing road network shall be to the satisfaction of the Roads Authority;
- (y) that junction access sightlines of 4.5 metres by 60 metres shall be formed and maintained at the points of access with the public road. Sightlines of 2.5 metres by 35 metres shall be maintained for all internal road junctions. No obstructions greater than 1.1 metres shall be permitted within these areas;
- (z) that the formation of any new roads shall comply with the specifications of the Roads Authority, which are detailed in the current Roads Development Guide. Construction Consent shall be required for the formation of any new roads. Traffic calming measures shall be required. Introduction and promotion of Traffic Regulation Orders on any residential roads shall require to be funded by the applicants;
- (aa) that turning heads shall be constructed in accordance with the Roads Development Guide;
- (bb) that no surface water shall be permitted to discharge onto the public road areas. This shall be achieved by the provision of suitable cut off drains, or other measures, to be agreed with the Roads Authority. Any Sustainable Urban Drainage facility shall be designed such that no maintenance burden will be placed on the Roads Authority;;
- (cc) that the applicants shall provide resident and visitor parking in accordance with this Department's "Roads Development Guide". Parking bays shall be 2.5 metres by 4.8 metres with minimum aisle widths of 6 metres. All right angle parking bays shall be situated to the rear of the footway, these parking bays shall not be adopted by the Roads Authority and shall be drained separately from the adoptable surface water areas;
- (dd) that the applicants shall provide a minimum of 0.4 no. secure cycle parking spaces per flat within the site boundaries; and
- (ee) that all trees shall be located a minimum of 450mm away from the edge of the carriageway and shall require to have root ball containment. The Roads Authority shall not maintain trees within the public carriageway, these shall be maintained under the factoring arrangement and in accordance with the submitted maintenance schedule, which shall be put in place for all the landscape works.

Reasons:

- (a) to extend the period within which development shall be commenced;
- (b) to ensure that flatted block 7 fits with the established character of the area;
- (c) in the interests of the visual amenity of the surrounding area;
- (d) in the interests of the visual amenity of the surrounding area;
- (e) to ensure that satisfactory pedestrian linkages are provided across the site;
- (f) to ensure that the landscaping and play provision is implemented timeously;
- (g) to ensure that the landscaping and play facilities are adequately maintained;
- (h) in the interests of the visual and residential amenity of the surrounding area;
- (i) to ensure wildlife is protected during the breeding season;
- (j) in the interests of wildlife conservation;
- (k) in the interests of wildlife conservation;
- (l) in the interests of wildlife conservation;
- (m) in the interests of wildlife conservation;
- (n) in the interests of the visual amenity of the surrounding area;
- (o) to comply with the outline planning permission;
- (p) to ensure that adequate provision is made for foul and surface water drainage;
- (q) to provide adequate noise attenuation within residential properties;
- (r) to provide adequate noise attenuation within residential properties;
- (s) to ensure adequate provision of domestic waste disposal;
- (t) the road network requires to be upgraded as a consequence of this development;
- (u) the applicants require to obtain the appropriate agreements of the Roads Authority;
- (v) to ensure that an appropriate travel plan is in place for sustainable transport to the site;
- (w) the applicants require to obtain the appropriate agreements of the Roads Authority;
- (x) accesses require to be suitably designed to comply with Roads Authority standards;
- (y) accesses require to be suitably designed to comply with Roads Authority standards;
- (z) to accord with the Roads Development Guide;
- (aa) to accord with the Roads Development Guide;
- (bb) to ensure that surface water does not flow onto the public road;
- (cc) to provide adequate parking in accordance with the Roads Development Guide;
- (dd) to provide adequate for other modes of sustainable transport; and
- (ee) to ensure that there a suitable landscape setting for the site and the applicants put in place adequate maintenance arrangements.

List of Determined Plans:

Drawing - Reference No (or Description): 07/01319/REM APPROVED DRAWINGS;
 Drawing - Reference No (or Description): SITE PLAN; and
 Drawing - Reference No (or Description): LOCATION PLAN

Reason for Decision:

Extending the timescale within which the development may commence is considered to be acceptable and remains consistent with the reasons of the original application (03/01569/OUT) and the subsequent reserved matters consent (07/01319/REM) were approved. The siting and design of the development hereby approved is considered to accord with the provisions of the development plan and there is no significant adverse impact on the amenity of neighbouring land and buildings.

- (9) **17/009969/FURM** – AYR – Ayr Racecourse, 2 Whitletts Road– further application so as not to comply with condition 1 of planning consent 14/01088/FURM.

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

- (a) that the development hereby permitted shall be commenced prior to 12th October 2020;
- (b) that prior to commencement of development, samples of all materials to be used on external surfaces in respect of type, colour and texture shall be submitted to and approved by the Planning Authority. These details shall also include the different pavior treatment for the surfacing to the car parking in front of the new building onto Whitletts Road;
- (c) That prior to the commencement of development on site, the submitted landscaping plans shall be amended to the satisfaction of the Planning Authority and submitted to the Planning Authority for approval. Thereafter approved landscaping and public realm proposals shall be implemented in full prior to the first occupation of any of the retail/leisure units to the satisfaction of the Planning Authority. Thereafter all planting of trees, shrubs, plants, grassed areas, and hard landscaping shall be maintained in good condition and, if necessary, replaced to the satisfaction of the Planning Authority;
- (d) that details shall be submitted to and approved by the Planning Authority of any fencing, gates or other means of enclosure prior to commencement of development on site;
- (e) that no tree felling shall take place during the bird breeding season from March to July to the satisfaction of the Planning Authority in consultation with Scottish Natural Heritage;

- (f) that trees shall be inspected for bats prior to felling by a competent bat worker to the satisfaction of the Planning Authority in consultation with Scottish Natural Heritage.
- (g) that landscaping works including tree planting shall try to link in with the River Ayr utilising existing urban wildlife corridors or recreating new corridors wherever possible;
- (h) that an updated bat survey shall be carried and submitted for approval of the Planning Authority prior to the felling of any trees or buildings;
- (i) that the findings of the applicants' Ecological Procedures Management Plan 2007 shall be implemented to the satisfaction of the Planning Authority;
- (j) that the findings of the applicants' Arboricultural Survey March 2007 shall be implemented to the satisfaction of the Planning Authority;
- (k) that the phasing for the development shall be in accordance with the applicants email dated 9th April 2008 unless otherwise agreed in writing with the Planning Authority;
- (l) that the foul and surface water arrangements shall be provided and maintained to the satisfaction of the Planning Authority in consultation with SEPA and Scottish Water. In relation to surface water, if the discharge is to the water environment, this shall be in accordance with General Binding Rule (GBR 10) of the Water (Controlled Activities) (Scotland) Regulations 2005 (as amended) to the satisfaction of SEPA;
- (m) that the findings of the applicants' New Acoustics noise report November 2005 shall be implemented to the satisfaction of the Planning and Environmental Health Authority;
- (n) that prior to commencement of development details shall be submitted and approved by the Planning and Roads Authority of an adequate area of land within the centre of the racecourse to be set aside for parking on race days. The applicants shall provide and maintain a level of car parking spaces within the inner racecourse area (accessed from Craigie Road) for the spectator stand facilities in compliance with the standards set out in SPP17;
- (o) that the signage indicative proposals are not hereby approved and shall be the subject of advertisement consent in terms of the Town and Country Planning (Control of Advertisements) (Scotland) Amendment Regulations 1992;
- (p) that details shall be submitted to and approved by the Planning Authority of the walkway canopies across the front of the site onto Whitletts Road prior to commencement of development on site;

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

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

Reasons:

- (a) to extend the time period within which development shall be commenced;
- (b) in the interests of visual amenity;
- (c) to ensure that the landscaping proposals are carried out timeously;
- (d) to ensure that proposals for boundary treatment and means of enclosure are acceptable;
- (e) to ensure wildlife is protected during the breeding season;
- (f) in the interests of wildlife conservation;
- (g) in the interests of wildlife conservation;
- (h) in the interests of wildlife conservation;
- (i) in the interests of wildlife conservation;
- (j) to ensure that mature trees are protected;
- (k) to accord with the outline planning permission;

- (l) to ensure adequate drainage is provided throughout the site;
- (m) to ensure that the residential amenity of the surrounding area is protected;
- (n) land requires to be set aside for parking on race days and in the interests of residential amenity;
- (o) advertisements as indicated require the benefit of advertisement consent and do not form part of this planning application;
- (p) no details have been submitted and these require to be of an acceptable standard;
- (q) to provide road network improvements as a consequence of the development;
- (r) to ensure that the applicants obtain the appropriate agreements of the Roads Authority;
- (s) to ensure that appropriate travel plans are in place for sustainable transport to the site;
- (t) to ensure that appropriate travel plans are in place for sustainable transport to the site;
- (u) to ensure that the applicants obtain the appropriate agreements of the Roads Authority;
- (v) to ensure that accesses are suitably designed to comply with Roads Authority standards;
- (w) to ensure that accesses are suitably designed to comply with Roads Authority standards;
- (x) to accord with the Roads Development Guide;
- (y) to ensure that surface water does not flow onto the public road;
- (z) to provide adequate parking within the site in accordance with SPP 17;
- (aa) to provide adequate disabled parking within the site in accordance with SPP 17; and
- (bb) to ensure that there is adequate provision for other modes of sustainable transport.

List of Determined Plans:

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

Drawing - Reference No (or Description): SITE PLAN

Drawing - Reference No (or Description): LOCATION PLAN

Reason for Decision:

Extending the timescale within which the development may commence is considered to be acceptable and remains consistent with the reasons why the original application (03/01569/OUT) and subsequent reserved matters consent (07/00680/REM) were approved. The siting and design of the development hereby approved is considered to accord with the provisions of the development plan and there is no significant adverse impact on the amenity of neighbouring land and buildings.

The meeting ended at 12.25 p.m.