

REGULATORY PANEL (PLANNING)

Minutes of a hybrid webcast meeting
on 28 March 2024 at 10.00 a.m.

Present

in County

Buildings: Councillors Kenneth Bell (Chair), Ian Cavana, Alec Clark, Martin Kilbride, Mary Kilpatrick and Alan Lamont.

Present

Remotely:

Councillors Craig Mackay and Duncan Townson.

Apology:

Councillor Mark Dixon.

Attending

in County

Buildings:

K. Braidwood, Director of Housing, Operations and Development; K. Briggs, Service Lead – Legal and Licensing; C. Iles, Service Lead – Planning and Building Standards; E. Goldie, Co-ordinator (Place Planning); R. Lee, Supervisory Planner; J. Corrie and G. Senior, Ayrshire Roads Alliance; A. Gibson, Committee Services Officer; and E. Moore, Clerical Assistant.

Chair's Remarks.

The Chair

- (1) welcomed everyone to the meeting; and
- (2) outlined the procedures for conducting this meeting and advised that this meeting would be broadcast live.

1. Sederunt and Declarations of Interest.

The Service Lead – Legal and Licensing called the Sederunt for the meeting and having called the roll, confirmed that 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.

At this point, the Panel agreed to vary the order of business, in terms of Council Standing Order No. 13.3.

2. Minutes of previous meeting.

The Minutes of previous meeting of 28 February 2024 ([issued](#)) was submitted and approved.

Councillor Mackay did not take part in the determination of the following item, as he had not been present at the site visit on 22 March 2024.

3. **Planning Application continued from the Regulatory Panel on 28 February 2024 and subsequent site visit on 22 March 2024: [23/00182/APPM](#), Craig Tara Holiday Park, Dunure Road, Ayr.**

There was submitted a report (issued) of February 2024 by the Housing, Operations and Development Directorate on planning application continued from this Panel on 28 February 2024 and subsequent site visit on 22 March 2024.

[23/00182/APPM](#) – AYR – **Craig Tara Holiday Park** – Redevelopment and change of use of ancillary golf facility within Craig Tara Holiday Park to form extension to the existing holiday caravan provision including new static caravan pitches with associated infrastructure, landscaping and access.

The Panel

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

- (1) that the development hereby permitted must be begun within three years of the date of this permission;
- (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 Service;
- (3) that the proposed caravan units forming part of this development shall be sited and occupied in accordance with any Caravan Site License and associated conditions which applies to the site.
- (4) that the proposed caravan units forming part of this development shall not be promoted, advertised, let or used for any purpose other than holiday let accommodation;
- (5) that prior to commencement of all proposed materials to be used on external surfaces and cladding (in respect of type, colour and texture) of the caravan units shall be submitted to and approved in writing by the Planning Service. Thereafter, these materials shall be implemented as approved unless otherwise agreed in writing by the Planning Service;

- (6) that prior to the first caravan unit being occupied as holiday accommodation within the application site, the approved 1.8m/1.5m high fencing system to be installed along the western and part of the southern boundary of the application site shall be erected and installed in full. The fencing system shall be installed in strict accordance with the details (including the construction methods, design specifications and location/route) as shown on approved plans; 'Site Plan Proposed' (Drawing No. CT/LD03/03 Rev J) and 'Replacement Boundary Fencing Plan' (1 of 4 Drawing No. 1003 Rev B), (2 of 4 Drawing No. 1004 Rev B), (3 of 4 Drawing No. 1005 Rev B) and (4 of 4 Drawing No. 1006 Rev B). The fencing system shall also be installed and erected with all of the ecological design and mitigation features which are annotated and shown on these approved plans and also specified within the approved 'Ecological Impact Assessment Report' (Tyler Grange, 2nd October 2023). Thereafter and once erected and installed in full, the 1.8m/1.5m high fencing system shall be maintained in strict accordance with the approved details on the approved plans and retained in its location and alignment for the lifetime of the development, unless otherwise agreed in writing by the Planning Service;
- (7) that prior to the commencement of development on site and further to paragraph 6.87 of the approved 'Planning, Design and Access Statement' (Lichfields, Dated 22nd February 2023), details of the locations, design, and content of the directional/information signage to be erected within the site shall be submitted to and approved in writing by the Planning Service. Thereafter, the approved directional/information signage shall be erected and be in situ prior to the first caravan unit being occupied as holiday accommodation within this development site. Once erected, the approved directional signage shall be retained and maintained on site for the lifetime of the development, unless otherwise agreed in writing by the Planning Service;
- (8) that prior to the commencement of development on site, a Bird Hazard Management Plan (BHMP) shall be submitted to and approved in writing by the Planning Service (in consultation with Glasgow Prestwick Airport). The BHMP shall include details of measures to minimise the attractiveness of the site during both the construction and operation of the site for birds and discourage any increase in the number of birds in the vicinity which could potentially compromise the operations from Glasgow Prestwick International Airport. Thereafter, the BHMP shall be implemented as approved with any measures identified installed prior to the completion of the construction of the development unless otherwise agreed in writing by the Planning Service (in consultation with Glasgow Prestwick Airport). Once completed and fulfilled, the BHMP shall remain in force for the lifetime of the development and no subsequent alterations are to be made to the plan unless firstly approved in writing by the Planning Service (in consultation with Glasgow Prestwick Airport);

- (9) that prior to the first caravan unit being occupied as holiday accommodation within the application site, the approved structure and deterrent planting (comprising of the native hedging and additional screen Scot pine tree planting and feathered tree groups) proposed as part of the approved detailed landscape scheme (including along the southern and southwestern boundary of the application site) shall be implemented in full in strict accordance with approved plans 'Detailed Planting Proposals South' (Drawing No. W2585 1002 Rev. G) and 'Landscape Masterplan' (Drawing No. W2585 MP01 Rev. L). In the first planting season following the first caravan unit being occupied as holiday accommodation on any individual phase as shown on approved 'Phasing Plan' (Drawing No. W2585 1007), the remaining aspects of the planting forming part of the approved detailed landscape scheme shall be implemented in full for that phase in accordance with approved plans 'Detailed Planting Proposals North' (Drawing No. W2585 1001 Rev. G), 'Detailed Planting Proposals South' (Drawing No. W2585 1002 Rev. G) and 'Landscape Masterplan' (Drawing No. W2585 MP01 Rev. L). Thereafter, the approved detailed landscape scheme once complete and in place either in full or a respective phase shall be maintained in strict accordance with the management and aftercare arrangements as agreed through Condition 10 below, unless otherwise agreed in writing by the Planning Service;

- (10) that prior to the commencement of development on site and further to Condition 9 above, details of the future management and aftercare of the retained/existing and proposed landscaping (including the approved detailed landscape scheme) across the whole site shall be submitted to and approved in writing by the Planning Service. As part of this, the future management and landscape maintenance arrangements provided shall confirm that any trees, shrubs, plants or grass forming part of the approved detailed landscape scheme implemented through Condition 9 above, which die, are removed or become seriously damaged or diseased, within a period of 5 years from the date of their planting, shall be replaced by a suitably qualified landscape contractor with others of similar sizes and species unless the Planning Service gives written approval to any variation. Thereafter, the approved management and aftercare of the landscaping and planting shall be carried out in accordance with the approved details and be maintained on site for the lifetime of the development, unless otherwise agreed in writing by the Planning Service;
- (11) that prior to the commencement of development on any individual phase of development as shown on approved drawing 'Phasing Plan' (Drawing No. W2585 1007) and further to the approved 'Topographical Survey Sheet 1 and 2' (Drawing No. 06_220394_01 Rev A), 'Indicative Landscape Cross Sections' (Drawing No. CS01 Rev C), 'Development Sections Sheet 1 of 2' (CT/LD03/04 Rev. A) and 'Development Sections Sheet 2 of 2' (CT/LD03/05 Rev. A), ground works and ground modelling plans for that phase shall be submitted to and approved in writing by the Planning Service. The plans shall clearly indicate:
- The extent of the proposed development site for that phase, the existing and proposed levels across that development phase and the ridge level of the highest part of the development for that phase.
 - The ground modelling and extent of cut and fill operations proposed as part of the construction to create development platforms for that phase.
 - The precise locations and positions of caravan plots/pitches, roads, infrastructure and other services and utilities for that phase.

Thereafter, each phase of the proposed development shall be implemented and constructed in strict accordance with details shown on the ground works and ground modelling plans approved for that phase, unless otherwise agreed in writing by the Planning Service;

- (12) that all construction work and activity on site relevant to the development hereby approved shall be carried out in strict accordance with the recommendations and mitigation measures outlined within the approved 'BS5837 Tree Constraints, Tree Impacts and Tree Protection Method Statement' (B.J. Unwin Forestry Consultancy Ltd, 3rd March 2023) alongside the associated approved drawings 'Tree Retention and Protection Plans 1 of 2 and 2 of 2' (Drawing No CTGFTRP1-MAR23 and CTGFTRP2-MAR23), 'Root Protection Areas 1 of 2 and 2 of 2' (Drawing No. CTGFRPA1-JUN22 and CTGFRPA2-JUN22), 'Theoretical Shading Plan 1 of 2 and 2 of 2' (Drawing No. CTGFSH1-JUN22 and CTGFSH2-JUN2) and 'Tree Crowns Plan 1 of 2 and 2 of 2' (Drawing No. CTGFTR1-JUN22 and CTGFTR2-JUN22). Specifically, the existing trees, woodlands and hedgrows to be retained across the site shall be protected during the course of development

to the British Standard BS 5837(2012) 'Trees in Relation to Construction' and no changing of levels, movement or parking of vehicles, storage of building materials, machinery, plant equipment or soil/aggregate shall take place within the protected areas of the trees and woodland subject to retention. All recommendation and mitigation measures proposed in the approved statement and accompanying plans shall be installed prior to construction work starting on site and shall be maintained as such for the duration of the construction works until the development on the site is complete in its entirety;

- (13) the development hereby approved shall be constructed and implemented in strict accordance with all of the recommendations and surface water and flood risk mitigation measures outlined and contained within the approved 'Craig Tara Golf Facility Flood Risk Assessment and Flood Evacuation Plan' (Fairhurst, March 2023) and the approved 'SEPA Response Technical Note and Addendum to Flood Risk Assessment' (Ref. 149395/GL-W-TN-01) (Fairhurst, 18th April 2023) being fulfilled in full. This includes that:

- The surface water from the site shall be treated in accordance with the principles of Sustainable Urban Drainage Systems (SUDS) Manual CIRIA C753 and other relevant standards.
- The site is developed with a safe and flood free access and egress. This means the provision of a safe and flood free route during the relevant flood probability events that enables free movement of people of all abilities (on foot or with assistance) both to and from a secure place that is connected to ground above the design flood level and/or wider area.
- That the static caravan pitches are placed out with the 1 in 1000 year + climate change flood extent and that minimum Finished Floor Levels (FFL) are set to 5.6mAOD to provide a 600mm freeboard above the significant wave crest level in a 1 in 1000 year + climate change event;

Any alterations deviations to these recommendations and mitigation measures are not permitted unless first agreed in writing with the Planning Service (in consultation with Ayrshire Roads Alliance as the Council's Flood Authority). Once implemented, these recommendations and mitigation measures shall remain in place for the operational lifespan of the development, unless otherwise agreed in writing by the Planning Service (in consultation with the Ayrshire Roads Alliance as the Council's Flood Authority);

- (14) that no development shall take place within the development site as outlined in red on the approved plan until the applicant/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 Service (in consultation with West of Scotland Archaeological Service (WoSAS)). Thereafter, the applicant/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 in accordance with the approved arrangements. Any alterations or deviations to these agreed arrangements are not permitted unless otherwise agreed in writing with the Planning Service (in consultation with West of Scotland Archaeological Service (WoSAS));

- (15) that the Ayrshire Coastal Path Core Path (Route Name: SA2) which runs along part of the north-east and northern boundary of the application site shall be unaffected and always remain accessible for public use during both the construction stage and operational stage of the development;
- (16) that prior to the commencement of development on site and further to the recommendations of the approved 'Ecological Impact Assessment Report'(Tyler Grange, 2nd October 2023), a detailed Construction Environment Management Plan (CEMP) shall be submitted to and approved in writing by the Planning Service (in consultation with Nature Scot and the Council's appointed Ecology Advisor). The CEMP shall include an Invasive Non-Native Species (INNS) Eradication Plan and ongoing management plan to eradicate recorded species (including giant hogweed and giant rhubarb) from the development site. Thereafter, the approved CEMP shall be implemented on site for the duration of the full construction period of the development and will remain in place until the entire construction period of the development has been completed, unless otherwise agreed in writing by the Planning Service (in consultation with Nature Scot and the Council's external Ecology Advisor);
- (17) that prior to the commencement of development on site and further to 'Appendix 8 - Outline Habitat Management Plan' of approved 'Ecological Impact Assessment Report'(Tyler Grange, 2nd October 2023), a detailed Habitat Management Plan (HMP) shall be submitted to and approved in writing by the Planning Service (in consultation with Nature Scot and the Council's appointed Ecology Advisor). The HMP shall set out proposed habitat management of the site during the period of construction and operation and shall provide specific details for biodiversity enhancement and biodiversity net gain alongside a programme for the improvement, maintenance, monitoring and reporting of habitats and species. The approved HMP shall include provision for regular monitoring and review to be undertaken to consider whether amendments are needed to better meet the habitat plan objectives and the approved HMP. Thereafter, the development shall be implemented in strict accordance with the approved HMP, and all measures and mitigation implemented as part of the fulfilment of the HMP shall be maintained for the lifetime of the development, unless otherwise agreed in writing by the Planning Service (in consultation with Nature Scot and the Council's external Ecology Advisor);
- (18) that not more than 3 months prior to commencement of development on site, pre-construction surveys for red squirrel, otter, badger, water vole, reptiles, amphibians, and birds shall be undertaken to inform Species Protection Plans (SPP). Prior to the commencement of development, the SPP's and the pre-construction surveys to inform the SPP's shall be submitted to and approved in writing by the Planning Service (in consultation with Nature Scot and the Council's external Ecology Advisor). Thereafter, any required work identified in the approved SPP's shall be carried out in strict accordance with the approved mitigation measures and timescales set out and agreed. In the event that any red squirrel, otter, badger, water vole, reptiles, amphibians or birds be recorded, a licence must be obtained from NatureScot prior to works commencing if this is required;

(19) that prior to the commencement of development on site and further to the approved 'Appendix 10 Light Spill Report' of the approved 'Ecological Impact Assessment Report' (Tyler Grange, 2nd October 2023), a final lighting scheme and strategy for the site shall be submitted to and approved in writing by the Planning Service (in consultation with Nature Scot and the Council's external Ecology Advisor). The lighting scheme and strategy submitted shall demonstrate:

- How external lighting (including floodlighting) at both the construction and operation stage of development will be developed and sited as to not impact wildlife.
- How and by which means all external lighting will be positioned or designed so that it does not directly face towards or shed light onto the Maidens to Doonfoot Site of Special Scientific Interest.
- How all lighting has been informed by the Bats Conservation Trust; 'Bats and Artificial Lighting in the UK Guidance Note 2023'
- How it has taken into account all of the lighting needs associated with the development during operational hours and how it will work to the minimum lighting levels required to perform relevant lighting tasks or functions.

The development shall thereafter be implemented in strict accordance with the approved lighting scheme and strategy at both construction and operational stages of development, with the operational lighting maintained in accordance with the approved scheme/strategy for the lifetime of the development. No changes to the location or positioning of any of the lighting as approved through the lighting scheme and strategy shall be undertaken unless otherwise agreed in writing by the Planning Service (in consultation with Nature Scot and the Council's external Ecology Advisor);

(20) that unless otherwise agreed in writing by the Planning Service, the development hereby approved shall be constructed and thereafter be implemented and operate at all times in strict accordance with all of the mitigation measures set out within the approved 'Ecological Impact Assessment Report' (Tyler Grange, 2nd October 2023). This includes the mitigation outlined in Section 4.39 and Appendix 5, Section 5 of the approved 'Ecological Impact Assessment Report' (Tyler Grange, 2nd October 2023) relating to the results of the spring and summer 2023 breeding bird surveys. All measures and mitigation implemented on site shall thereafter be maintained and/or retained for the lifetime of the development, unless otherwise agreed in writing by the Planning Service (in consultation with Nature Scot and the Council's external Ecology Advisor);

- (21) that further to Condition 20 above, the minimum 20-metre buffer proposed between the edge of the development (including landscaping) and the boundary of the Maidens Head to Doonfoot Site of Special Scientific Interest (SSSI) as shown on approved plan 'Site Plan Proposed' (Drawing No. CT/LD03/03 Rev. J) and 'Landscape Masterplan' (Drawing No. W2585 MP01 Rev. L) shall be formed/established and come into force before the commencement of the construction of the development on the site. Once established and effective, the 20-metre buffer shall be managed so that it provides grassland shrub mosaic habitat and so that it also forms a barrier to plant species potentially invading the coastal grassland strip in accordance with Section 4.14 and Appendix 1, 7 and 8 of the approved 'Ecological Impact Assessment Report (Tyler Grange, 2nd October 2023). Thereafter and once the development is implemented in full, the minimum 20 metre-buffer shall remain in force post-construction and shall continue to be managed in accordance with the approved 'Ecological Impact Assessment Report (Tyler Grange, 2nd October 2023) for the operational lifespan of the development, unless otherwise agreed in writing by the Planning Service (in consultation with Nature Scot and the Council's external Ecology Advisor);
- (22) that prior to the first caravan unit being occupied as holiday accommodation within the application site, a Travel Plan shall be submitted to and approved in writing by the Planning Service (in consultation with the Ayrshire Roads Alliance as the Council's Roads Authority). The Travel Plan shall identify the measures and initiatives to be implemented in order to encourage sustainable modes of travel to and from the development other than by single occupancy private car trips and also clearly define the system of management, monitoring, review, reporting and the duration of the Travel Plan. The approved Travel Plan and all associated measures and initiatives shall become effective within 2 month of the Planning Service's approval and thereafter the Travel Plan and all associated initiatives and measures shall be maintained as such for the lifetime of the development, unless otherwise agreed in writing by the Planning Service (in consultation with the Ayrshire Roads Alliance as the Council's Roads Authority);
- (23) that prior to the commencement of development on site and further to the details show on approved drawing 'Proposed Access Road Improvements' (Drawing No. 149305/sk1003 Rev. A) and approved document 'Response to Further Comments Received from Ayrshire Roads Alliance' (Ref. 22780/03/NOW/ASL) (Lichfields, Dated 30th October 2023), precise details and specifications of the additional 2.75 metre lane construction proposed from the site access junction of Craig Tara Holiday Park in the vicinity of the public road, shall be submitted to and approved in writing by the Planning Service (in consultation with the Ayrshire Roads Alliance as the Council's Roads Authority). Thereafter, the approved details and specifications shall be implemented as part of the fulfilment and compliance of the requirements of Condition 24 below;

- (24) that prior to the the first caravan unit being occupied as holiday accommodation within the application site and further to the specific details approved as part of Condition 23 above, all internal road network and infrastructure mitigation measures proposed within Craig Tara Holiday Park boundary as shown on approved drawing Proposed 'Access Road Improvements' (Drawing No. 149305/sk1003 Rev. A) and referenced in approved document 'Response to Further Comments Received from Ayrshire Roads Alliance' (Ref. 22780/03/NOW/ASL) (Lichfields, Dated 30th October 2023) shall be implemented and in full in strict accordance with this approved plan and document alongside the details agreed through the discharge of Condition 23. This includes the road widening (to create three lanes for a section of the internal access), the formation of a footway provision (to connect the existing footway on the A719 into the footways within the site) and the permanent repositioning of the check-in point within Craig Tara Holiday Park. Once implemented in full, the Applicant shall provide written confirmation to the Planning Service of fulfilment and compliance in order to allow it to be inspected and reviewed by the Planning Service (in consultation with the Ayrshire Roads Alliance as the Council's Roads Authority);
- (25) that prior to the commencement of development on site and further to approved drawing 'Proposed A719 Road Safety Improvements Plan' (Drawing No. 149305/sk1007 Rev. A) and approved document 'Response to Ayrshire Roads Alliance and Proposed Road Mitigation' (Ref. 149305 TN01) (Fairhurst, Dated 20th December 2023), precise details and specifications of the locations and design of all Vehicle Actuated Signage infrastructure improvements, including detection technology and associated features proposed within public road limits on the A719 Dunure Road, shall be submitted to and approved in writing by the Planning Service (in consultation with the Ayrshire Roads Alliance as the Council's Roads Authority). Thereafter, the approved details and specifications shall be implemented as part of the fulfilment and compliance of Condition 26 below;
- (26) that prior to the first caravan unit being occupied as holiday accommodation within the application site and further to the specific details approved as part of Condition 25 above, all external road and infrastructure mitigation measures proposed within the public road limits on the A719 Dunure Road as shown on approved drawing 'Proposed A719 Road Safety Improvements Plan' (Drawing No. 149305/sk1007 Rev. A) and referenced in approved document 'Response to Ayrshire Roads Alliance and Proposed Road Mitigation' (Ref. 149305 TN01) (Fairhurst, Dated 20th December 2023) with the exception of the proposed reduction in speed limit to 40mph shall be implemented in full in strict accordance with this approved plan and document alongside the details agreed through the discharge of Condition 25. This includes the provision of Vehicle Actuated Signage, and a programme of visibility improvement works to the west of the site entrance by trimming back of existing hedge and other vegetation on the A719 Dunure Road frontage. Once implemented in full, the Applicant shall provide written confirmation to the Planning Service of fulfilment in order to allow it to be inspected by the Planning Service (in consultation with the Ayrshire Roads Alliance as the Council's Roads Authority);

- (27) that prior to the commencement of development on site and further to Section 4 'Vehicle Movement and Operational Procedure Plan' of the approved 'Traffic Survey Report (Fairhurst, Dated June 2023)', a Service Management Plan (SMP) shall be submitted to and approved in writing by the Planning Service (in consultation with Ayrshire Roads Alliance as the Council's Roads Authority). The SMP shall provide details of all management measures associated with vehicular movements required in the regular servicing activities on the application site and the operation of the development, including the delivery and removal of caravan units to and from the site and provide details of measures to limit the impacts that servicing activity may have on the adjacent local road network. Thereafter, the approved SMP and associated details and arrangements shall be implemented as approved prior to the first caravan unit being used as holiday accommodation within the application site and shall be maintained as such for a period of 1 year from that date, unless otherwise agreed in writing by the Planning Service (in consultation with Ayrshire Roads Alliance as the Council's Roads Authority). Following a period of 1 year from the date of the first caravan unit being used as holiday accommodation within the application site, an updated SMP reflecting and responding to the initial year of operation shall be submitted to and approved in writing by the Planning Service (in consultation with Ayrshire Roads Alliance as the Council's Roads Authority). Thereafter, the approved updated SMP shall be implemented as approved for the lifetime of the development unless otherwise agreed in writing by the Planning Service (in consultation with the Ayrshire Roads Alliance as the Council's Roads Authority);
- (28) that the edge of any proposed signage at either construction or operational stage of the proposed development shall be no nearer than 0.5 metres from the edge of the carriageway and the underside of the signage shall be a minimum of 2.25 metres above the public footway;
- (29) that prior to the commencement of development on site, precise details, and specifications of how the discharge of water onto the public road carriageway will be prevented (by drainage or other means) shall be submitted to and approved in writing by the Planning Service (in consultation with the Ayrshire Roads Alliance as the Council's Roads Authority). Thereafter, the development shall be constructed, implemented and operate in strict accordance with the approved measures and details, and these shall be maintained for the lifetime of the development, unless otherwise agreed in writing by the Planning Service (in consultation with Ayrshire Roads Alliance as the Council's Roads Authority); and
- (30) that prior to the commencement of development on site, a Construction Traffic Management Plan (CTMP) shall be submitted to and approved in writing by the Planning Service (in consultation with the Ayrshire Roads Alliance as the Council's Roads Authority). The CTMP shall include the following:
- Full confirmation of the approved and agreed routes for use by construction traffic movements.

- A full breakdown of all vehicle numbers anticipated to be generated by the development over the construction period, broken down by vehicle classification. The detail provided shall require to be sufficient to highlight periods of peak development traffic generation, and provide both estimated daily and weekly trip number estimates;
- Full details of any mitigation and/or control measures required on the public road network to facilitate construction traffic. Where this requires public road layout or alignment mitigation this requires to include full detailed design/ construction details;
- Details of measures and contractual agreements to be put in place to manage the compliance of contractors and sub-contractors with using agreed/approved construction traffic routes. This shall include any associated monitoring procedures, and any specific training and disciplinary measures to be established to ensure the highest standards are maintained;
- Full details of all arrangements for emergency vehicle access;
- Full details of measures to minimise traffic impacts in existing road users where practicable, including consideration of avoiding busy road periods, and requirements for all drivers to drive in a safe and defensible manner at all times;
- Measures to accommodate pedestrians and cyclists where appropriate, and details of a nominated road safety person;
- All materials delivery lorries (dry materials) to be sheeted to reduce dust and spillage onto the public roads;
- Details of wheel wash facilities to be established at the site entrance or an alternative suitable location to ensure no tracking of mud onto the public highway;
- Details of the provision of construction updates on the project website and a newsletter to be distributed to residents within an agreed distance of the site; and
- Full details on the process for the identification and undertaking of any necessary repairs to the construction traffic route, including the mechanism for coordination with the Roads Authority.

Thereafter and unless otherwise agreed in writing by the Planning Service (in consultation with the Ayrshire Roads Alliance as the Council as Roads Authority), the approved CTMP shall be implemented prior to any movement of construction traffic associated with the development and will be adhered to and maintained for the duration of construction until full construction activity associated with the development is complete on site in its entirety.

Reasons:

- (1) to be in compliance with Section 59 of The Town and Country Planning (Scotland) Act 1997 as amended by Section 32 of The Planning (Scotland) Act 2019;
- (2) to ensure that the development is carried out in accordance with the approved plans unless otherwise agreed;
- (3) to be in compliance with the Caravan Site License in place for the site and in the interests of visual amenity;
- (4) in order to retain full control over the development and to avoid the creation of any additional permanent dwellinghouses;
- (5) in the interests of visual amenity and to minimise the visual intrusion and reach of the caravan units proposed as part of the development;
- (6) in the interests of amenity and delineation between the land uses and to ensure that the fencing system installed does not impact upon the integrity of the Maidens to Doonfoot Site of Special Scientific Interest, the movement of wildlife/species or the health and vitality of trees situated on the boundary of the site;
- (7) to ensure the content and location of the directional/information signage are effective in assisting in delineating the application site from neighbouring land uses to the south and west;
- (8) to avoid endangering the safe movement of aircraft and the operation of Glasgow Prestwick Airport including the nearby 'Visual Reporting Points' at Heads of Ayr and Doonfoot through the attraction of birds and an increase in the bird hazard risk from the development;
- (9) to ensure that the approved landscape scheme is implemented and in place in a timely manner in the interests of residential amenity, visual amenity, and the screening of the development;
- (10) in the interests of visual amenity and to ensure that the agreed landscape measures are effective;
- (11) in the interests of visual amenity and to ensure that the ground works and cut and fill operations as part of the construction of the proposed development do not significantly increase the visual intrusion and prominence of the development on the surrounding landscape and environment;
- (12) in order to ensure that the measures proposed are implemented so that no damage is caused to trees, hedges or woodlands within or adjacent to the site during development operations;
- (13) in the interests of mitigating flood risks for the development;
- (14) to establish whether there are any archaeological interests on the site and to ensure sufficient provisions are in place for archaeological excavation and recording if it is deemed necessary;
- (15) to ensure that this development does not directly or indirectly impact or compromise the use of this core path for members of the public;
- (16) to ensure that all construction operations are carried out in a manner that minimises their impact on the environment, and that the mitigation measures contained in the Ecological Impact Assessment accompanying the application, or as otherwise agreed, are fully implemented;
- (17) in the interests of the protection and enhancement of habitats and species, including the integrity of the adjacent Maidens to Doonfoot Site of Special Scientific Interest (SSSI) and in response to the specific requirements of Policy 3 of National Planning Framework 4 (NPF4);
- (18) in the interests of safeguarding protected species;

- (19) to ensure the integrity of the Maidens Head to Doonfoot Site of Special Scientific Interest is safeguarded through appropriate mitigation and to ensure the lighting does not adversely impact upon ecology and wildlife;
- (20) to ensure the integrity of the Maidens Head to Doonfoot Site of Special Scientific Interest is safeguarded through appropriate mitigation and in the interests of securing and achieving nature and biodiversity protection and enhancement;
- (21) to ensure the integrity of the Maidens Head to Doonfoot Site of Special Scientific Interest is safeguarded through appropriate mitigation;
- (22) to encourage sustainable means of travel as part of the development;
- (23) for the purposes of road safety and the functional operation of the local road network;
- (24) for the purposes of road safety and the functional operation of the local road network and to ensure that the proposed road mitigation proposed within Craig Tara Holiday Park are implemented in a timely manner and in conjunction with the development subject to this planning application;
- (25) for the purposes of road safety and the functional operation of the local road network;
- (26) for the purposes of road safety and the functional operation of the local road network and to ensure that the road mitigation proposed on the public road limits of the A719 Dunure Road are implemented in a timely manner and in conjunction with the development subject to this planning application;
- (27) for the purposes of road safety and the functional operation of the local road.
- (28) in the interest of road safety;
- (29) in the interest of road safety and to avoid the discharge of water onto the public road; and
- (30) in the interests of road safety during the construction phase of the development;

Advisory Notes:

Glasgow Prestwick Airport (GPA)

As part of Condition 8 above, GPA request the following is included in any submission to discharge:

- Measures for the management of any flat/shallow pitched roofs within the site which may be attractive to nesting, roosting and loafing birds and this may include netting applied to the roofs of structures and/or ancillary buildings (where necessary).
- Management of solar installations (if proposed) to prevent these becoming potential bird habitats and details of the type of waste bins and the waste management arrangements for the development.

National Air Traffic Services (NATS) Safeguarding

- The NATS response does not provide any indication of the position of any other party, whether they be an airport, airspace user or otherwise and NATS response is based on the information supplied at the time of this application. If any changes are proposed to the information supplied to NATS regarding this application which become the basis of a revised, amended or further application for approval, then as a statutory consultee NERL requires that it be further consulted prior to any consent being granted.

SEPA

- Whilst no details are available at this time for the replacement watercourse footbridge crossing, it has been confirmed that the new/replacement watercourse crossing will be above the 0.1% AEP plus Climate Change Event. SEPA recommend that the footbridge crossing is clear span.
- Details for regulatory requirements and good practice advice, for example in relation to private drainage, can be found on the regulations section of SEPA's website. For all other planning matters, please refer to SEPA's triage framework and standing advice which are available on SEPA's website: www.sepa.org.uk/environment/land/planning/.

Scottish Water

- Water Capacity Assessment – There is currently sufficient capacity in the Bradan Water Treatment Works to service the development however further investigations may be required once a formal application has been submitted to Scottish Water.
- Network Assessment - Further studies are required to determine if Scottish Waters existing water network can adequately service the demands of the development or if any mitigation/enhancement work is necessary. A Network Assessment will be required to establish if there is sufficient capacity within the existing infrastructure to accommodate the demands of the development. Scottish Water is currently undertaking a Stage 2 Strategic Water Impact Assessment in this area however this study does not include this site. A separate Hydraulic Water Impact Assessment (WIA) will be required for a development of this size. There are other proposed developments in this area and therefore, Scottish Water strongly recommend that the strategic study model is adopted.
- Wastewater Capacity Assessment – According to Scottish Water records, there is no public Scottish Water Wastewater Infrastructure within the vicinity of this proposed development, therefore it is advised the Applicant investigates private treatment. In this regard, it is noted that the proposed site is being developed next to a private wastewater treatment facility which may have a detrimental impact on amenity. The Applicant should be aware that Scottish Water is unable to reserve capacity for their water/wastewater treatment works for the development. Once if a formal connection application is submitted to Scottish Water, Scottish Water will review the availability of capacity at that time and advise the Applicant accordingly.
- Surface Water – For reasons of sustainability and to protect customers from potential future sewer flooding, Scottish Water will not accept surface water connections into Scottish Water's combined sewer system. In order to avoid costs/delays where a surface water discharge to Scottish Water's combined sewer system is anticipated, you should contact Scottish Water at the earliest opportunity with strong evidence to support the intended drainage plan, prior to making a connection request.

- Asset plans can be obtained from: www.sisplan.co.uk, sw@sisplan.co.uk, 0333 123 1223.
- Scottish Water's current minimum level of service for water pressure is 1.0 bar or 10m head at the customers boundary internal outlet. If the Developer wishes to enquire about Scottish Water procedure for checking water pressure in an area, they should write to the Customer Connections department. If the connection to the public sewer and/or water main requires to be laid through land out-with public ownership, the Developer must provide evidence of formal approval from the affected landowner (a deed of servitude). Scottish Water may only vest new water/wastewater infrastructure which is to be laid through land out with public ownership where a Deed of Servitude has been obtained in our favour by the Developer. The developer should also be aware that Scottish Water requires land title to the area of land where a pumping station and/or SUDS proposed to vest in Scottish Water is constructed.
- Next Steps – All developments require to submit a Pre-Development Enquiry (PDE) Form prior to any formal Technical Application being submitted. Where it is confirmed through the PDE process that mitigation works are necessary, the costs of these works is to be met by the Developer, which Scottish Water can contribute towards through Reasonable Cost Contribution Regulations.
- Non-Domestic/Commercial Property – Since the introduction of the Water Services (Scotland) Act 2005, the water industry has opened to market competition for non-domestic customers.
- Trade Effluent Discharge from Non-Domestic Property - If in any doubt as to whether any discharge from the proposed development is likely to be trade effluent, please contact Scottish Water on 0800 778 0778 or email TEQ@scottishwater.co.uk.

South Ayrshire Council Environmental Health Service

- The wastewater/sewage system shall be constructed and installed in accordance with BS6297 Code of Practice for Design and Installation of drainage fields for use in wastewater treatment. BS6297 is applicable to systems for handling discharges from domestic to commercial sources. These sources are typically septic tanks and package sewage treatment plants.
- Work shall be undertaken in compliance with legislation and guidance relating to pollution prevention, information can be found on the website of the SEPA; www.sepa.org.uk.
- In order to minimise nuisance in the surrounding area from noise and vibrations, during all demolition and construction works, the plant and machinery used shall 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.

- If planning permission is granted, the Applicant shall contact South Ayrshire Council Environmental Health Service as soon as possible to update their current Caravan Site Licence. This will need to be undertaken before the proposed development on the site becomes operational. Once updated and agreed, the site must meet the conditions stated in the Caravan sites and the Control of Development Act 1960 and amendments therewith included in the Act at all times.
- The EH response was prepared by Elaine Little (Environmental Health Officer), to whom any further enquiries can be made: 01292 616341 or elaine.little@south-ayrshire.gov.uk.

South Ayrshire Council Outdoor Access Officer

- There is a public Right of Way (Ref SKC0029) which runs along and adjacent to the main entrance/access road into wider Craig Tara Holiday Park. Whilst this is some distance from the application site, the park should ensure that the public can use this route given it is a Right of Way (RoW) recorded by the Council and by the Scottish Rights of Way Society (ScotWays).
- Increased traffic, as a result of the increased number of caravans proposed as part of the development could have a significant impact on this RoW near the entrance/access to the site. As a result, the Applicant should take measures to decrease any negative impact on this RoW. As part of this, it is recommended that the Applicant considers providing an improved path adjacent to the access road, to keep walkers safely segregated from the traffic.

Carol Anderson Landscape Associates (Council's Landscape Advisor)

Should planning permission be granted, it is advised that:

- The details provided for external surfaces and cladding of the caravan units for Condition 5 shall seek to utilise the least reflective materials as possible to minimise their visual presence.
- The Applicants includes perimeter landscaping around the sewage plant works as part of its upgrade. This will not only allow it to better integrate with the development, but it will improve the appearance of the park environment as it is seen and experienced from the coast/beach.
- Remove the groundskeeper store/equipment which is sited around the sewage plant works.
- Extent planting proposed as part of this development along the remainder of the coastal edge of the existing park (using robust species to reduce intrusion).

West of Scotland Archaeological Service (WoSAS)

- WoSAS note that the archaeological desk-based assessment submitted concluded that mitigation would be possible under a watching brief, but that this would lead to delays in the construction programme if buried remains were identified and then had to be subsequently excavated ahead of construction proceeding. Given the demonstrated richness of the area in terms of producing significant buried remains, WoSAS strongly advise that the mitigation should be more pro-active and in advance of construction so that there is then time available for subsequent excavations to take place without impacting on the construction programme.
- WoSAS advise that the archaeological condition should be implemented in a staged manner, with the first stage being archaeologically led topsoil stripping of the application area in advance of construction. This will involve hiring a professional archaeological contractor (see list on WoSAS website www.wosas.net) to undertake the required investigations. The results of this initial investigation will thereafter dictate the need for any further archaeological works on the site prior to or during any further disturbance as necessary. Any such discoveries will have to be excavated before their destruction including any post excavation analyses and publication required. Early contact should be made with WoSAS to agree the approach; WosasEnquiries@glasgow.gov.uk.

Nature Scot

In addition to the conditions requested, Nature Scot advise and recommend the following:

- It is recommended that no direct footway access is made from the development to the shoreline but rather should connect to existing well-established footpaths. The existing informal access from the golf facility to the shore should be removed.
- Any planting established as being required within the 20-metre buffer zone of the SSSI will require to avoid the need for the importation of any topsoils to prevent the risk of importing any Invasive Non-Native Species (INNS) and only use appropriate native species.
- Further to Condition 17, the HMP provided shall build on from the positive mitigation and initially outlined in the OHMP and should include additional work to demonstrate positive effects for biodiversity enhancement. This should seek to respond to NPF4 Policy 3b) 'proposals for major development will only be supported where it can be demonstrated that the proposals will conserve, restore and enhance biodiversity, including nature networks so they are in a demonstrably better state than without intervention. This will include future management'. Nature Scot guidance, developed in support of the Scottish Government's work on securing positive effects for biodiversity contains a wide range of prescriptive measures which can help enhance the outline proposals made to date; [Developing with Nature guidance | NatureScot](#). Where possible, the applicant should look to enhance positive connectivity to the Local Wildlife Sites identified within 2km of the site.

- Further to Condition 18, for species that can be surveyed at any time of the year (otter), the pre-construction surveys should be undertaken as close to the construction period as possible, and no more than 3 months before the start of works. For species that have a restricted survey window (water vole), the pre-construction surveys should be undertaken as close to the start of works as possible and within the most recent survey window.
- Further to Condition 19, Nature Scot advise that the 2023 version of the Bat Conservation Trust - 'Bats and Artificial Lighting in the UK Guidance Note' is used to augment the current Light Spill Report (Appendix 10 of the approved EIAR) to demonstrate how a sensitive lighting scheme will be developed/implemented; ['Bats and Artificial Lighting at Night' ILP Guidance Note update released - News - Bat Conservation Trust](#)

Ayrshire Roads Alliance (as Council's Roads Authority and Flood Risk Authority)

- Road Opening Permit - That a ROP is required in addition to planning consent for any work to be undertaken within the public road limits. An application for a Road Opening Permit should be made separately to the ARA as Roads Authority, prior to works commencing on site.
- Roads (Scotland) Act – 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 road's authority and the relevant utility companies.
- Costs of Street Furniture - Any costs associated with the relocation of any street furniture shall require to be borne by the Applicant/Developer.
- Costs of TROs - The promotion of TRO resulting from this development shall require to be fully funded by the Applicant – including any relevant road signs and markings.
- Signage to TSRGD 2016 - Only signs complying with the requirements of 'The Traffic Signs Regulations and General Directions 2016' are permitted within public road limits.
- Flood Prevention - Whilst no details are available at this time for the replacement watercourse footbridge crossing, it has been confirmed that the new/replacement watercourse crossing will be above the 0.1% AEP plus Climate Change Event. SEPA recommend that the crossing is clear span. Details for regulatory requirements and good practice advice, for example in relation to private drainage, can be found on the regulations section of SEPA's website. For all other planning matters, please refer to SEPA's triage framework and standing advice which are available on SEPA's website: www.sepa.org.uk/environment/land/planning/.

List Of Determined Plans/Drawings and Supporting Documentation:

Topographical Survey Sheet 1 and Sheet 2 (Drawing No. 06_220394_01 1 of 2 and 2 of 2 Rev. A);
 Drainage Strategy Layout (Drawing No. 149305/2200 Rev. D);
 Indicative Constraints Plan (Drawing No. W2585 CP01 Rev. E);
 Location Plan (Drawing No. CT/LD03/01);
 Site Plan Existing (Drawing No. CT/LD03/02 Rev. B);
 Root Protection Areas Plan 1 of 2 (Drawing No. CTGFRPA1-JUN22);
 Root Protection Areas Plan 2 of 2 (Drawing No. CTGFRPA2-JUN22);
 Theoretical Shading Plan 1 of 2 (Drawing No. CTGFSH1-JUN22)
 Theoretical Shading Plan 2 of 2 (Drawing no. CTGFSH2-JUN22);
 Tree Crowns Plan 1 of 2 (Drawing No. CTGFTR1-JUN22);
 Tree Crowns Plan 2 of 2 (Drawing No. CTGFTR2-JUN22);
 Tree Retention and Protection Plan 1 of 2 (Drawing No. CTGFTRP1-MAR23);
 Tree Retention and Protection Plan 2 of 2 (Drawing No. CTGFTRP2-MAR23);
 Indicative Concept Plan (Drawing No. W2585 SK01 Rev. F);
 Archaeology Desk-based Assessment (Lichfields, Dated February 2023);
 Drainage Assessment (Fairhurst, Dated September 2022);
 Existing Services/Utilities Report (Fairhurst, Dated June 2022);
 Flood Risk Assessment and Flood Evacuation Plan (Ref. 149305/GL/W/R01) (Fairhurst, Dated March 2023);
 Geo-Environmental Desk Study Issue 05 (Fairhurst, Dated June 2022);
 Heritage Statement of Significance (Lichfields, Dated February 2023)
 Landscape and Visual Impact Assessment (Andrew Davis Partnership, Dated March 2023);
 Planning, Design and Access Statement (Lichfields, Dated 22nd February 2023);
 Pre-application Consultation Report (PAC) (Lichfields, Dated 21st February 2023);
 Preliminary Ecological Appraisal Report (Report No. 14252_R03F_JM_CW) (Tyler Grange, Dated 6th March 2023);
 Transport Assessment (Ref. 149305 TA01) (Fairhurst, Dated March 2023);
 Tree Constraints, Tree Impacts and Tree Protection Method Statement (B. J. Unwin Forestry Consultancy Ltd., Dated 3rd March 2023);
 Site Plan Proposed (Amended) (Drawing No. CT/LD03/03 Rev. J);
 Development Sections Sheet 1 of 2 (Drawing No. CT/LD03/04 Rev. A);
 Development Sections Sheet 2 of 2 (Drawing No. CT/LD03/05 Rev. A);
 Detailed Planting Proposals North (Drawing no. W2585 1001 Rev. G);
 Detailed Planting Proposals South (Drawing No. W2585 1002 Rev. G);
 Replacement Boundary Fencing Plan 1 of 4 (Drawing No. W2585 1003 Rev. B);
 Replacement Boundary Fencing Plan 2 of 4 (Drawing No. W2585 1004 Rev. B);
 Replacement Boundary Fencing Plan 3 of 4 (Drawing No. W2585 1005 Rev. B);
 Replacement Boundary Fencing Plan 4 of 4 (Drawing No. W2585 1006 Rev. B);
 Indicative Landscape Cross Sections (Amended) (Drawing No. W2585 CS01 Rev. C);
 Landscape Masterplan (Amended) (Drawing no. W2585 MP01 Rev. L)
 Supplementary Note – Applicants Response to Public Comments/Representations (Ref. 22780/03/NOW/ASL) (Lichfields, Dated 11th July 2023);

Ecological Impact Assessment Part 1 of 3 (Report No. 14252_R06e_JM) (Tyler Grange, Dated 2nd October 2023);
 Ecological Impact Assessment Part 2 of 3 (Report No. 14252_R06e_JM) (Tyler Grange, Dated 2nd October 2023)
 Ecological Impact Assessment Part 3 of 3 (Report No. 14252_R06e_JM) (Tyler Grange, Dated 2nd October 2023);
 Landscape and Visual Impact Assessment Supplementary Photograph 1 of 2 (Andrew Davis Partnership, Dated April 2023);
 Landscape and Visual Impact Assessment Supplementary Photograph 2 of 2 (Andrew Davis Partnership, Dated April 2023);
 Landscape and Visual Impact Assessment Addendum - Additional Coastal Path Viewpoint Locations (Andrew Davis Partnership, Dated April 2023);
 SEPA Response Technical Note and Addendum to Flood Risk Assessment (Ref. 149395/GL-W-TN-01) (Fairhurst, Dated 18th April 2023);
 Traffic Survey Report (Fairhurst, Dated June 2023);
 Response to Further Comments Received from Ayrshire Roads Alliance (Ref. 22780/03/NOW/ASL) (Lichfields, Dated 30th October 2023);
 Proposed Access Road Improvements Plan (Drawing No. 149305/sk1003 Rev. A);
 Response to Ayrshire Roads Alliance and Proposed Road Mitigation (Ref. 149305 TN01) (Fairhurst, Dated 20th December 2023);
 Proposed A719 Road Safety Improvements Plan (Drawing No. 149305/sk1007 Rev. A); and
 Phasing Plan (Drawing No. W2585 1007)

Reason for Decision:

The siting and design of the proposed internal tourism extension and proposed expansion to Craig Tara Holiday Park is considered to accord with the provisions of the statutory Development Plan and through a combination of factors including the appropriate site layout and design and landscape, boundary treatment and road and infrastructure mitigation and conditions to safeguard site specific matters such as ecology and archaeology, there is no significant adverse impact on surrounding infrastructure, amenity of neighbouring land or the surrounding environment and landscape that would warrant refusal of the application.

3. Hearing relating to an Application for Planning Permission.

There was submitted a report ([issued](#)) of March 2024 by the Housing, Operations and Development Directorate on a planning application for determination.

The Panel considered the following applications:-

- (1) [23/00954/APP](#) – AYR – 244-246 High Street – Change of use of a vacant Class 3 unit to form an adult gaming centre.

Having heard from an objector and the applicant's agent, the Panel

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

- (a) that the development hereby permitted must be begun within three years of the date of this permission;

- (b) 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;
- (c) that the noise mitigation measures as set out in the Noise Report by ARCHO Consulting dated 14/12/23 shall be implemented in full prior to the occupation of the unit as an adult gaming centre. Once the mitigation measures works are complete, a verification report shall be prepared and submitted by a competent person to the satisfaction of the planning authority, in consultation with the Council's Environmental Health Service, in order to demonstrate that the mitigation has been installed in accordance with the details in the noise report and compliance with the specific noise criteria. Thereafter, the noise mitigation measures shall be maintained for the duration of the use of the premises as an adult gaming centre; and
- (d) that there shall be no form of tannoy or amplified sound systems in the premises.

Reasons:

- (a) to be in compliance with Section 58 of The Town and Country Planning (Scotland) Act 1997 as amended by Section 32 of The Planning (Scotland) Act 2019;
- (b) to ensure that the development is carried out in accordance with the approved plans unless otherwise agreed;
- (c) in order to minimise noise emissions from the use and to safeguard the amenity of neighbouring residential uses; and
- (d) to avoid unacceptable noise disturbance in the interests of residential amenity.

List of Determined Plans:

Drawing - Reference No (or Description): Existing Ground Floor Plan;
 Drawing - Reference No (or Description): Existing Shopfront Plan;
 Drawing - Reference No (or Description): Location Plan;
 Drawing - Reference No (or Description): Proposed Shopfront Plan; and
 Drawing - Reference No (or Description): Proposed Ground Floor Plan

Reason for Decision.

The use of the premises 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 subject to the conditions imposed being adhered to.

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

4. Consultation under Section 36 of the Electricity Act 1989 (23/00671/DEEM) Loch Fergus C74 from B742 north-east of Bowmanston to A70 at Old Toll, Ayr.

There was submitted a report ([issued](#)) of March 2024 by the Housing, Operations and Development Directorate in respect of a consultation received from the Scottish Government Energy Consent Unit (ECU) under Section 36 of the Electricity Act 1989 for the construction and operation of a solar generating facility and battery generation station with a generating capacity of up to 85mw alongside associated development including solar panels, battery storage containers, security fencing, cctv cameras, access tracks, cabling, inverters, substations, landscaping and other ancillary development at Loch Fergus C74 from B742 north-east of Bowmanston to A70 at Old Toll, Ayr.

The Panel heard from the Council's appointed planning consultant and various officers.

In terms of Standing Order No. 19.9, there was no general agreement to the unopposed motion, therefore, the Council moved to a vote for or against the Motion.

By a majority, the Panel

Decided: to agree

- (1) that no objection be raised to the proposal and that the Regulatory Panel delegate authority to the Director of Housing Operations and Development to conclude planning conditions with the Energy Consents Unit (ECU), regarding, but not limited to, the matters as detailed in the Recommendation section on page 33 of the report, should the Scottish Government be minded to grant consent as determining authority; and
- (2) that concerns raised by elected members relating to the sufficiency of the proposed community benefits and community benefit fund/sum; and to fire safety and fire risks and the need to have appropriate mitigations in place to deal with such risks (including potential environmental impacts) be raised and highlighted as part of this Council's overall response to the ECU.

5. Public Access Exemption Order: The South Ayrshire Council (Royal Troon Golf Course 152nd Open) Exempting Land from Access Rights (No. 3) Order, 2024

There was submitted a report ([issued](#)) of 18 March 2024 by the Housing, Operations and Development Directorate seeking authority to undertake a public consultation on a proposed temporary public access exemption Order under Section 11 of the Land Reform Act (Scotland) 2003 for areas of land affected by the 152nd Open 2024 at Royal Troon Golf Course.

The Panel

Decided: to approve the commencement of a public consultation on the proposed temporary public access exemption order under Section 11(1) of The Land Reform (Scotland) Act 2003, for the area of land at Royal Troon Golf Course and a section of the Smugglers Trail/Wrack Road (Core Paths SA1, SA2 and SA6 and Right of Way SKC 28), as set out in Appendix 1 of the report.

The meeting ended at 11.30 a.m.

DRAFT