

REGULATORY PANEL.

Minutes of meeting in County Buildings, Wellington Square, Ayr
on 6th September 2018 at 10.00 a.m.

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

Apology: Councillor Brian Connolly.

Attending: F. Mullen, Service Lead, Planning and Building Standards; A. Brown, Co-ordinator (Legal Services, Property and Contracts); M. McClelland, Planning Co-ordinator; D. Love, Supervisory Planner; D. Edgar, Supervisory Planner; K. Braidwood, J. Webb and S. Murray, Ayrshire Roads Alliance; and A. Gibson, Committee Services Officer.

1. Declarations of Interest.

In terms of Council Standing Order No. 17, the Councillors' Code of Conduct and with regard to item 5(7) of this minute entitled "Applications for Planning Permission – Health and Fitness, Grangemuir Road, Prestwick (ref - 18/00625/APP)", Councillor Toner advised that she had an involvement in this application that she would not participate during consideration thereof.

2. Minutes of previous meetings.

The Minutes of 7th June 2018 ([issued](#)) were submitted and approved.

3. Orders Under the Road Traffic Regulation Act 1984.

There was submitted reports (issued) of August 2018 by the Director – Place seeking approval to make Orders under the Road Traffic Regulation Act 1984, namely:-

- (1) South Ayrshire Council ([Town of Ayr](#)) (Waiting Restrictions) (Consolidation) Order 2015 Amendment Order No.1 2018 and South Ayrshire Council (Parking Places) Order 2014 Amendment Order 2018;
- (2) South Ayrshire Council ([Town of Prestwick](#)) (Waiting Restrictions) (Civil Enforcement) Order 2012 Amendment Order No.1 2018;
- (3) South Ayrshire Council ([Carrick Street, Greenside, Ladyland Road and Miller Street, Maybole](#)) (One-Way Operation) Order 2018; and
- (4) South Ayrshire Council ([Various Roads, Maybole](#)) (Prohibition of Waiting) Order 2018.

Decided: to agree to make the above Traffic Regulation Orders.

4. **Continued Planning Application: Former Car Showroom, Peebles Street, Ayr (Ref: 09/00514/FUL).**

There was submitted a [report](#) of August 2018 by the Director - Place in respect of a continued planning application for the erection of mixed use development comprising of commercial office development, residential development and associated car parking and landscaping.

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

- (1) that no development shall take place on the site until confirmation has been provided to the Council that the S75 Agreement dated 16, 23 July and 1 August 2018 between the Council and the Applicant (affordable housing) has been registered in the Land Register;
- (2) 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;
- (3) that 10/16/6 glazing, 10/12/6.4 laminate or an acoustic performance equivalent shall be used for all bedrooms fronting Waggon Road;
- (4) that ground remediation be undertaken in accordance with Site Investigation Report S3404/LEK/R1 and that a capping layer of inert material of a minimum of 600 millimetres be used for ground floor landscaped/garden areas. Details of the type and depth of materials to be used shall be submitted for the prior written approval of the Planning Authority;
- (5) that before any work commences on site a suitably scaled block layout plan showing: -
 - Existing ground levels
 - Proposed ground levels, and
 - Finished floor levels of each proposed dwellinghouse
 shall be submitted for the prior written approval of the Council as Planning Authority;
- (6) that junction access visibility sightline splays of 4.5 metres by 60 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;
- (7) 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;
- (8) that a lockable and covered cycle stand accommodating a minimum of 65 cycles shall be provided within the site boundaries. Precise details of the siting and specifications of the required cycle stand shall be submitted for the formal prior written approval of the Planning Authority before any work commences on site;

- (9) that 85 parking spaces shall be provided in accordance with the Council's Roads Development Guide as shown on the submitted plan (ref PL/110 REVa), prior to the completion of the development;
- (10) that parking bays shall be a minimum 4.8 metres x 2.5 metres with minimum aisle widths of 6 metres;
- (11) 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;
- (12) that before any works start on site, detailed landscape plans at a recognised metric scale shall be submitted for the prior written approval of the Planning Authority. Plans shall be accompanied by a planting schedule which details the genus, species and variety or cultivar of all plants, bulbs, seeds and turf. The size and specification of all plant material shall be detailed, together with total plant numbers and densities per m². The location of all plant material shall be clearly identified on the landscape drawing. Ground preparation methods, topsoil quality and depth, planting methods, hole sizes and other materials such as mulches and stakes shall also be specified. Construction details for paved or other hard surfaces shall be provided together with details of any fences for inclusion as part of the landscape scheme. The scheme as approved shall be implemented within first planting season following the completion or occupation of the development, whichever is the sooner. The open space/landscaped area shall be retained as open space and to this approved standard;
- (13) 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;
- (14) that prior to the commencement of development, samples or a brochure of all materials to be used on external surfaces, in respect of type, colour and texture, shall be submitted for the prior written approval of the Planning Authority;
- (15) that notwithstanding the terms of the Town and Country Planning (General Permitted Development)(Scotland) Order 1992, the ground floor offices shall not be used for any other purpose other than uses within Class 4 of the Town and Country (Use Classes) (Scotland) Order 1997;
- (16) that a performance bond covering the cost of the landscaping scheme to be approved under condition (12) of this permission shall be submitted to, and approved in writing by, the planning authority before any works commences on site. For the purposes of calculating the bond quantum, details of the landscaping works to be implemented within areas that are to be maintained by a factor, including the total length of hedging; the species, number and size of all plants to be included within the areas of shrub and herbaceous planting; the species, size and number of trees and details of ground preparation methods, topsoil quality and depth, planting methods, hole sizes and other materials such as mulches and stakes shall be submitted to the planning authority; and

- (17) that, prior to the commencement of work on site, details and specifications of all proposed play equipment and a performance bond to ensure the provision of the play equipment for this development proposal shall be submitted to, and approved in writing by, the planning authority before any works commences on site.

Reasons:

- (1) to ensure that satisfactory arrangements are made for the provision of affordable housing on the site in order to comply with planning policy on affordable housing;
- (2) to ensure that the development is carried out in accordance with the approved plans unless otherwise agreed;
- (3) in the interests of residential amenity;
- (4) to ensure all contamination within the site is dealt with;
- (5) in the interests of residential and visual amenity; to ensure that there is no significant detrimental impact on adjacent properties;
- (6) in the interest of road safety and to ensure acceptable visibility at road junctions;
- (7) in the interest of road safety and avoid the discharge of water on to the public road;
- (8) to ensure adequate provision of lockable and covered cycle storage on site. To encourage sustainable means of travel;
- (9) in the interest of road safety and to ensure adequate off-street parking provision;
- (10) in the interest of road safety and to ensure that there is adequate space for manoeuvring and turning;
- (11) to ensure the site is drained in an acceptably sustainable manner and the drainage infrastructure is properly maintained;
- (12) in the interests of visual amenity and to ensure a satisfactory standard of local environmental quality;
- (13) in the interests of visual and residential amenity;
- (14) in the interests of visual amenity;
- (15) to enable the use to be adequately controlled and to remain compatible with the character of the surrounding area;
- (16) to ensure that the site is adequately landscaped in the interests of amenity; and
- (17) to ensure that the site incorporates adequate play facilities, in the interests of amenity.

Advisory Notes:

- The Council as Roads Authority advises that any costs associated with the relocation of any street furniture will require to be borne by the applicant/developer.
- The Council as Roads Authority advises that 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 any alterations to the existing footway crossing require to comply with the specification issued by this Department.
- The Council as Roads Authority advises that a Road Opening Permit will be required for any work within the public road limits.
- The Council as Roads Authority advises that the applicant/developer will be responsible for the reinstatement of the public footway/carrage way along the entire frontage of the site in compliance with the Council's Roads Development Guide.

- The council as Roads Authority advises that the applicant/developer shall be responsible for the following bus stop improvements:-
Bus stop on the west side of New Street requires bus boarders and a shelter;
Bus stop on the east side of New Street requires a shelter; and,
Bus stop on east side of Alison Street requires bus boarders and a shelter.
Precise details of the siting and specifications shall be submitted with the required Section 56 agreement.
- 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

Listed Determined Plans:

PL/101 LOCATION PLAN
 PL/102 NEIGHBOUR NOTIFICATION;
 PL/103 TOPOGRAPHICAL SITE SURVEY;
 PL/120 PROPOSED STREET ELEVATION;
 PL/121 BLOCK 1 ELEVATION AND PLAN;
 PL/122 BLOCK 2 ELEVATION AND PLAN;
 PL/123 BLOCK 3 ELEVATION AND PLAN;
 PL/124 BLOCK 3 ELEVATIONS SHEET 2;
 0795-BS DEMOLITION SURVEY;
 PL110 REVA SITE PLAN GROUND FLOOR;
 PL110 REVA SITE PLAN FIRST FLOOR;
 PL110 REVA SITE PLAN SECOND FLOOR;
 PL110 REVA SITE PLAN THIRD FLOOR;
 PL110 REVA SITE PLAN ROOF PLAN;
 ACOUSTIC AND VIBRATION GROUP NOISE ASSESSMENT REPORT NGNX0244/RMG/R2;
 and
 SITE INVESTIGATION REPORT S3404/LEK/R1.

Reasons for Decision:

The siting and design of the development hereby approved is considered to accord with the provisions of the development plan and there is no significant adverse impact on the amenity of neighbouring land and buildings.

5. Applications for Planning Permission.

There were submitted reports of August 2018 by the Director - Place on current applications for determination.

The Panel decided as follows:-

- (1) [18/00357/MSCM](#) – AYR – Site Development, Dunure Road – Approval of matters specified in conditions of outline planning permission 09/00683/OUT (amendment to layout of plots 11-14, 42 and 43 in approval 14/00772/MSCM).

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

- (a) that the development hereby granted shall be implemented in accordance with the approved plan(s) as listed below and as forming part of this permission unless a variation required by a condition of the permission or a non-material variation has been agreed in writing by the Planning Authority;
- (b) that before any work commences on site a suitably scaled block layout plan showing:
 - (i) existing ground floor levels;
 - (ii) proposed ground floor levels; and
 - (ii) finished floor levels of each proposed dwellinghouse shall be submitted for the prior written approval of the Council as Planning Authority;
- (c) that the discharge of water onto the public road carriage way 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 the private access 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;
- (e) that off road parking spaces shall be provided in accordance with the Council's Roads Development Guide within the site boundary prior to occupation of the dwellinghouse(s);
- (f) that parking bays shall be a minimum 5.5 metres x 3.0 metres; and
- (g) that before any works commence on site, details of the future management and aftercare of the proposed landscaping and planting shall be submitted for the approval in writing by the Planning Authority. Thereafter the management and aftercare of the landscaping and planting shall be carried out in accordance with these approved details.

Reasons:

- (a) to ensure that the work is carried out in accordance with the approved plans unless otherwise agreed;
- (b) in the interests of residential and visual amenity to ensure that there is no significant detrimental impact on adjacent properties;
- (c) in the interest of road safety and to avoid the discharge of water on to the public road;
- (d) in the interest of road safety and to ensure an acceptable standard of construction;
- (e) in the interest of road safety and to ensure adequate off-street parking provision;
- (f) in the interest of road safety and to ensure that there is adequate space for manoeuvring and turning; and
- (g) to ensure adequate measures are put in place to protect the landscaping and planting in the long term.

List of Determined Plans:

Drawing - Reference No (or Description): LOCATION PLAN 000/200 RevA;
 Drawing - Reference No (or Description): LAYOUT PLAN PREVIOUSLY APPROVED 0294/202 RevL;
 Drawing - Reference No (or Description): LAYOUT PLAN PROPOSED 0294/202 RevM;
 Drawing - Reference No (or Description): ELEVATIONS PREVIOUSLY APPROVED 204 RevA;
 Drawing - Reference No (or Description): HOUSE TYPE - BRYCE 400 RevA;
 Drawing - Reference No (or Description): HOUSE TYPE - HUGHES 400 RevB;
 Drawing - Reference No (or Description): PROPOSED SITE ELEVATIONS 204 RevC;
 and
 Drawing - Reference No (or Description): SITE FINISHES PLAN 0294/203 RevK.

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 the neighbouring land and buildings.

- (2) [18/00365/APP](#) – **BALLANTRAE – 68 Main Street** – Alterations and extension to dwellinghouse, formation of decking and erection of summerhouse.

Councillor Cavana, seconded by Councillor Mackay moved that there was no requirement for a Regulatory Panel (Site Visit) with regard to this application.

By way of an Amendment, Councillor Fitzsimmons, seconded by Councillor Convery moved that a Regulatory Panel (Site Visit) should take place with regard to this application.

On a vote being taken by a show of hands, two members voted for the Amendment and five for the Motion, which was according declared to be carried.

Thereafter, the Panel

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

- (a) that the extension to the dwellinghouse is contrary to the provisions of the South Ayrshire Local Development Plan, specifically LDP Policy: Sustainable Development and LDP Policy: Residential Development within Settlements, Release Sites and Windfall Sites, and the provisions of South Ayrshire Council's Supplementary Guidance on House Alterations and Extensions, by reason that the massing and scale of the extension in close proximity to mutual boundaries will cause significant loss of light to the nearest ground-floor window at 66 Main Street, a significant loss of light to the French Doors at 70 Main Street, and a proportion of private garden area at both 66 and 70 Main Street, and create an undue sense of enclosure to those properties, to the significant detriment of the residential amenity of that property; and
- (b) that the summerhouse is contrary to the provisions of the South Ayrshire Local Development Plan, specifically LDP Policy: Sustainable Development, LDP Policy: Residential Development within Settlements, Release Sites and Windfall Sites and LDP Policy: Historic Environment, Scottish Planning Policy, Historic Environment Scotland's Policy Statement, and the provisions of South Ayrshire Council's Supplementary Guidance on Historic Environment, as the summerhouse, by reason of its siting, design, scale, proportions, materials and visual prominence, introduces a discordant and incongruous feature within the garden area that is not characteristic of development in the locale, to the detriment of the character, appearance and setting of Ballantrae Conservation Area.

List of Determined Plans:

- Drawing - Reference No (or Description): LOCATION PLAN;
- Drawing - Reference No (or Description): PLANS AS EXISTING;
- Drawing - Reference No (or Description): EXISTING NORTH _SOUTH ELEVATIONS;
- Drawing - Reference No (or Description): A.W.3;
- Drawing - Reference No (or Description): A.W.4;
- Drawing - Reference No (or Description): A.W.5;
- Drawing - Reference No (or Description): A.W.6;
- Drawing - Reference No (or Description): A.W.7;
- Other - Reference No (or Description): PROPOSED GLASS PARTITION DETAILS;
- Other - Reference No (or Description): PHOTOGRAPH AS EXISTING (1);
- Other - Reference No (or Description): PHOTOGRAPH AS EXISTING (2);

Other - Reference No (or Description): PHOTOGRAPH AS PROPOSED (1);
 Other - Reference No (or Description): PHOTOGRAPH AS PROPOSED (2); and
 Other - Reference No (or Description): PHOTOGRAPH OF SUMMERHOUSE.

- (3) [18/00430/APP](#) –AYR– 20 Alloway – Part change of use of education pavilion (class 10) to form retail (class 1), and erection of fencing and gates).

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

- (a) that the development hereby granted shall be implemented in accordance with the approved plan(s) as listed below and as forming part of this permission unless a variation required by a condition of the permission or a non-material variation has been agreed in writing by the Planning Authority;
- (b) that the operation of the premises is limited to enclosed unit cooking only. Precise details and specifications of the arrangements for enclosed cooking shall be submitted for the formal prior written approval of the Planning Authority before the use commences on site; and
- (c) that no permission is granted for the sale of hot food from the premises.

Reasons:

- (a) to ensure that the development is carried out in accordance with the approved plans unless otherwise agreed;
- (b) in order to prevent the occurrence of a smell nuisance; and
- (c) to define the terms of this planning permission, and to retain proper planning control over the development.

List of Determined Plans:

Drawing - Reference No (or Description): 782/01;
 Drawing - Reference No (or Description): 782/02;
 Drawing - Reference No (or Description): 782/03;
 Drawing - Reference No (or Description): 782/04;
 Drawing - Reference No (or Description): 782/05;
 Drawing - Reference No (or Description): 782/06;
 Drawing - Reference No (or Description): 782/07 A; and
 Drawing - Reference No (or Description): 782/08 A.

Reason for Decision:

The siting and design of the development hereby approved is considered to accord with the provisions of the development plan and there is no significant adverse impact on the amenity of neighbouring land and buildings.

- (4) [18/00434/APP](#) – Land to the south of Fairfield Nursery, B730 Bogend A77T – Tarbolton Road, Dundonald – Erection of highway services area to include petrol filling station (sui generis) with associated retail store (class 1) and coffee shop with drive-thru (class 3).

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 Local Development Plan policy in relation to Business and Industry in that it has not been demonstrated to the satisfaction of the Planning Authority that the development proposal has an economic benefit which would out-weigh the provisions of the development plan, and no justification has been provided to warrant a departure from this policy;
- (d) that the development proposal is contrary to the South Ayrshire Local Development Plan Policies in relation to Sustainable Development and Land Use and Transport in that it has not been demonstrated to the satisfaction of the Council that the proposal is acceptable in terms of its siting and setting and will not adversely impact on the rural setting and visual amenity of the locality, and is in an accessible location with opportunities for travel by a choice of modes of transport, and no justification has been provided for a departure from this policy;
- (e) that the development proposal is contrary to the South Ayrshire Local Development Plan Policy in relation to General Retail: Retail Development Outwith Town Centres, in that the proposal: is not for the sale of craft goods, or other products made or produced on-site: does not involve the reuse of an existing building, and the sale of Class 1 retail goods in this out of centre location has the potential to adversely impact on retail provision within a settlement;
- (f) that the development proposal is contrary to the provisions of Scottish Planning Policy in that the proposal does not constitute business and industrial development in the form of: home-working, a live-work unit, a micro-businesses, or a community hub, and no justification has been provided for a departure from this policy; and

- (g) that there has been no need identified at a strategic level for further roadside services, over and above those which currently exist in proximity of the application site. It is not considered that an additional roadside facility at the application site is justified, or required, given the proximity of existing 24 hour service areas on the A77 at Dutch House and Bellfield.

List of Determined Plans:

Drawing - Reference No (or Description): LOCATION PLAN 1:1250;
 Drawing - Reference No (or Description): 439_001 (Rev. B);
 Drawing - Reference No (or Description): 439_005 (Rev. D);
 Drawing - Reference No (or Description): 439_006 (Rev. C);
 Drawing - Reference No (or Description): 439_007 (Rev. D);
 Drawing - Reference No (or Description): 439_008 (Rev. C);
 Drawing - Reference No (or Description): 439_009 (Rev. B); and
 Drawing - Reference No (or Description): 439_007 (Rev. E).

- (5) **18/00519/APP** – **MAIDENS - Public convenience, Harbour Road** – Formation of decking.

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

- (a) that the development hereby granted shall be implemented in accordance with the approved plan(s) as listed below and as forming part of this permission unless a variation required by a condition of the permission or a non-material variation has been agreed in writing by the Planning Authority;
- (b) that there shall be no form of amplified sound or noise systems in the decking area; and
- (c) that the use of the decking area shall be restricted to daylight hours only and no later than 10.00 pm.

Reasons:

- (a) to ensure that the development is carried out in accordance with the approved plans unless otherwise agreed;
- (b) in order to prevent noise nuisance; and
- (c) to define the terms of this planning permission, and in the interests of amenity.

List of Determined Plans:

Drawing - Reference No (or Description): HR-BLOCK-01; and
 Drawing - Reference No (or Description): PCRR-HR-PLDECL-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) **18/00583/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: to approve the application subject to the following conditions:-

- (a) that the development hereby granted shall be implemented in accordance with the approved plan(s) as listed below and as forming part of this permission unless a variation required by a condition of the permission or a non-material variation has been agreed in writing by the Planning Authority;
- (b) that notwithstanding the terms of condition 1 above, no permission is hereby granted for the installation of the proposed surface water attenuation crates as delineated on drawing nos. 15-0081a/PL02 Rev. B and 15-0081a/PL03 Rev. E;
- (c) that the existing off road parking provision shall be retained within the curtilage of the donor property;
- (d) that off street parking provision shall be provided within the site in accordance with the submitted and approved layout plan;
- (e) that the existing trees, other than those agreed or approved for removal, shall be retained and protected in accordance with the specification and methodology prescribed in the submitted Tree Survey, Tree Protection Plans and Arboricultural Method Statement, to the satisfaction of the Planning Authority; and
- (f) that the development shall be undertaken in accordance with the submitted methodology prescribed in the Arboricultural Method Statement.

Reasons:

- (a) to ensure that the development is carried out in accordance with the approved plans unless otherwise agreed;
- (b) to safeguard trees within the application site;
- (c) in the interest of road safety and to ensure adequate off-street parking provision;
- (d) in the interest of road safety and to ensure adequate off-street parking provision. To reduce the potential for congestion and obstruction caused by off-site car parking;
- (e) in the interests of visual amenity; to ensure that all trees worthy of retention are satisfactorily protected before and during works on site; and
- (f) in the interests of visual amenity and to ensure that all trees worthy of retention are satisfactorily protected before and during works on site.

Advisory Notes:

That any works that may be proposed to eradicate any invasive species within the site may require notification to the Council. In these circumstances, contact should be made with the Development Planning team of the Planning Service.

List of Determined Plans:

Drawing - Reference No (or Description): 15-0081/PL/ D01 REV. C;
 Drawing - Reference No (or Description): 15-0081/PL/D02;
 Drawing - Reference No (or Description): 15-0081A/PL02 REV. B;
 Drawing - Reference No (or Description): 15-0081A/PL03 REV. E;
 Drawing - Reference No (or Description): 249-03-01; and
 Drawing - Reference No (or Description): PL01.

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.

Having previously declared an interest, Councillor Toner did not participate in the consideration of the following planning application:-

- (7) [18/00625/APP](#) – PRESTWICK – Health and Fitness, Grangemuir Road – Erection of flatted development.

The time being 12 noon, the Panel adjourned to allow a Member of the Panel to discuss a proposed Amendment to that from the recommendation in the report, with relevant officers.

The Panel re-adjourned at 12. 05 a.m.

Decided: to refuse the application on the grounds that the proposed development is contrary to South Ayrshire Local Development Plan policy 'The Coast' on the grounds that its height and massing represents development which does not protect or improve the scenic and environmental quality of the area. There are no over-riding material considerations that justify a departure from the development plan in this case.

List of Determined Plans:

Drawing - Reference No (or Description): 10A;
 Drawing - Reference No (or Description): 11B;
 Drawing - Reference No (or Description): 12C;
 Drawing - Reference No (or Description): 13C;
 Drawing - Reference No (or Description): 14C;
 Drawing - Reference No (or Description): 15C; and
 Drawing - Reference No (or Description): 16A.

Councillor Toner re-joined the meeting at this point.

(8) [18/00628/APP](#) –AYR – 39 Castlehill Road – Erection of dwellinghouse.

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

- (a) that the development hereby granted shall be implemented in accordance with the approved plan(s) as listed below and as forming part of this permission unless a variation required by a condition of the permission or a non-material variation has been agreed in writing by the Planning Authority;
- (b) that the discharge of water onto the public road carriageway shall be prevented by drainage or other means;
- (c) that the private access 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;
- (d) that off street parking provision shall be provided within the site in accordance with the submitted and approved layout plan;
- (e) that parking bays shall be a minimum 5.5 metres x 3.0 metres;
- (f) that before the house is occupied, a turning area shall be provided within the curtilage in order that vehicles can enter and leave the site in a forward gear as per plan prior to occupation;

- (g) that prior to completion of the development any gates shall open inwards away from the public roadway;
- (h) that a lockable and covered cycle stand accommodating a minimum of 1 no. cycle shall be provided within the site boundaries. Precise details of the siting and specifications of the required cycle stand shall be submitted for the formal prior written approval of the Planning Authority before any work commences on site;
- (i) that the existing trees, other than those agreed or approved for removal, shall be retained and protected in accordance with the specification and methodology prescribed in the submitted Tree Survey, Tree Protection Plan and Arboricultural Implication Assessment, to the satisfaction of the Planning Authority;
- (j) that the development shall be undertaken in accordance with the submitted methodology prescribed in the Arboricultural Implication Assessment;
- (k) that notwithstanding the terms of condition 9 and 10 above, no permission is hereby approved for the felling of trees 779 or 780 and both trees shall be protected during the construction phase in accordance with BS5837:2012, to the satisfaction of the Planning Authority;
- (l) that before any works start on site, a scheme of compensatory replanting on a 1:1 basis shall be submitted for the prior written approval of the Planning Authority. The compensatory replanting scheme shall include details of the tree species and their proposed location. The scheme as approved shall be implemented within the first planting season following the completion or occupation of the development, whichever is the sooner; and
- (m) that prior to the commencement of development, samples or a brochure of all materials to be used on external surfaces, in respect of type, colour and texture, shall be submitted for the prior written approval of the Planning Authority.

Reasons:

- (a) to be in compliance with Section 58 of the Town and Country Planning (Scotland) Act 1997 as amended by Section 20 of the Planning Etc. (Scotland) Act 2006;
- (b) in the interest of road safety and avoid the discharge of water on to the public road;
- (c) in the interest of road safety and to ensure an acceptable standard of construction;
- (d) in the interest of road safety and to ensure adequate off-street parking provision. To reduce the potential for congestion and obstruction caused by off-site car parking;
- (e) in the interest of road safety and to ensure that there is adequate space for manoeuvring and turning;
- (f) to reasonably avert the reversing of vehicles onto the main road and in the interests of road safety;
- (g) in the interest of road safety;
- (h) to ensure adequate provision of lockable and covered cycle storage on site. To encourage sustainable means of travel;
- (i) in the interests of visual amenity; to ensure that all trees worthy of retention are satisfactorily protected before and during works on site;

- (j) in the interests of visual amenity and to ensure that all trees worthy of retention are satisfactorily protected before and during works on site;
- (k) in the interests of visual amenity;
- (l) in the interests of visual amenity and to ensure a satisfactory standard of local environmental quality; and
- (m) in the interests of visual amenity.

Advisory Notes:

- The Council as Roads Authority advises that promotion of Traffic Regulation Orders resulting from this development will require to be fully funded by the applicant - including any relevant road signs and markings.
- The Council as Roads Authority advises that all works on the carriageway to be carried out in accordance with the requirements of the Transport (Scotland) Act 2005 and the Roads (Scotland) Act 1984.
- The Council as Roads Authority advises that the Council will not adopt the road on its completion.
- The Council as Roads Authority advises that the Council will not be liable to adopt the drainage system as it is wholly contained within private ownership.
- 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 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.

List of Determined Plans:

Drawing - Reference No (or Description): 237 - PA(02) 01;
 Drawing - Reference No (or Description): 237 - PA(1) 01;
 Drawing - Reference No (or Description): 237 - PA(1) 02;
 Drawing - Reference No (or Description): 237 - PA(2) 02;
 Drawing - Reference No (or Description): 237 - PA(3) 01;
 Drawing - Reference No (or Description): 237 - PA(3) 02;
 Drawing - Reference No (or Description): 237 - PA(3) 03; and
 Drawing - Reference No (or Description): 237 - PA(4) 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.

The meeting ended at 12.15 p.m.