

REGULATORY PANEL

Minutes of meeting in County Buildings, Ayr and held remotely
on 11 November 2021 at 10.00 a.m.

Present: Councillor Brian Connolly (Chair).

Present

Remotely: Councillors Ian Cavana, Alec Clark, Ian Fitzsimmons, Mary Kilpatrick, Craig Mackay Brian McGinley.

Apologies: Councillors Iain Campbell and Margaret Toner.

Attending: K. Briggs, Service Lead – Legal and Licensing; A. McGuinness, Planning Co-ordinator; and A. Gibson, Committee Services Officer;

Attending

Remotely: A. McGibbon, Supervisory Planner, D. Clark, Supervisory Planner; and Ayrshire Roads Alliance.

Also

Attending

Remotely: Various applicants/agents and interested parties to address the Panel.

1. Opening Remarks

The Chair confirmed to Members the procedures to conduct this meeting and advised that the meeting was being broadcast live.

2. Declarations of Interest

There were no declarations of interest by Members of the Panel in terms of Council Standing Order No. 17 and the Councillors' Code of Conduct.

3. Minutes of previous meetings

The minutes of [9 September](#) and [6 October 2021](#) (issued) were submitted and approved.

4. Application continued from a Site Visit on 9 November 2021 – 21/00224/APP – 45 Taybank Drive, Ayr

Following a Regulatory Panel (Site Visit) to 45 Taybank Drive, Ayr in respect of planning application Ref: 21/00224/APP, the Panel

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

- (1) that the development hereby granted shall be implemented in accordance with the approved plan(s) as listed below and as forming part of this permission unless a variation required by a condition of the permission or a non-material variation has been agreed in writing by the Planning Authority;
- (2) that the garage shall be used solely for domestic purposes incidental to the use of the dwellinghouse and no commercial activities shall be undertaken to the satisfaction of the Planning Authority;
- (3) that notwithstanding condition 1 above, precise details of the finishing materials and fenestration arrangements/ door(s) within the proposed garage shall be submitted to the Planning Authority within two months of today's date, and thereafter presented for consideration and final approval to a subsequent meeting of the Regulatory Panel; and,
- (4) that the existing off-road parking provision is retained within the curtilage of the development.
- (5) That notwithstanding condition 3 above, no further works shall be undertaken on site until the terms of condition 3 are purified to the satisfaction of the Planning Authority.

Reasons:

- (1) to ensure that the development is carried out in accordance with the approved plans unless otherwise agreed;
- (2) in the interests of residential amenity;
- (3) in the interests of visual amenity; and
- (4) in the interest of road safety and to ensure adequate off-street parking provision.
- (5) to ensure full control over the development proposal.

List of Determined Plans:

Drawing - Reference No (or Description): LOCATION PLAN;
 Drawing - Reference No (or Description): PROPOSED BLOCK PLAN;
 Drawing - Reference No (or Description): PROPOSED ELEVATIONS;
 Drawing - Reference No (or Description): PROPOSED FLOOR PLAN; and
 Other - Reference No (or Description): GARDEN/GARAGE DIMENSIONS.

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 explanation for reaching this view is set out in the Report of Handling and which forms a part of the Planning Register.

5. Applications for Planning Permission.

There were submitted reports (issued) of October 2021 by the Director - Place on planning applications for determination.

The Panel decided as follows:-

- (1) [21/00786/APP](#) – TROON - 8A Wellbeck Crescent – Erection of fence.

Decided: to refuse the application for the reason that the development is contrary to the provisions of South Ayrshire Local Development Plan policies, Residential Policy within Settlements, Release Sites and Windfall Sites and Sustainable Development by reason that the proposed fence is visually prominent within the streetscape and represents a form of development which does not successfully respond to the character and appearance of the surrounding residential area, furthermore the fence, as erected, is considered to create an undue sense of enclosure particularly with a neighbouring property at 10 Welbeck Crescent by virtue of its height and siting.

List of Determined Plans:

Drawing - Reference No (or Description): A1140-EX01;
 Drawing - Reference No (or Description): A1140-LP1;
 Drawing - Reference No (or Description): A1140-W01; and
 Drawing - Reference No (or Description): A1140-P01 Rev. A.

- (2) [21/00849/APP](#) – AYR – 6 Springvale Road – Alterations and extension to dwellinghouse and erection of garage.

Decided: to agree that the application be continued to allow the Panel to undertake a site visit, prior to its determination.

- (3) 21/00903/APP - Ayr- 21 to 23 Miller Road – Erection of 14 dwellingflats; and 21/00904/CON - Demolition of Property within Conservation Area.

21/00904/CON:-

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

- (a) that the works hereby granted Conservation Area Consent shall be implemented in full accordance with the approved plan(s) as listed below unless a variation required by a condition of the consent has been agreed in writing by the Planning Authority; and
- (b) that the applicant/developer shall, prior to the commencement of any planned demolition works, submit a Demolition Traffic Management Plan for the written approval of the Council as Roads Authority (in consultation with Police Scotland). The plan shall describe all methodologies for ensuring the safety of members of the public using the adjacent public road and footways throughout the planned demolition programme, and shall provide details on the movement of demolition traffic to and from the site.

Reasons:

- (a) to ensure that the development is carried out in accordance with the approved plans unless otherwise agreed; and

(b) in the interest of road safety.

List of Determined Plans:

Drawing - Reference No (or Description): LOCATION PLAN;
 Drawing - Reference No (or Description): SITE PLAN;
 Drawing - Reference No (or Description): EXISTING AND DEMOLITION FLOOR PLANS;
 Other - Reference No (or Description): EXISTING PHOTOGRAPHS 1 OF 3;
 Other - Reference No (or Description): EXISTING PHOTOGRAPHS 2 OF 3; and
 Other - Reference No (or Description): EXISTING PHOTOGRAPHS 3 OF 3.

Reason for Decision:

It is considered that the proposal does not detrimentally affect the traditional character or appearance of this Conservation Area.

21/00903/APP:-

Decided: to approve the application subject to subject to the following conditions and payment of developer contribution:-

- (a) that the development hereby granted shall be implemented in accordance with the approved plan(s) as listed below and as forming part of this permission unless a variation required by a condition of the permission or a non-material variation has been agreed in writing by the Planning Authority;
- (b) that prior to the commencement of development, samples or a brochure of all materials to be used on external surfaces, in respect of type, colour and texture, shall be submitted for the prior written approval of the Planning Authority;
- (c) that prior to the commencement of works on site, a scheme of landscaping indicating the siting, numbers, species and heights (at time of planting) of all trees, shrubs and hedges to be planted shall be submitted for the prior written approval of the Planning Authority. The scheme as approved shall be implemented within 6 months / first planting season following the completion or occupation of the development, whichever is the sooner. Thereafter, the open space/landscaped areas shall be retained as open space and to this approved standard to the satisfaction of the Planning Authority;
- (d) 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, including agreement on suitable routes 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;
- (e) that before occupation of the first dwelling within the development a Residential Travel Pack shall be submitted for the prior written approval of the Council as Planning Authority (in consultation with the Council as Roads Authority). The Travel Pack shall

include information on walking, cycling and public transport facilities and services within the vicinity of the development sites, including journey times by sustainable modes of transport to key local destinations. The Travel Pack shall also include information on resident's assigned parking permits. The Travel Pack shall be distributed to all new residents within the development;

- (f) that the private access shall be surfaced for a minimum of 5 metres as measured from the rear of the public roadway, prior to occupation of the development. Precise detail and specifications of the required surfacing 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;
- (g) that prior to occupation of the development any gates shall be set back a minimum distance of 3.5 metres from the rear of the public footway, and open inwards away from the public roadway; and
- (h) 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.

Reasons:

- (a) to ensure that the development is carried out in accordance with the approved plans unless otherwise agreed;
- (b) in the interests of visual amenity;
- (c) in the interests of visual amenity and to ensure a satisfactory standard of local environmental quality;
- (d) in the interest of road safety;
- (e) to encourage sustainable means of transport;
- (f) in the interest of road safety and to ensure an acceptable standard of construction;
- (g) in the interest of road safety; and
- (h) in the interest of road safety and avoid the discharge of water on to the public road.

Advisory Notes:

- The Council as Roads Authority advises that any costs associated with the relocation of any street furniture will require to be borne by the applicant/developer.
- The Council as Roads Authority advises that all works on the carriageway to be carried out in accordance with the requirements of the Transport (Scotland) Act 2005 and the Roads (Scotland) Act 1984.
- The Council as Roads Authority advises that a Road Opening Permit will be required for any work within the public road limits.
- 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.

List of Determined Plans:

Drawing - Reference No (or Description): LOCATION PLAN;
 Drawing - Reference No (or Description): EXISTING FLOOR PLANS;
 Drawing - Reference No (or Description): AL(00)03;
 Drawing - Reference No (or Description): AL(00)11;
 Drawing - Reference No (or Description): AL(00)21;
 Drawing - Reference No (or Description): AL(00)28; and
 Drawing - Reference No (or Description): SKETCH FROM MILLER ROAD.

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) [21/00800/MSC](#) – AYR – **Site Development, Dunure Road** – Approval of Matters specified in conditions of outline planning permission 09/00683/OUT (as renewed by 18/00311/FURM) – Formation of Kickabout pitch and associated works.

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

- (a) that the development hereby granted shall be implemented in accordance with the approved plan(s) as listed below and as forming part of this permission unless a variation required by a condition of the permission or a non-material variation has been agreed in writing by the Planning Authority;
- (b) that prior to commencement of development, a factoring arrangement and a landscape maintenance schedule shall be put in place for the maintenance of the kickabout pitch and surrounding shrubbery, with these details submitted to the Planning Authority for written approval (including details of Native Species Woodland). Thereafter the maintenance schedule shall be adhered to at all times by the nominated factor for the site, and no changes shall be undertaken without the prior written approval of the Planning Authority; and
- (c) 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.

Reasons:

- (a) to ensure that the development is carried out in accordance with the approved plans unless otherwise agreed;

- (b) to ensure that adequate measures are put in place to protect the landscaping and planting in the long term; and
- (c) to establish whether there are any archaeological interests on this site and allow for archaeological excavation and recording.

List of Determined Plans:

Drawing - Reference No (or Description): 0256-101;
Drawing - Reference No (or Description): 0294/210;
Drawing - Reference No (or Description): 0294/503; and
Drawing - Reference No (or Description): MM G 100.21 SL-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 explanation for reaching this view is set out in the Report of Handling and which forms a part of the Planning Register.

The meeting ended at 12.45pm.