

REGULATORY PANEL (PLANNING)

Minutes of a hybrid webcast meeting
on 3 April 2025 at 10.00 a.m.

Present
in County
Buildings: Councillors Alan Lamont (Chair), Ian Cavana, Alec Clark, Martin Kilbride, Mary Kilpatrick and Duncan Townson.

Present
Remotely: Councillor Craig Mackay.

Apologies: Councillors Mark Dixon and Lee Lyons,

Attending
In County
Buildings: K. Briggs, Service Lead – Legal and Licensing; Craig Iles, Service Lead – Planning and Building Standards; E. Goldie, Co-ordinator (Place Planning); J. Hall, Co-ordinator (Planning Strategy); C. Cox, Assistant Director - Planning and Development; A. McGibbon, Supervisory Planner; F. Ross, Co-ordinator Legal Services (Property and Contracts); G. Senior, Ayrshire Roads Alliance; F. Sharp, Supervisory Planner; J.Chapman, Committee Services Officer; and E. Moore, Clerical Assistant.

Variation in Order of Business.

In terms of Council Standing order No 13.3. the Panel agreed to vary the order of business as hereinafter minuted.

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.

2. Minutes of previous meetings.

The Minutes of previous meetings of 25 June 2024, 11 December 2024 and 6 February 2025 (Special) (issued) were submitted and approved.

Decided: to approve these minutes.

3. **Hearing relating to an Application for Planning Permission.**

There were submitted reports (issued) of February 2025 by the Housing, Operations and Development Directorate on planning applications for determination.

The Panel considered the following applications: -

(1) 24/00795/APP - 10D Barassiebank Lane, Troon - Planning permission is sought for the change of use of a dwelling flat to short-term letting accommodation at a flatted residential block located at 10D Barassiebank Lane, Troon.

The Panel heard from the applicant and various objectors.

The Panel

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

(1C) That the development hereby permitted must be begun within three years of the date of this permission.

(1R) 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.

(2C) 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.

(2R) To ensure that the development is carried out in accordance with the approved plans unless otherwise agreed.

(3C) That the accommodation hereby approved shall not be promoted, advertised, let, or used for any purpose other than as holiday accommodation, to the satisfaction of the Planning Authority.

(3R) To define the terms of this planning permission, and to retain proper planning control over the development.

Advisory Notes: -

To support the safe and responsible management of the property, it is recommended that a security management plan and house guest rules be implemented. A security management plan should be developed to ensure the safety and security of both guests and the surrounding neighbourhood. This plan may include procedures for check-in and check-out, contact information for a local property manager or responsible person, ensuring proper locks and security systems on entry points, and clear protocols for addressing noise or disruptive behaviour. It is also recommended that a set of house rules be clearly communicated to guests. These rules might include guidelines on noise levels, quiet hours, restrictions on the number of guests allowed to stay, proper waste disposal, and how to address any concerns during their stay.

List of Determined Plans: -

Drawing - Reference No (or Description): Floor Plan;
 Drawing - Reference No (or Description): Location Plan; and
 Drawing - Reference No (or Description): Operational Statement.

Reason for Decision: -

The proposed change of use proposal is supported by the framework of planning policy including National Planning Framework 4 and Local Development Plan 2 in that it could bring economic benefits to the area and is not expected to have a detrimental impact on residential amenity or the character of the area. Should any residential amenity issues arise in the future, it would be for Police Scotland, the Council's Environmental Health Service or Licensing Team to pursue through their regulatory powers.

Background Papers:

1. Application form, plans and submitted documentation.
2. Representations.
3. Adopted South Ayrshire Local Development Plan (LDP2).
4. National Planning Framework 4 (NPF4).
5. Planning application 24/00486/APP.

Integrated Impact Assessment:

The consideration of this planning application sits within a policy framework of the Council's Local Development Plan 2 and National Planning Framework 4. These have been the subject of Equalities Impact Assessments which considered how the policies may impact on protected characteristics. Therefore, no separate Integrated Impact Assessment is required.

(2) [24/00864/PPP](#) – Land at Hillhead, Coylton, South Ayrshire - Planning permission in principle is sought for the erection of 5 dwellinghouses and associated development to the north of the A70 Ayr/ Coylton Road at Hillhead, close to the junction of the A70 and the B742.

The Panel heard from various objectors.

The Panel

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

(1C) The development to which this permission relates must be commenced no later than five years from the date of this permission.

(1R) To be in compliance with Section 59 of The Town and Country Planning (Scotland) Act 1997, as amended by The Planning etc. (Scotland) Act 2006.

(2C) A further application(s) for the following matters specified in conditions below shall be submitted for the requisite approval in writing of the Planning Authority. No works shall

commence on site until the written permission of the Planning Authority has been obtained for the specific matter to which the works relate.

(2R) To be in compliance with Section 59 of The Town and Country Planning (Scotland) Act 1997, as amended by The Planning etc. (Scotland) Act 2006.

(3C) That full details of the proposed development, including the siting, design, external appearance, means of access, landscaping measures, and any other matters specified in conditions below, shall be submitted for the approval of the Planning Authority as outlined in Condition 1 of this planning permission.

(3R) To be in compliance with Section 59 of The Town and Country Planning (Scotland) Act 1997 as amended by section 21 of the Planning Etc. (Scotland) Act 2006.

(4C) That this planning permission in principle, subject to the specified planning conditions, relates to the plan(s) as listed below.

(4R) To be in compliance with Section 59 of The Town and Country Planning (Scotland) Act 1997 as amended by section 21 of the Planning Etc. (Scotland) Act 2006.

(5C) That at the Approval of Matters Specified in Conditions stage, a design statement shall be submitted, for the written approval of the planning authority, which demonstrates how the design and siting of the development takes cognisance of the character of the surrounding area and including a proposed street elevation drawing showing the proposed development in relation to the neighbouring existing dwellings at 11b and 13 c Hillhead.

(5R) In the interest of residential and visual amenity.

(6C) That at the Approval of Matters Specified in Conditions stage details shall be submitted, for the written approval of the planning authority, of private garden ground for each dwelling, which shall be in accordance with the Council's planning policy guidance in relation to 'Open Space and Designing New Residential Developments' and/ or any subsequent document prepared by the Council in relation to the provision of open space for residential areas.

(6R) To comply with the Council's planning policy guidance in relation to open space, and to ensure that the extent of land to be used as garden ground is commensurate with the locality.

(7C) That at the Approval of Matters Specified in Conditions stage details shall be submitted 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.

(7R) In the interest of visual amenity.

(8C) That at the Approval of Matters Specified in Conditions stage, 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.

(8R) In the interest of residential and visual amenity.

(9C) That at the Approval of Matters Specified in Conditions stage details shall be submitted of the proposed access, surfacing arrangements, and parking arrangements for the proposed houses, including any resultant footpath and carriageway repairs within

the limits of the public road, all of which shall be to the satisfaction of the Ayrshire Roads Alliance, and in compliance with the National Roads Development Guide.

(9R) In the interest of road safety.

(10C) That at the Approval of Matters Specified in Conditions stage, an Ecological Impact Assessment (or similar document) shall be submitted for the written approval of the Planning Authority. The submitted document shall identify the presence of likely absence of ecological features, and prescribe mitigations measures to protect any such features, along with biodiversity measures to enhance biodiversity at the site.

(10R) In the interests of the natural environment and biodiversity at the site.

(11C) That at the Approval of Matters Specified in Conditions stage a noise impact assessment shall be undertaken and submitted so as to determine the likelihood of noise nuisance from road traffic on the noise sensitive receptors, for the written approval of the planning authority, in conjunction with the Council's Environmental Health Service.

The noise impact assessment shall be carried out by a suitably qualified acoustic consultant or other competent person, in accordance with the principals outlined in Technical Advice Note (TAN) Assessment of Noise.

All Noise sensitive receptors in the high and medium category (table 2.1 TAN) shall be identified and the level of significance determined.

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

LAEQ16hrs 35dB (0700-2300) internal noise level

LAEQ8hrs 30dB (2300-0700) internal noise level

LAMAX 45 dB (2300- 0700) internal noise level

LAEQ16hrs 50dB (0700-2300) outside amenity space

Internal noise levels to be achieved, where possible, with windows open sufficiently for ventilation. Noise reduction to be taken as 10dB from outside to inside with window open. The submitted assessment shall identify any mitigation measures required to achieve the above ratings and shall be agreed in writing with the Planning Authority prior to the commencement of works on-site.

(11R) In the interest of residential amenity.

Advisory Notes: -

1. The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is also available on the Coal Authority website at: www.gov.uk/government/organisations/the-coal-authority.

2. That a Road Opening Permit 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.

3. 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.

4. 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.

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

6. The Council as Roads Authority advises that the applicant/ developer will be responsible for the reinstatement of the public footway/ carriageway along the entire frontage of the site in compliance with the Council's National Roads Development Guide.

7. The Council as Roads Authority advises that access to the site shall be by way of dropped kerbs, in accordance with paragraph 3.1.2 of the Council's National Roads Development Guide.

List of Determined Plans: -

Drawing - Reference No (or Description): 0001; and
Drawing - Reference No (or Description): 0002

Reason for Decision: -

The principle of the development hereby approved is considered to accord with the provisions of the development plan, and subject to appropriate conditions and the submission of application(s) for the Approval of Matters Specified in Conditions, there is no significant adverse impact on the amenity of neighbouring land and buildings.

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

Regulatory Panel (Planning): 05 March 2025

Report by Housing, Operations and Development Directorate (Ref: 24/00864/PPP)

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Background Papers: -

1. Application form, drawings and supporting information
2. Representations
3. National Planning Framework 4 (NPF 4)
4. Adopted Local Development Plan 2 (LDP2)
5. Consultation responses
6. Historic Planning Application references 06/00482/FUL, 04/00420/REM and 02/00528/FUL

Integrated Impact Assessment: -

The consideration of this planning application sits within a policy framework of the Council's Local Development Plan 2 and National Planning Framework 4. These have been the subject of Equalities Impact Assessments which considered how the policies may impact on protected characteristics. Therefore, no separate Integrated Impact Assessment is required.

At this point and the time being 10:53 am, the Panel agreed to adjourn.

Councillor Alec Clark and the Service Lead – Legal and Licensing left the meeting at this point.

The panel reconvened at 11:06 am.

(3) 22/00302/PPPM - Land to the East of A77T from Holmston Roundabout to Bankfield Roundabout, Ayr, South Ayrshire - Planning Permission in Principle for residential development and neighbourhood commercial development (class 1 retail, class 2 professional services, class 3 food and drink, class 4 office), access, landscaping, drainage and associated works.

The Panel

Decided: that the application be continued to allow the Panel to undertake a site visit and thereafter consider at a future meeting of this Panel.

The meeting ended at 11:16am.