

County Buildings
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16 February 2022

To: Councillors Connolly, I. Campbell, Cavana, Clark, Fitzsimmons, Kilpatrick, Mackay, McGinley and Toner

All other Members for Information Only

Dear Councillor

REGULATORY PANEL

You are requested to participate in the above Panel to be held on **Wednesday, 2 March 2022 at 10.00 a.m.** for the purpose of considering the undernoted business.

In light of the current COVID-19 pandemic, this meeting will be held remotely in accordance with the provisions of the Local Government (Scotland) Act 2003. The meeting will be live-streamed and available to view at <https://south-ayrshire.public-i.tv/>

Yours sincerely

CATRIONA CAVES
Head of Legal, HR and Regulatory Services

B U S I N E S S

1. Welcome & Declarations of Interest
2. Minutes of previous meetings of 3 February 2022 (copy herewith)
3. Planning Application Report (21/01153/APP + 21/01140/LBC) Arran Mall, Alloway Street, Ayr – Submit Report by the Director – Place (copy herewith)

[Application Summary](#) (APP) + [Application Summary](#) (LBC)

For more information on any of the items on this agenda, please telephone Andrew Gibson, Committee Services on 01292 612436, at Wellington Square, Ayr or
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Agenda Item 2**REGULATORY PANEL.**

Minutes of meeting held remotely
on 3 February 2022 at 10.00 a.m.

Present

Remotely: Councillors Brian Connolly (Chair), Ian Cavana, Alec Clark, Ian Fitzsimmons, Mary Kilpatrick, Brian McGinley, Craig Mackay and Margaret Toner.

Apology: Councillor Iain Campbell.

Attending

Remotely: K. Briggs, Service Lead – Legal and Licensing; C. Iles, Service Lead – Planning and Building Standards; A. Edgar, Supervisory Planner; R. Lee, Supervisory Planner; K. Braidwood, Ayrshire Roads Alliance; A. Gibson, Committee Services Officer; and E. Moore, Clerical Assistant.

Also

Attending

Remotely: Agent to address the Panel.

1. **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.

2. **Minutes of previous meetings.**

The minutes of 3 December (Site Visit) and 8 December 2021 (issued) were submitted and approved.

3. **Traffic Regulation Order.**

There was submitted a report (issued) of 13 December 2021 by the Director – Place seeking approval to make the following Order under the under the Road Traffic Regulation Act 1984, namely:-

- (1) "South Ayrshire Council (Various Roads, Monkton) (20mph and 30mph Speed Limit) (Amendments and Revocations) Order 2021".

Following discussion, the Panel

Decided: to approve the making of the above Order.

4. **Consultation under Section 36 of the Electricity Act 1989 - Application under S36 of the Electricity Act 1989 (as amended) for the construction and operation of Craigmoddie Windfarm comprising 14 wind turbines (generating capacity >50 mw) and proposed energy storage facility and associated infrastructure (Ref 21/00069/DEEM).**

There was submitted a report (issued) of January 2022 by the Director – Place advising

- (1) that this Council had been consulted by the Scottish Government, under section 36 of the Electricity Act 1989, on an application by “EnergieKontor” for the erection of a windfarm and associated ancillary development at Craigmoddie 4km South West of Barr, South Ayrshire;
- (2) that the Council was not the determining authority for this proposal;
- (3) of the proposed response to the Scottish Government's consultation which was issued on 21 January 2021;
- (4) that the Planning Service currently had delegated authority to respond to these consultations, but typically chooses not to do so without first referring the matter to this Panel due to the large scale of the proposals and the community interest; and
- (5) that the applicant had agreed to a time extension to 5 February 2022 for the Council to make its response and that it was imperative that the Council responded within the agreed time period or its statutory rights would be affected.

Decided:

- (a) to submit this report to the Scottish Government as an objection to the proposed wind farm; and
- (b) to approve delegated authority to the Director of Place to conclude planning conditions with the Energy Consents Unit should the Scottish Government be minded to grant consent.

5. **Planning Application Report – 45 Taybank Drive, Ayr - Erection of Garage (Ref 21/00224/APP).**

With reference to previous approval of a planning application for 45 Taybank Drive, Ayr, there was submitted a further report (issued) of January 2022 by the Director – Place.

Decided: to agree

- (1) the proposed finishing materials and that condition 3 of planning permission 21/00224/APP was discharged; and
- (2) that thereafter, the development would be completed in accordance with the details agreed under the terms of this condition.

6. Application for Planning Permission.

There were submitted reports (issued) of January 2022 by the Director - Place on a planning application for determination.

The Panel decided as follows:-

- (1) **21/01114/PPP – AYR – 5 Green Street** – Planning Permission in Principle for the erection of a Residential Development.

Decided: to grant delegated powers to approve this application for planning permission in principle subject to the following conditions:-

- (1) that no development shall commence until such time as approval of the detailed design of the residential development (hereinafter called “Approval of Matters Specified in Conditions”) has been granted by the Planning Authority. Any application for approval of matters specified in conditions shall be submitted before the expiration of three years from the date of this planning permission in principle and shall include:-
- a) The overall site layout/internal layout of the development;
 - b) The orientation, size, height, design and external appearance and finishing materials of residential buildings;
 - c) The means of drainage and sewage;
 - d) Details of the full vehicular and pedestrian access arrangements;
 - e) Provisions for car parking;
 - f) Boundary walls/fences to be erected and/or retained;
 - g) Existing and proposed site levels and floor levels;
 - h) Hard and soft landscaping arrangements; and
 - i) Public and private open space;
- (2) that this permission in principle, subject to the specified planning conditions, relates to the plans listed below unless a variation is required by a condition of the permission or a non-material variation has been agreed in writing by the Planning Authority. For the avoidance of any doubt, the requirements of the conditions of this permission will necessitate an amendment to some of the plans listed below including the ‘Site Plan as Proposed’ (Drawing No. AL (00)03)), Proposed Sketch Perspectives (Drawing No. AL-XX-01) and the associated Design Statement (Denham Benn, November 2021);

- (3) that the indicative design and layout of the residential flatted blocks shown on drawings; 'Site Plan as Proposed' (Drawing No. AL (00)03)), Proposed Sketch Perspectives (Drawing No. AL-XX-01) and the associated Design Statement (Denham Benn, November 2021) are hereby not approved. The Approval of Matters Specified in Conditions application required by Condition 1 shall include a revised building design, massing, appearance and layout which seeks to deliver a high quality, placemaking approach that effectively responds to the urban, close to town centre and harbour/marina fronting location of the application site. In addition to this, the revised design shall also be fully compatible with neighbouring and surrounding properties and details shall be included to demonstrate that the proposed residential buildings will not unduly impact existing neighbouring and surrounding properties by way of overshadowing or overlooking. The revised design of the development will demonstrate compliance with the requirements of the Local Development Plans and government policy including 'Creating Places' and 'Designing Streets' together with the Council's Guidance on 'Open Space and Designing New Residential Development' and 'New Housing Developments and Affordable Housing';
- (4) that all residential units proposed on site and subject to Approval of Matters Specified in Conditions applications shall constitute affordable housing provision in line with the approved 'Addendum Planning Statement' (McInally Associates, December 2021). The affordable housing shall meet the definition of 'affordable housing' (namely housing of a reasonable quality that is affordable to people on modest incomes) in the Scottish Government's 2014 'Scottish Planning Policy' or any future government policy that replaces it;
- (5) that further to Condition 1 part c) above, the Approval of Matters Specified in Conditions application shall include full details of a suitable Sustainable Urban Drainage System designed and constructed in accordance with SUDS Manual CIRIA C735 and other relevant guidance to serve the development. The Sustainable Urban Drainage System should be designed to ensure that infrastructure and buildings are generally free from surface water flooding in rainfall events and full details of the methods to be employed, following discussions with SEPA, and including where appropriate calculations, along with details of how these measures will be maintained in perpetuity, if the chosen Sustainable Urban Drainage System solution requires discharge to an open water course then this discharge rate shall be agreed with the Flood Risk Management Authority;
- (6) that further to Condition 1 part e) above, the Approval of Matters Specified in Conditions application shall provide off road parking spaces provided within the existing site boundary in accordance with the Council's Roads Development Guide. In each case, parking bays shall be a minimum 5.5 metres x 2.9 metres with minimum aisle widths of 6m and provision should also be made for both disabled parking bays and electric car charging points parking bays within the proposed parking layout;

- (7) that further to Condition 1 part i) above, the Approval of Matters Specified in Conditions application shall include detailed supporting information illustrating compliance with the Council's planning 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. As part of this, such details shall include annotated plans showing the exact locations and volumes of open space including their appearance, make-up and associated features (including street furniture) alongside a supporting documentation/statement which provides understanding of the nature, function and role of the areas of open space(s) proposed;
- (8) that further to Condition 1 part h), the Approval of Matters Specified in Conditions application shall include a detailed landscape scheme comprising of a full planting schedule and ongoing maintenance arrangements for the development;
- (9) that the presence of any previously unsuspected or un-counteracted contamination that becomes evident during the development of the site shall be brought to the attention of the Planning Authority within one week, and work on site shall cease. At this stage, if requested by the Planning Authority, a comprehensive contaminated land investigation shall be carried out and shall be submitted to for the formal prior written approval of the Council as Planning Authority. The investigation shall be completed in accordance with a recognised code of practice such as British Standards Institution 'The investigation of potentially contaminated sites-Code of Practice' BS 10175: 2001, or as may be amended). The report shall include a site-specific risk assessment of all relevant pollutant linkages, as required in Scottish Government Planning Advice Note 33 (or as may be amended). Any unacceptable risk or risks as defined under Part IIA of the Environmental Protection Act 1990, shall be the subject of a detailed remediation strategy which shall be submitted for the formal prior written approval of the Council as planning authority. Remediation of the site shall be carried out in accordance with the approved remediation plan prior to the occupation of any residential property as part of the development. Any amendments to the approved remediation plan shall not be implemented unless approved in writing by the Planning Authority;

- (10) the Approval of matters specified in conditions application shall include, a Noise Impact Assessment prepared by a suitably qualified person. The Noise Impact Assessment shall be carried out in accordance with the principles outlined in Technical Advice Note (TAN) Assessment of Noise and shall identify all noise sensitive receptors located within the application site in the high and medium category (Table 2.1 TAN) and the level of significance determined. The maximum target noise levels within the noise sensitive receptor to be used in the assessment shall be:
- | | | | |
|------------|------|-------------|---------------------------|
| LAEQ 16hrs | 35dB | (0700-2300) | internal noise level; |
| LAEQ 8hrs | 30dB | (2300-0700) | internal noise level; |
| LAMAX | 45dB | (2300-0700) | internal noise level; and |
| LAEQ 16hrs | 50dB | (0700-2300) | outside amenity space. |
- Where a potential for noise disturbance is identified in relation to the receptors above, proposals for the attenuation of that noise shall be included as part of assessment to ensure internal and external noise levels can be achieved. Any such approved noise attenuation scheme shall be implemented prior to the occupation of any of the residential properties within the site and shall thereafter be retained in accordance with the approved scheme unless otherwise agreed in writing by the Planning Authority;
- (11) further to Condition 10 above, prior to the occupation of any of the residential flatted buildings or properties identified as noise sensitive receptors in the Noise Impact Assessment approved, a Verification Report, prepared by a suitably qualified professional shall be submitted to and approved in writing by the Planning Authority. This verification report shall demonstrating compliance and validation of the maximum noise projections and effectiveness of the noise attenuation measures detailed within the approved 'Noise Impact Assessment' Report (approved through Condition 11). These levels and measures as agreed and validated within the approved Verification Report shall be maintained for the lifetime of the development thereafter unless otherwise agreed in writing by the Planning Authority;
- (12) the final design of the layout of the residential development and finished site and floor levels approved as part of subsequent Approval of Matters Specified in Conditions applications shall be undertaken in accordance with the approved Flood Risk Assessment (Environcentre, January 2021) including the mitigation measures contained within;
- (13) prior to the commencement of development on site, details of an effective vehicle wheel washing facility shall be submitted to and approved by the Planning Authority. Thereafter, the approved wheel washing facility shall be installed prior to any construction work associated with the development commencing. It shall remain in place for the duration of the construction activity until the development is complete unless otherwise agreed in writing by the Planning Authority;

- (14) during the period of construction, all works and ancillary operations which are audible at the site boundary (or at such other place(s) as may first be agreed in writing with the Planning Authority), shall be carried out between the following hours unless otherwise approved in writing by the Planning Authority:
- Mondays to Fridays: 0700-1800;
 - Saturdays: 0700-1200; and
 - Sundays and public holidays: No working;
- (15) unless otherwise agreed in writing, no development shall commencement on site until a Travel Plan is submitted and approved in writing by the Planning Authority (in consultation with the Roads Authority). The Travel Plan shall include information and details on the following:
- Identify, walking, cycling and public transport facilities, services and opportunities within the vicinity of the development site, including journey times by sustainable modes of transport to key local destinations;
 - Identify measures to promote sustainable travel to and from the site and measures and actions to reduce private car dependence;
 - An information pack which will be provided to future occupants of the development to ensure that they are aware of the public transport and active travel options available within the area; and
 - A system of management, monitoring, review, reporting the effectiveness of the Travel Plan and the measures proposed;
- Thereafter, the approved Travel Plan including any measures identified shall be implemented in a timescale to be agreed in writing by the Planning Authority and shall thereafter remain in place for the lifetime of the development unless otherwise agreed in writing by the Planning Authority.
- (16) prior to the commencement of development on site, details and specifications as to how the discharge of water onto the public road carriageway shall be prevented by drainage or other means shall be submitted to and approved in writing by the Planning Authority (in consultation with the Roads Authority). Thereafter, the approved drainage or other measures and features shall be installed prior to the occupation of any residential property within the site and shall be maintained as such within the site for the lifetime of the development unless otherwise agreed in writing by the Planning Authority;
- (17) prior to the commencement of development on site, details and specifications of the surfacing works to the private access to the site shall be submitted to and approved in writing by the Planning Authority. Such details shall ensure that the private access is surfaced for a minimum of 10 metres as measured from the rear of the public footway. The approved surfacing details and arrangements shall be installed and undertaken prior to the occupation of any residential property within the site and shall be maintained as such within the site for the lifetime of the development unless otherwise agreed in writing by the Planning Authority;

- (18) prior to the commencement of development on site, details and specifications showing the design and specification of a turning area capable of allowing service vehicles to turn within the site boundaries whilst accessing the proposed bin storage area shall be submitted to and approved in writing by the Planning Authority. The turning area proposed shall be in accordance with the Council's Roads Development Guide. The approved turning area and arrangements shall be installed and undertaken prior to the occupation of any residential property within the site and shall be maintained as such within the site for the lifetime of the development unless otherwise agreed in writing by the Planning Authority.
- (19) prior to the commencement of development on site, details and arrangements for the location of bin collection points and the design of bin store and refuse facilities shall be submitted to and approved in writing by the Planning Authority. As part of this, such details shall show bin collection points to be located a maximum of 15 metres from the public carriageway. The approved bin collection points and bin store/refuse facility details shall be installed and undertaken prior to the occupation of any residential property within the site and shall be maintained as such within the site for the lifetime of the development unless otherwise agreed in writing by the Planning Authority;
- (20) prior to the commencement of development on site, details of the design and location of on-site cycle storage and cycle parking provision shall be submitted to and approved in writing by the Planning Authority. Such details shall include for the provision of a lockable and covered cycle stand accommodating a minimum of 1 no. cycle per dwelling within the site boundaries. The approved cycle storage and parking provision shall be installed and undertaken prior to the occupation of any residential property within the site and shall be maintained as such within the site for the lifetime of the development unless otherwise agreed in writing by the Planning Authority;
- (21) that junction access visibility sightline splays of 2.4 metres by 45 metres shall be maintained in both directions at the junction with the public road. There shall be no obstacle greater than 1.05 metre in height within the visibility sightline splays;
- (22) unless otherwise agreed in writing, prior to the occupation of any residential property within the site, the proposed access shall be constructed in accordance with the specification in the Council's Roads Development Guide, and to be a minimum of 5.5 metres wide over its initial 10 metres, as measured from the rear of the public footway;
- (23) unless otherwise agreed in writing, prior to the occupation of any residential property within the site, the existing footway crossing shall be removed and the footway reinstated in accordance with the specifications in the Council's Roads Development Guide; and
- (24) any gates proposed as part of the development shall be set back a minimum distance of 6 metres from the rear of the public footway and open inwards away from the public roadway.

Reasons:

- (1) to be in compliance with Section 59 of The Town and Country Planning (Scotland) Act 1997 as amended by section 20 of the Planning etc. (Scotland) Act 2006. In order to retain proper control over the development proposal;
- (2) to clarify the extent of the planning permission and to be in compliance with Section 59 of the Town and Country Planning (Scotland) Act 1997 as amended by section 20 of the Planning etc. (Scotland) Act 2006;
- (3) in the interest of proper planning and placemaking of the area and to ensure the design and layout of the residential development maximises the sites potential and complies with the requirements of the Local Development Plan and government policy including 'Creating Places' and 'Designing Streets' together with the Council's Guidance on 'Open Space and Designing New Residential Development' and 'New Housing Developments and Affordable Housing';
- (4) to ensure that the future residential development is progressed and delivered in line with the proposals and justification presented at planning permission in principle stage and to ensure that the flexibility afforded to the development in terms of developer contributions remains justified;
- (5) to ensure the site is drained in an acceptably sustainable manner and the drainage infrastructure is properly maintained.
- (6) in the interest of road safety and to ensure adequate off-street parking provision which is sufficient for manoeuvring and turning;
- (7) to comply with the Council's supplementary planning policy guidance in relation to open space and in the interests of the proper planning of the area;
- (8) in the interests of visual amenity and to ensure that adequate hard and soft landscaping is in place for the site;
- (9) to ensure all contamination within the site is dealt with;
- (10) to prevent road, business and industrial noise nuisance in the interest of residential amenity;
- (11) to prevent road, business and industrial noise nuisance in the interest of residential amenity;
- (12) in order to ensure no increased flood risk within and out with the development site;
- (13) in the interest of road safety and to ensure no vehicle shall leave the site carrying earth and mud in their wheels in such a quantity which will cause a nuisance or hazard to the road system in the locality;
- (14) in the interests of the amenity of residential properties in the vicinity;
- (15) to encourage sustainable means of travel and to ensure the development maximises and facilities opportunities for sustainable travel;
- (16) in the interest of road safety and avoid the discharge of water on to the public road;
- (17) in the interests of road safety and to ensure an acceptable standard of construction;
- (18) to enable service vehicles to enter and leave the site in forward gear and in the interests of road safety;
- (19) in the interest of road safety and to ensure that adequate provision is made for pedestrians.
- (20) to ensure adequate provision of cycle storage and cycle parking on site and to encourage sustainable means of travel;
- (21) in the interest of road safety and to ensure acceptable visibility at road junctions;
- (22) in the interest of road safety and to ensure an acceptable standard of construction';

- (23) in the interest of road safety and to ensure an acceptable standard of construction; and
 (24) in the interest of road safety.

Advisory Notes:

The Coal Authority

- The Coal Authority is satisfied with the conclusions of the Coal Mining Risk Assessment (November 2021) informed by the site investigation works, based on the professional opinion provided by Mason Evans Partnership Limited; that coal mining legacy issues are not significant within the application site and do not pose a risk to the proposed development. Accordingly, the Coal Authority does not object to the proposed development and no specific mitigation measures are required as part of this development proposal to address coal mining legacy issues. Notwithstanding this, in the interests of public safety, we request the following as an Informative Note:
- 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 (0345 762 6848). Further information is also available on The Coal Authority website at: www.gov.uk/government/organisations/the-coal-authority.

Scottish Water

- All proposed developments require to submit a Pre-Development Enquiry (PDE) to be submitted directly to Scottish Water via our Customer Portal prior to any formal Technical Application being submitted. This will allow us to fully appraise the proposals. Where it is confirmed through the PDE process that mitigation works are necessary to support a development, the cost of these works is to be met by the developer which Scottish Water can contribute towards through Reasonable Cost Contribution regulations. As network upgrades will be required to support this development, it is recommended that a PDE is submitted at your earliest convenience.
- The applicant should be aware that we are unable to reserve capacity at our water and/or waste water treatment works for their proposed development. Once a formal connection application is submitted to Scottish Water after full planning permission has been granted, we will review the availability of capacity at that time and advise the applicant accordingly.
- For reasons of sustainability and to protect our customers from potential future sewer flooding. Scottish Water will not accept any surface water connections into our combined sewer system. There may be limited exceptional circumstances where we would allow such a connection for brownfield sites only, however this will require significant justification from the customer taking account of various factors including legal, physical, and technical challenges. In order to avoid costs and delays where a surface water discharge to our combined sewer system is anticipated, the developer should contact Scottish Water at the earliest opportunity with strong evidence to support the intended drainage plan prior to making a connection request. We will assess this evidence in a robust manner and provide a decision that reflects the best option from environmental and customer perspectives.
- Scottish Water asset plans can be obtained from our appointed asset plan providers: Site Investigation Services (UK) Ltd, Tel – 0333 123 1223, Email – sw@sisplan.co.uk, www.sisplan.co.uk

- Scottish Water's current minimum level of service for water pressure is 1.0 bar or 10m head at the customer's boundary internal outlet. Any property which cannot be adequately serviced from the available pressure may require private pumping arrangements to be installed, subject to compliance with Water Byelaws. If the developer wishes to enquire about Scottish Water's procedure for checking the water pressure in the area, then they should write to the Customer Connections department at the above address.
- 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(s) by way of a deed of servitude.
- Scottish Water may only vest new water or waste water 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.

Ayrshire Roads Alliance

- Road Opening Permit – This shall be applied for, and obtained from the Council as Road Authority, for any works within the public road limits, prior to works commencing on site.
- Roads (Scotland) Act – The Council as Roads Authority advises that all works on the carriageway to be carried out in accordance with the requirements of the Transport (Scotland) Act 2005, and the Roads (Scotland) Act 1984.
- New Roads and Street Works Act 1991 – In order to comply with the requirements of the New Roads and Street Works Act 1991, all works carried out in association with the development on the public road network, including those involving the connection of any utility to the site, must be co-ordinated so as to minimise their disruptive impact. This co-ordination shall be undertaken by the developer and his contractors in liaison with the local roads authority and the relevant utility companies.
- Cost of Street Furniture – The Council as Roads Authority advises that any costs associated with the relocation of any street furniture shall require to be borne by the applicant/developer.
- Fire Exits – Any fire exit to the public road shall be maintained free of obstruction at all times.

List of Determined Plans:

Location Plan (Drawing No. AL-00-01);
 Existing Site Plan (Drawing No. AL-00-02);
 Proposed Site Plan (Drawing No. AL-00-03);
 Proposed Sketch Perspectives (Drawing No. AL-XX-01);
 Site Layout and Photographs (Drawing No. D/001);
 Design Statement (Denham Benn, November 2021);
 Planning Statement (McInally Associates Ltd, November 2021);
 Addendum Planning Statement (McInally Associates Ltd, December 2021);
 Flood Risk Assessment (Environcentre, January 2021);
 Market Appraisal Report (North Property Advisors, November 2021);
 Historic Marketing Information and Evidence;

Supporting Technical Statement (Clancy Consulting, November 2021);
Site Investigation Report (Mason Evans, January 2021);
Coal Mining Risk Assessment (Mason Evans, November 2021);

The meeting ended at 11.35 a.m.

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South Ayrshire Council
List of Planning Applications for Panel Consideration on 2nd March 2022

List No.	Reference Number	Location	Development	Applicant	Recommendation
1.	21/01153/APPM + 21/01140/LBC	Arran Mall Alloway Street Ayr South Ayrshire	<p>APP: Erection of a sports, leisure and fitness facility (Class 11), shops (Class 1), cafe (Class 3), Office (Class 4), non-residential institutions (Class 10); demolition works; car parking, servicing and access arrangements; hard and soft landscaping, public realm; and, other associated works and infrastructure</p> <p>LBC: Internal and external alterations and extension associated with development of a sports, leisure and fitness facility and associated development</p>	South Ayrshire Council	Approval with Conditions
	Mr Alan Edgar				
	(Objections)				
	Application Summary (APP)				
	Application Summary (LBC)				

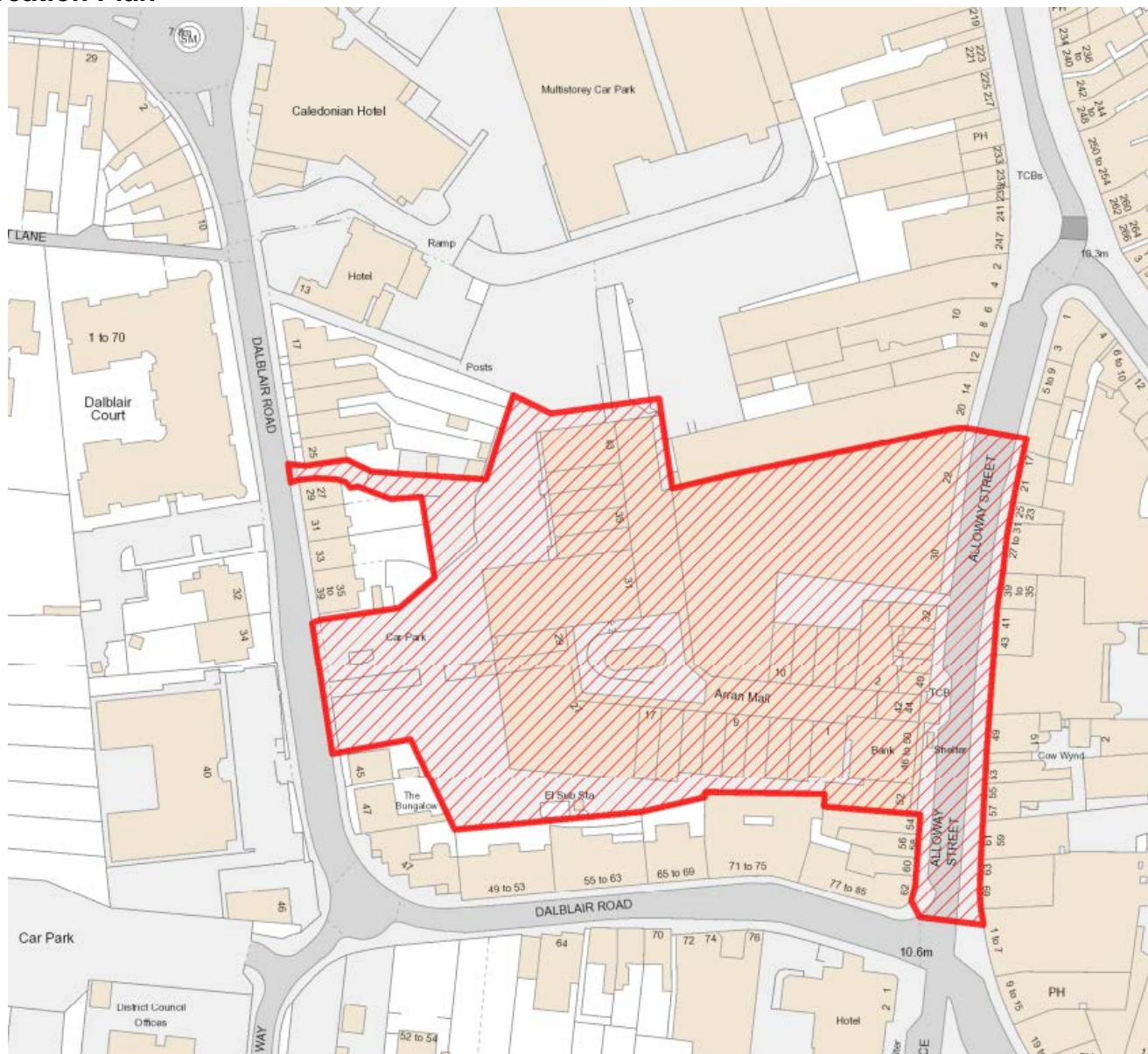
REGULATORY PANEL: 02 MARCH 2022

REPORT BY PLACE DIRECTORATE

21/01153/APPM and 21/01140/LBC

ARRAN MALL ALLOWAY STREET AYR SOUTH AYRSHIRE

Location Plan



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Summary

The application site is located within Ayr Town Centre and is presently occupied by the Arran Mall shopping centre and associated car park and the category C listed former Hourstons department store building. It is proposed to demolish the shopping centre and the large 1960s rear extension of the former department store and to erect a new building to house a public sport, leisure and fitness centre that will incorporate the original Victorian and early 20th century sections of the department store. The proposed use of the site and alterations and refurbishment of the adjoining grade C listed buildings for use as a leisure and sports centre is compatible with the surrounding commercial and residential uses. The proposal is consistent with the Spatial Strategy and relevant subject policies of the Local Development Plan and relevant national policy and guidance. There are no other material considerations that would indicate that planning permission should be refused.

REPORT BY PLACE DIRECTORATE

REGULATORY PANEL: 2 MARCH 2022

SUBJECT:	PLANNING APPLICATION & LISTED BUILDING CONSENT REPORT
APPLICATION REF:	21/01153/APPM AND 21/01140/LBC
SITE ADDRESS:	ARRAN MALL ALLOWAY STREET AYR SOUTH AYRSHIRE
DESCRIPTION:	<u>APP:</u> ERECTION OF A SPORTS, LEISURE AND FITNESS FACILITY (CLASS 11), CLASS 1 (SHOPS), CLASS 3 (FOOD AND DRINK), CLASS 4 (BUSINESS), CLASS 10 (NON-RESIDENTIAL INSTITUTIONS); DEMOLITION WORKS; CAR PARKING, SERVICING AND ACCESS ARRANGEMENTS; HARD AND SOFT LANDSCAPING, PUBLIC REALM; AND, OTHER ASSOCIATED WORKS AND INFRASTRUCTURE <u>LBC:</u> INTERNAL AND EXTERNAL ALTERATIONS AND EXTENSION ASSOCIATED WITH DEVELOPMENT OF A SPORTS, LEISURE AND FITNESS FACILITY AND ASSOCIATED DEVELOPMENT
RECOMMENDATION:	APPROVAL, SUBJECT TO CONDITIONS

APPLICATION REPORT

This report fulfils the requirements of Regulation 16, Schedule 2, paragraphs 3 (c) and 4 of The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013. The application is considered in accordance with the Council's Scheme of Delegation as well as the Procedures for the Handling of Planning Applications, subject to certain restrictions arising directly from the public health measures put in place to deal with the COVID-19 (Coronavirus) pandemic.

1. Proposal:

Application Site

The application site is located within Ayr Town Centre and is presently occupied by the Arran Mall shopping centre and associated car park and the category C listed former Hourstons department store building. The site extends to circa. 1.5 hectares. The current uses within the site include Class 1 (retail), Class 2 (financial, professional and other services), Class 3 (food and drink) and Class 4 (business uses). The Arran Mall (originally known as Dalblair Arcade) was constructed in the 1960s and is comprised of flat roofed, single storey units arranged in an L-shape behind Alloway Street. The shop unit frontages are predominantly glazed. A glazed canopy covers most of the mall and there is a feature "bandstand" within the centre. The majority of the units within the Arran Mall are currently vacant. A three-storey flat roofed block fronts onto Alloway Street containing retail units on the ground floor and office space above. Pedestrian access from Alloway Street to the mall is via a pend within the three-storey block. This building is finished in concrete panels and metal windows, typical of 1960s architecture. Immediately to the north of the three storey block is a row of traditional retail units (32 to 40 Alloway Street) which whilst retaining some traditional features, have been unsympathetically modified over the years. The Hourstons building is a three storey late Victorian/Arts & Crafts inspired building which has been extended several times. The earlier phases of the building are dominated by a large 4-storey rear extension added in the 1960s. Whereas the original shop frontage onto Alloway Street has remained largely intact, the rear elevation is completely obscured by the 1960s extension. Hourstons has been vacant since 2019.

The site is bounded by Alloway Street to the east, which contains a mixture of class 1 retail shops and class 2 commercial retail, Class 3 food and drink and sui generis takeaway and residential flats. Dalblair Road bounds the site to the west and south and also contains a similar mix of class 1 and class 2 commercial properties and residential flats and houses, but with a greater preponderance of residential. The northern section of the site is bounded by a selection of commercial properties that extend westwards from Alloway Street, residential properties, public car parking and the Kyle Centre shopping centre. A number of surrounding buildings are listed, including the tenements on Dalblair Road (group category B) which bound the site to the south and the terrace houses located in Dalblair Road (individual category C) which bound the site to the west. The buildings fronting onto Alloway Street, including the original parts of the Hourstons building, lie within the Ayr Central Conservation Area, however, the Arran Mall and the associated car park do not form part of the conservation area.

Proposals

The proposal is to redevelop the site to provide a sports, leisure and fitness facility and other associated works and infrastructure. This will involve demolition of the Arran Mall and the associated adjoining units/buildings and car park at 42-52 Alloway Street. The original late Victorian and early 20th century parts of the Hourstons department store building are to be retained and repurposed whereas the 1960s and part of the earlier extensions are to be demolished. The external fabric of the category C listed buildings will largely be retained, however, the internal walls and floors will be removed in order to accommodate the reuse of the building. A new steel frame will be constructed within the retained outer walls. To maintain the structural integrity of the historic buildings, the new frame will require to be installed prior to the removal of the original steelwork. The ground floor will accommodate office space, studios, consulting rooms and staff welfare facilities, whereas the upper floor will be used for exercise studios. Due to the revised layout and the requirement for new floor to ceiling heights, the existing 2nd floors to both buildings will be removed. The consequence of removing the internal structure of the original buildings is that a limited number of features of architectural/historic interest will require to be removed. Where feasible, these, will be reused within the restored building or stored off-site for reuse elsewhere or displayed within a Council museum. The proposals also include alteration of the existing ground floor shop front. The existing large display windows and marble cladding are to be removed and replaced with a series of three pane (split vertically) windows with pink granite stall riser and surrounds and a traditional wooden fascia. The arrangement of the new windows will correspond with the arrangement of the 1st and 2nd floor fenestration. Key architectural features of the front elevation will be retained and restored including original windows, cornice and balustrade, iron balconies and plaques, decorative capitals and other decorative features including the Arts and Crafts period sundial.

The proposed new build facility will incorporate the following primary elements across three levels (including basement level):

- A 25m x 17m, 8-lane main pool;
- A 20m x 10m teaching pool;
- A 250 sq.m leisure pool;
- Associated changing / showering / WC facilities;
- A spectator seating area capable of accommodating 150 people.
- A ground-floor café with views of the pool area.
- A first-floor fitness suite
- Associated reception areas, storage, plant and servicing rooms, lift and circulation spaces

The converted and repurposed former Hourstons department store building (22-30 Alloway Street) will be physically linked with the main new-build leisure building by way of a glazed circulation corridor extension and includes the following primary elements across two levels (circa. 1,458sq.m GIA)

- 5 x multi-use spaces / studios;
- 3 x consulting rooms;
- Associated staff room, office, WCs, kitchen, storage, lift, stairs, and circulation spaces.

In addition to the above, the proposals provide for hard and soft landscaped gardens, courtyards and parking, with pedestrian connections throughout the site and providing linkages between Alloway Street and Dalblair Road. A total of 81 vehicular parking spaces across two car parking areas, of which 12 will be accessible parking bays and 4 will have EV charging points. 30 cycle parking spaces are also proposed across the site. The existing vehicular access to the site from Dalblair Road will be retained and upgraded and a new vehicular access point to serve accessible parking bays will be provided from Alloway Street directly to the south of No.40 Alloway Street. The proposals also include various alterations to footways, crossings and bus laybys etc. on Alloway Street.

The proposed new build elements of the development will occupy the centre of the site, being set back from the surrounding properties and providing opportunities to create landscape spaces around the building. An 'arrival' plaza will be formed off Alloway Street. This area will be formally landscaped with predominantly hard surfaces to form an obvious route to the main entrance to the facility. A further sheltered green space will be created to the rear of the Hourstons building and will be used in connection with the wellbeing elements of the facility. A larger, soft landscaped area will be formed along the southern edge of the site, backing onto the rear gardens of the properties in Dalblair Road. This area will serve as a formal public garden incorporating a pedestrian through route between Alloway Street and Dalblair Road. A raised terrace will be formed on the southern elevation of the new building. Access for servicing will be from the north side of the building. The newbuild element is of a contemporary architectural style and overall the building will have a formal appearance in accordance with its status as a civic building. The form of the building follows a simple and paired back approach. The footprint is roughly rectangular but incorporates angular projections on its west side and south side. The roof will be flat with a consistent raised parapet throughout. The building is split level, stepping from two storey at the front (east) of the site to three storey at the rear (west) following the natural topography. The split level design will permit the swimming pools to be formed above ground level. Externally, the new-build elements are to be clad with a terracotta profiled large format tiling system. This material has been chosen to reflect the character of the natural sandstone used on the surrounding traditional buildings. The panelling will be divided vertically with 'fins' and horizontally with joints to break up the visual massing of the building. The fenestration incorporates extensive full-height glazed areas on the elevations fronting Alloway Street and overlooking the proposed gardens along the southern side of the site. On the north and west elevations, the glazing is more limited, with a few simple large square and rectangular openings. The Alloway Street elevation has been designed as the principal elevation and incorporates a large glazed entrance vestibule, defined with full height glazing that will permit views of the interior of the building. The new build element will be linked to the Hourstons building via simple single storey glazed hall. Internally, the building has been designed to be highly accessible with barrier free access for all. The car parking to the front of the building (Alloway Street) will provide 12 accessible parking bays located adjacent to the main entrance and a designated drop-off area is proposed on Alloway Street. Lifts will be provided.

Procedural Matters

The proposed development requires to be reported to the Regulatory Panel in accordance with the Council's approved procedures for handling planning applications and Scheme of Delegation due to the Council's financial and ownership interest in the site and as the proposal is a Major Development in terms of the Town and Country Planning (Hierarchy of Development) (Scotland) Regulations 2009.

An EIA Screening Opinion was issued by the Council on 13 April 2021 confirming that the development is not EIA Development.

The proposal is a Major Development and in accordance with the Development Management Procedure Regulations 2013, the application is accompanied by a Design and Access Statement. Pre-Application Consultation (PAC) was undertaken for the project in accordance with the Development Management Procedure Regulations 2013 and the application is accompanied by the requisite Pre-Application Consultation Report. The current proposals are for the same redline site boundary and the description of the proposals consulted upon at the PAC stage are clearly linked to the current proposal.

The proposed development falls within the remit of the Town and Country Planning (Changing Places Toilet Facilities) (Scotland) Regulations 2020. In accordance with the regulations, the proposals include Changing Places toilet facilities.

2. Consultations:

Ayrshire Roads Alliance - no objection subject to conditions.

Ayrshire Roads Alliance (Flood Officer) - no objection subject to condition.

Environmental Health - no objection subject to condition.

Waste Management - no objection subject to condition.

Sustainable Development (Biodiversity) - no objection subject to advisory notes.

Sustainable Development (Landscape And Parks) - no objection subject to condition .

Development Planning (Access) - no objections.

West Of Scotland Archaeology Service - no objection subject to condition.

National Air Traffic Services - no objection.

Prestwick Airport - no objection subject to advisory note .

Scottish Water - do not object noting that agreement has been reached to permit discharge of surface water to the combined sewer.

Fort, Seafield & Wallacetown Community Council – object on the grounds that the proposal is an inappropriate development in this location and is contrary to the Local Development Plan. The site is too restricted to satisfy the brief of replacement for the Citadel and is a poor design. Traffic management is inadequate. Water supply and disposal concerns are a risk to the town centre.
Historic Environment Scotland – have no comments to make on the proposals.

3. Submitted Assessments/Reports:

In assessing and reporting on a planning application the Council is required to provide details of any report or assessment submitted as set out in Regulation 16, Schedule 2, para. 4 (c) (i) to (iv) of the Development Management Regulations.

Design and Access Statement: Explains how the design of the proposed centre has been developed to meet the key objectives of the project, which include stimulation of participation in sport and development of a building that will act as a key focal point and catalyst for regeneration of the town centre. The statement explains how the design also responds to the site's historical context, its position behind adjacent buildings with limited frontage onto Alloway Street and Dalblair Road and to environmental conditions including ecology, prevailing wind, topography, high water table, sun path/overshadowing and the adjoining residential properties to the south and west. A series of design principles are set out including the creation of a civic square off Alloway Street and creation of public gardens on the south side of the building linking Alloway Street and Dalblair Road. The design of the building follows a simple and paired-back approach with the aim of creating a building of high quality and civic stature. A simple pallet of high quality, low maintenance materials are proposed. The design proposals for repurposing of the Hourstons building were developed through a detailed consideration of the layout and condition of the existing building fabric, the conservation value of the original buildings and the requirements of the project brief. The proposals include the removal of the modern extension to the rear, restoration of the original external elements, reconstruction of the interior to accommodate the proposed new uses and adaption of the glazed ground floor shop front to better serve the new requirements of the spaces behind. The movement of people has been approached with the goal of achieving a highly accessible facility with barrier free access to all. Accessible parking bays are located adjacent to the main entrance and a designated drop-off area is proposed on Alloway Street. Two Changing Places facilities are proposed within the building.

Conservation Statement: The statement identifies the architectural merit, historic and cultural significance of the two listed buildings at 22-28 and 30 Alloway Street which make up the former department store. It includes a review of the relevant built and natural heritage designations, a desk assessment of historical and archival information, an architectural appraisal to identify key areas of significance, an archaeological overview, an overview of the landscape, townscape and urban realm issues and a statement of significance. The conservation audit identifies the street frontage onto Alloway Street, cast iron columns, late 19th century and early 20th century stone stair cases, sash and case and casement windows, cupolas, fire inserts and surrounds as the most significant features of the buildings. Of lesser significance are the panelled timber doors and architraves, lath and plaster linings, plaster cornicing and ceiling rose, a 19th century solid stair and a mid-20th century timber balustrade. The street frontage to Alloway Street contains two dressed ashlar facades dating from 1895 and 1910. The later façade has decorative lead or copper panelling with an 'Arts and Crafts' sundial. This is recorded as the area of highest significance within the buildings. The existing large bronze framed shop windows onto Alloway Street are recorded within the Ayr Central Conservation Area Character Appraisal. Research indicates however that these were introduced circa 1949. Whilst retention and refurbishment would be preferred, for operational reasons it is propose to install a new shopfront. The proposed new shopfront arrangement reflects the earlier 1910 fenestration which contained a tripartite sub-division of each shop front section rather than the large single panes that currently exist. The ornate railings and the lead/copper of the oriel window to the 1910 building will be restored. The existing sash and case and casement timber windows are to be carefully removed and overhauled and reinstated into the building. The existing stonework and pointing will be cleaned and repaired as necessary.

Acoustic Survey Report: Presents the findings of an environmental noise survey and a noise impact assessment undertaken in accordance with BS4142:2014 guidance and Local Authority policy. The survey was carried out between 7 and 8 April 2021. The aim of the survey was to determine the existing noise levels around the site in order to set maximum noise egress limits for plant and machinery associated with the development. The report presents the findings of the survey and sets out the permissible limits for new plant which accord with the Council's criteria.

Archaeological Survey Report: The report details an archaeological assessment of the development site designed to inform the character of the archaeological resources, and thereby inform the design of any future proposed developments and any mitigation required. The report identifies potential for archaeological remains to survive and recommends monitoring of ground-breaking works to understand the impact of 20th century development on the earlier phases of development within the site and to identify areas with the potential for survival of earlier archaeological strata. Any potential areas would then require to be evaluated through trenching and archaeological excavation of any areas of archaeological interest that would be adversely impacted on by the development. Where significant archaeological material is recovered from any stage of works on-site there will be a requirement to undertake appropriate research, analytical and reporting tasks.

Drainage Assessment: The assessment has been prepared to identify the measures which will be required to minimise the effect of foul and surface water run-off discharging from the development. The report addresses whether the existing sewer network has the capacity to accommodate wastewater, calculates the pre and post development run-off to identify the surface water drainage requirements and identifies the types of sustainable urban drainage system (SUDS) measures. Foul water from the development will be discharged into the existing Scottish water combined sewer. Backwash drainage from the swimming pools will also be discharged to the combined sewer. Backwash water will require to be attenuated within the filtration system prior to discharge. Surface water will require to be collected and treated via an appropriate SUDS train and attenuated to the equivalent of Greenfield run-off prior to discharge to the sewer or water environment.

Flood Risk Assessment: provides a 'Level 1' Flood Risk Assessment for the application site. The study identifies that the site is outwith the areas at risk of flooding from fluvial or coastal flooding shown on the SEPA produced 'Flood Maps'. The low lying areas of the car park in the north west of the site are shown to be at medium likelihood of surface water flooding. Groundwater may be present at shallow depths beneath the site but is unlikely to be influenced by tide or changes in water levels within the River Ayr. The superficial deposits beneath the site are likely to be free draining and will allow infiltration to groundwater. The existing overland flow pathways from west to east should be recognised in the proposed development scheme and the site should be provisioned with appropriately designed SUDS to manage rainfall run-off.

Preliminary Geotechnical and Gas Emissions Report: The purpose of the report is to appraise the ground conditions, groundwater and gas conditions at the site and to determine what impact these may have on the proposed land use. The report notes that due to the presence of the existing buildings and services it was not possible to excavate trial pits, therefore boreholes were positioned where access was possible. Additional investigations will be required once other areas of the site are accessible. Made ground was encountered in all the borehole locations. A peat deposit varying in thickness between 0.6m and 1.95m was recorded directly beneath the made ground. Elevated ground gas emissions were identified with the site. Remedial measures including passive venting and the incorporation of a ground gas/resistant membrane and passive venting of the building solums, underslab voids/upfill and wall cavities is required. If the peat deposit is removed for geotechnical reasons, the measures required will be reviewed.

Preliminary Ecological Appraisal & Preliminary Roost Assessment: presents the results of a preliminary ecological appraisal and bat roost assessment for the site. The habitats surrounding the existing buildings were considered to be of low ecological importance overall. Suitability for nesting birds was identified within the site, primarily associated with the attractiveness of flat roofs for gulls and feral pigeons. Actions are required to avoid contravention of relevant wildlife legislation for breeding birds and suggestions made for mitigation and enhancement of measures. The buildings within the site have a range of potential for bat roosting and further bat activity work will be required.

Tree Survey Report: Provides the findings of visual tree inspection carried out within the site. The survey found the existing trees were either of moderate quality (remaining life expectancy of at least 20 years) and low quality (remaining life expectancy of at least 10 years). No high-quality trees were identified. The trees located under the covered area within the shopping complex are unsuitable species and will soon outgrow their location.

Utility and Infrastructure Report: The purpose of the report is to describe the multi-utility proposals for the new leisure centre. The report details the actions required to disconnect and remove the existing water, gas, electricity, telephony and street lighting and connect new utilities to serve the new building.

Sustainability Statement: The report describes the assessment of low and zero carbon energy sources for the proposed leisure centre. The Council has confirmed that no fossil fuels are to be used in the operation of the leisure centre. Technologies being considered are solar photovoltaic arrays, air source heat pump and battery storage.

Planning Statement: the purpose of the statement is to provide details of the proposals and set out key factors which should be taken into account in the determination of the applications. The statement provides a description of the site and the proposed development; outlines the national, strategic and local planning policy context; assesses the proposals against relevant policy and other material considerations and draws conclusions on the suitability of the site for its intended development. The statement concludes that the proposals are consistent with local and national planning policy.

Pre-Application Consultation Report: Describes the statutory community consultation programme carried out in advance of submitting the current planning application.

4. **S75 Obligations:**

In assessing and reporting on a planning application the Council is required to provide a summary of the terms of any planning obligation entered into under Section 75 of the Town and Country Planning (Scotland) Act in relation to the grant of planning permission for the proposed development - **None**.

5. **Scottish Ministers Directions:**

In determining a planning application, the Council is required to provide details of any Direction made by Scottish Ministers under Regulation 30 (Directions requiring consultation), Regulation 31 (Directions requiring information), Regulation 32 (Directions restricting the grant of planning permission) and Regulation 33 (Directions requiring consideration of condition) of The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013, or under Regulation 50 (that development is EIA development) of the Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2017 - **None**.

6. **Representations:**

43 representations have been received, 5 of which are duplicates. A total of 37 individual parties object. One letter of representation was received which neither objected or supported the proposal. All representations can be viewed online at www.south-ayrshire.gov.uk/planning

The issues raised by Representees can be summarised as follows:

Traffic & Transportation Matters

1. The residential population within walking distance of the Citadel has been underestimated and it is difficult to compare the residential population within walking distance of the new centre with the Citadel
2. The walking time from the bus station to the site entrance on Alloway Street is 8 minutes not 5 minutes as stated in the TA
3. The TA does not refer to use of the swimming pool by school children and the need therefore for coaches to transfer pupils to and from the site. The comparative cost/travel time for transferring pupils is not mentioned nor the environmental impact due to traffic required to travel through the town centre.
4. Road safety
5. Lack of designated coach parking
6. Inadequate car parking on site
7. Disruption to traffic flows during site preparation and construction over months or years
8. Disruption to pedestrian and vehicle access to the shopping area in the town centre
9. Centre users will use the private parking at the medical centre in Dalblair Road
10. The proposed coach drop-off bay will not be sufficiently long to accommodate the type of vehicles currently used to transport school pupils
11. The Citadel is better located for access to both Newton-on-Ayr railway station and Ayr railway station
12. The proposed site is further from Newton-on-Ayr area than the Citadel which will encourage greater car use from this area
13. The journey time by rail from Maybole would be longer than driving and consequently the location of the new facility closer to Ayr railway station will not increase travel by rail

Effect On Town Centre Vitality/Vibrancy

14. The location of Citadel arguably generates footfall through the High Street whilst the proposed facility will concentrate footfall at the top of the High Street only
15. The facility will not generate additional footfall that would benefit the retail offer in Ayr town centre
16. Discourage public from shopping in the town centre
17. Residential use of the Hourstons building would be more beneficial in terms of increasing vibrancy of the town centre

Standard/Range of Proposed Sports Facilities

18. The proposed facility would provide inferior sports provision (lack of squash courts, diving pool & multi-purpose hall) compared to the Citadel
19. The proposed facilities do not meet the sporting needs of the public
20. A new multi-purpose sports arena similar to the former Magnum should be proposed

Adequacy of Public/Member Consultation

21. There was inadequate consultation with the public over what sports facilities are needed
22. Elected members were not properly consulted on the reduction in the size of the building

Financial Viability of Proposed Facility/Cost

23. The facility will require to be subsidised each year and there is no forecast of revenue available for public scrutiny
24. The budget does not take in account the cost of deep piling, removal of asbestos and supporting the front wall of Hourstons.
25. The final cost is very likely to be well over the estimated cost
26. The proposal is a waste of public funds
27. Refurbishing the Citadel would be significantly cheaper

Building Size and Appearance

28. The size and mass of the proposed building is inappropriate in comparison with the surrounding buildings
29. The proposed plan will have a detrimental effect on the listed building

Other Issues

30. The existing buildings should be reused/refurbished to reduce the amount of embodied carbon
31. Presence of underground dangerous noxious gases
32. There is no indication of what the Citadel will be used for in the future
33. The Arran Mall site should be redeveloped as a public park to increase biodiversity within the town

In accordance with the Council's procedures for the handling of planning applications the opportunity exists for Representees to make further submissions upon the issue of this Panel Report, either by addressing the Panel directly or by making a further written submission. Members can view any further written submissions in advance of the Panel meeting at www.south-ayrshire.gov.uk/planning. A response to these representations is included within the assessment section of this report.

7. Assessment:

The material considerations in the assessment of this planning application are the provisions of the development plan, other policy considerations (including government guidance), objector concerns and the impact of the proposal on the amenity of the locality.

(i) Development Plan

Section 25 of the Town and Country Planning (Scotland) Act 1997 (as amended) indicates that in making any determination under the Planning Acts, regard is to be had to the development plan; the determination shall be made in accordance with the plan unless material considerations indicate otherwise.

The following provisions of the development plan are considered relevant to the consideration of this application:

The adopted Local Development Plan 2014 (*hereafter referred to as "LDP 1"*) and the adopted Town Centre and Retail Local Development Plan 2017 (*hereafter referred to as "TC&RDP"*) forms the Development Plan for the purpose of assessing the current application. However, the Scottish Government Department of Planning and Environmental Appeals Division concluded its Examination of the South Ayrshire Modified Proposed Local Development Plan 2 (*hereafter referred to as "LDP 2"*) and issued its Examination Report on 10th January 2022.

The Examination Report and LDP 2 now forms a substantial material consideration in the determination of planning applications. To avoid duplication, the proposal is assessed under the relevant policies of both LDP1/TCRLDP and LDP2 in the following paragraphs.

The provisions of the Local Development Plan must be read and applied as a whole, and as such, no single policy should be read in isolation. The application has been considered in this context.

LDP Policy: Spatial Strategy

The LDP1 Spatial Strategy is reflective of the aims of the long-term vision for South Ayrshire which include creating the right conditions to help regenerate the area's town centres and keep them vibrant, while conserving their historic character. Ayr is identified as a 'Core Investment Town' whereby development will be encouraged if it promotes and enhances the regeneration of vacant, redundant or brownfield land. The proposal will result in the regeneration of the largely vacant Arran Shopping Mall and restoration of the vacant Hourstons building which is a feature of the Ayr Town Centre Conservation Area and part of the town's heritage. The proposed new build elements and the restoration of the grade C listed Hourstons building are consistent with other relevant policies of the LDP (see below) and the proposal is therefore consistent with the spatial strategy in LDP1.

In relation to LDP 2, the development is consistent with Core Principle B1 which directs development to settlements in preference to countryside areas in the interest of sustainable development and efficient use of existing infrastructure and supports the town centre first principle for retail, leisure and commercial & office development.

TC&RDP Policy: Town Centre First Principle, TC&RDP Policy: Network of Centres, TC&RDP Policy: General Retail and LDP Policy: Tourism

New public and private sector development proposals are directed to town centres in preference to other locations. Ayr Town Centre is recognised as the largest commercial, civic and employment centre within South Ayrshire. As such major investment is guided towards Ayr town centre to deliver the vision of Ayr being the premier destination for the south west of Scotland and a leisure and cultural hub. The proposal being for a major leisure and sports complex, is consistent with these aspects of the Town Centres and Retail Local Development Plan. LDP 1 Policy: Tourism supports proposals that will provide or improve tourism and leisure facilities. The policy aims to keep large-scale commercial leisure developments, such as that proposed, to the town centres of Ayr, Prestwick, Troon, Girvan and Maybole and the proposal is therefore consistent with LDP Policy: Tourism.

The equivalent policies in LDP 2 (LDP Policy: town centre first principle, LDP Policy: network of centres and LDP Policy: Tourism) are the same in substance as those in LDP1/TCRDP and the proposal is consistent with these aspects of LDP 2.

TC&RDP Policy: Town Centres (Guiding Land Use) and TC&RDP Policy: Ayr Town Centre (Supporting the LDP Vision)

TC&RDP Policy: Town Centre (Guiding Land Use) seeks to ensure that town centres remain strong shopping centres. The policy identifies a Retail Core and a Peripheral Retail Area. Within the Core Shopping Areas the ground floor of buildings should be mainly made up of shops. However, in interest of maintaining viability the policy permits different uses including cafes & restaurants and leisure facilities (including swimming baths) where these:

1. provide added value in service provision;
2. have a lot of contact with the public day to day;
3. keep full and attractive window display or appropriate front;
4. do not negatively affect the vitality and viability of the shopping centre; and
5. do not result in an undesirable concentration of uses or 'dead fronts'.

Within the Peripheral Town Centre Areas, the TC&RDP permits a wider range of uses.

The Hourstons building is partly within the Core Shopping Area whereas the Arran Mall is outwith it. In terms of the policy criteria 1 and 2, the reuse of the building as leisure facility will provide a new service within the town centre that will be used widely by the general public and generate footfall, adding to the vibrancy of the town centre. In terms of criterion 3 and 5, the entrance to the new building has been designed to be visible from Alloway Street and large areas of glazing have been proposed to ensure that activity within the reception area is visible within the town centre. The design for the replacement for the original large ground floor display windows has taken cognisance of the desirability of maintaining an active frontage, while seeking to provide an appropriate degree of privacy for users of the facilities and meeting energy conservation standards. In terms of criterion 4, Hourstons has been vacant since 2019 and efforts to sell or let the premises to an alternative retailer have been unsuccessful. The structural changes that have occurred within the retail sector over recent years had led to significantly reduced demand for physical retail floorspace, particularly within traditional town centres. These trends are visible within Ayr Town Centre which suffers from a high vacancy rate and reduced investment in maintenance of building fabric. There is therefore limited potential for the building to be relet for retail purposes, particularly given the large format retail floorspace concerned. Consequently the reuse of the Hourstons building for a non-retail use will have very limited effect on the viability or vitality of the town centre in terms of its retail function. For the foregoing reasons it is considered that the proposal is consistent with TC&RDP Policy: Town Centre (Guiding land Use).

TC&RDP Policy: Ayr Town Centre (Supporting the LDP Vision)

The TC&RDP identifies a "Retail Core", "Cultural Quarter" and "Gateway Location" in the town centre. Part of the Hourstons building lies within the Central Retail Core Area. Within this area, shops are prioritised, however other uses will be supported where they compliment the role of the retail core and are consistent with the other policies in the LDP. As stated under the assessment against the Town Centres (Guiding Land Use) policy, it is considered that the leisure centre use will compliment the retail use of the town centre and will not undermine the viability of the retail function.

The plan identifies key redevelopment opportunity sites and Table 2 in the TC&RDP sets out preferred and alternative uses for these sites. The Arran Mall, Kyle Centre and surrounding car parks are identified due to the high level of vacancies and the plan supports redevelopment for leisure uses and a range of town centre uses, including offices. The proposal to redevelop the Arran Mall and associated car park and to reuse Hourstons for leisure use is consistent with this policy.

The policy Town Centres (Guiding land Use) is carried over into LDP 2. The Ayr Town Centre (Supporting the Vision) Policy and associated mapping have been also been carried over, however the policy title has been changed to LDP Policy: Ayr town centre guidance. The site-specific development opportunities identified in Table 2 have been incorporated into the policy wording. Of particular significance in the assessment of the current proposal is the inclusion of specific support for the redevelopment of Arran Mall for leisure use within the policy. The proposal is consistent with these aspects of LDP 2. Given the status of LDP2 this is a significant material consideration in support of the current application.

LDP Policy: Preserving Trees

Where development may involve loss of or work to trees the Council will consider the extent to which the loss of trees will affect the visual amenity and character of the area. Where the Council agrees to the loss of trees it will seek to secure replacement planting. The application is supported by a tree condition survey that concludes that none of the existing trees on the site are of high quality and none are covered by a TPO. The development will result in the loss of a small number of low-quality trees, however, these do not make a significant contribution to the amenity of the site and surrounding area, including the Ayr Town Centre Conservation Area. The proposals include the provision of new public open spaces which will create opportunities for new tree planting that will contribute to the amenity of the area. Accordingly the proposal is considered to be consistent with the relevant policy in LDP1 and LDP2

LDP Policy: Water Environment and LDP Policy: Flooding & Development

The supporting reports confirm that the development site is outwith the likelihood of flooding from coastal or tidal influence and most of the site is at no risk of flooding from any surface water sources. Whilst the FRA identifies that some low-lying areas of the existing car park are shown to be at medium likelihood of surface water flooding, the development proposals include draft details pursuant of a Sustainable Urban Drainage Systems (SUDS) which has been designed to manage rainfall run-off within the site. Evidence has been provided by the applicant that Scottish Water accept the principle of draining both foul water and surface water from site to the public sewer. The Council's Flood Officer has, accordingly, advised that the development will not increase the risk of flooding either within the site or elsewhere and the proposals are therefore considered to be consistent with the relevant policies in LDP1 and LDP2.

LDP Policy: Air Light and Noise Pollution

The application is supported by a noise assessment report in relation to new plant installation associated with a proposed development and takes cognisance of adjacent properties. Whilst specific details of the plant solution are not yet available, the report confirms that all noise generating plant and equipment associated with the development will be designed to ensure that appropriate noise egress limits specified are achieved. Environmental Health do not object to the application subject to a condition setting a noise limit for plant associated with the development. It is not considered that the proposed development raises any significant air quality or light pollution issues. The proposal is consistent with the relevant policies in LDP1 and LDP2.

LDP Policy: Low and Zero-Carbon Buildings

The supporting information states that the building will be designed with aim of achieving Net Zero Carbon. The building will take advantage of solar gain and be constructed with high levels of insulation. An all-electric energy strategy will be pursued and renewable technologies will be employed including photovoltaics, air source heat pumps and battery storage. The proposal is therefore considered to be in accordance with the relevant policies of LDP1 and LDP2

LDP Policy: Historic Environment

LDP Policy: Historic Environment seeks to protect, conserve and improve the historic environment. All proposals affecting the historic environment also require to be assessed against the adopted Supplementary Guidance for the conservation of the historic environment. The proposed development directly affects a grade C listed building within the site and the settings of a number of surrounding grade C listed buildings and grade B (Group) listed buildings. The demolition of the 1960's brick-built extension to the rear of the Hourstons building and the demolition of the unlisted Arran Mall and 46 to 52 Alloway Street raise no concerns in terms of the conservation of the historic environment of this part of Ayr. The existing extension to the Hourstons building is entirely out of scale and character with the original late Victorian and early 20 century buildings and significantly detracts from their appearance and historic value. The removal of these will serve to enhance the character, appearance and setting of the listed building and Ayr Central Conservation Area at this locale. The same can be said of the Arran Mall entrance and 46-52 Alloway Street in so far as these buildings do not make a positive contribution to the streetscape at this part of Ayr Central Conservation Area. The proposals represent an opportunity to enhance the conservation area, and the proposed redevelopment of the site, including the alterations to the front elevation of the former Hourstons building, represent a significant improvement over the present situation. It is noted that the front elevation of the former Hourstons building (onto Alloway Street) retains a shopfront appearance, and this is welcomed insofar as this provides a visual nod to the history of the building and how it used to function. With regard to the alterations themselves, there are no objections to the fire escapes being relocated to either end of the building rather than retaining the entrance / exit points in their current positions, nor are there any objections to the complete removal of the centrally located fire escape, with this shown to be built up in pink granite to match the stallrisers. It is noted that the stallrisers will also be formed in pink granite rather than red sandstone to ensure that they will withstand the elements better. There are no conservation objections to the use of this material on that basis subject to a condition requiring further details of this to be submitted for the agreement of the Planning Authority. With respect of the windows proposed to the ground-floor openings, there are no objections to installing powder coated or anodised aluminium windows to these openings, and no objections to the design of the windows on the basis that these provided a vertical emphasis to the openings. The principle of obscured glazing to the windows and doors in the manner shown on the submitted plans, is acceptable in principle, however, further details are required by condition. The proposed refurbishment of the windows and metalwork to the upper floors and repair of the stonework will serve to preserve and enhance the character, appearance and setting of the building and the conservation area at the locale.

The proposed alterations to the interior of the Hourstons building will result in the removal of the original interior in its entirety and the three-floor layout will be changed to two floors. These changes are required to accommodate the higher ceiling heights that will be necessary for the repurposing of the building for leisure use. Whilst the interior does not feature in the written description of the listing, the conservation audit carried out in support of the Listed Building Consent application does identify a limited number of features of architectural or historic interest. These include the circular iron columns and cornicing within both buildings; plaster columns; a moulded stone staircase with cast iron spindles and moulded timber handrail; door knocker and latch handle in one timber panelled door; moulded architraves, panelled doors, fireplace surround, plaster and lath wall lining and ceiling rose within former first floor flat and cast iron single glazed cupola roof-light within 22-28 Alloway Street. These interior features are considered to be of considerable but not exceptional conservation value and the majority of the interior is considered to be of low or no conservation value. This reflects the significant alterations to the building's interior that have occurred over its lifetime as it has been adapted to changes in retailing trends. It is the applicant's intention to attempt to salvage some of these features where practicable and reuse them within the new building or put them into storage for reuse elsewhere. The loss *in-situ* of these features is significantly outweighed by the benefits of securing the long-term use of the buildings, which will preserve them for future generations and enhance the Conservation Area. The formation of a new interior over two floors is essential to the successful repurposing of the buildings for leisure use and therefore the loss of the limited number of interior features of conservation interest can be justified in terms of the policies contained in LDP1 and LDP2, Scottish Planning Policy and Historic Scotland's, Historic Environment Policy for Scotland.

With respect to the proposed new building to form the main body of the leisure centre, it is considered that the design, massing, scale and finishes of this will complement rather than compete with the listed building and represents a significant visual improvement over the Arran Mall. The extension being set back from Alloway Street gives prominence to the listed building whilst creating a new civic building fit for purpose. Due to its position behind the existing buildings in Alloway Place and Dalblair Road, the building will not have a significant impact on the settings of the surrounding listed buildings and the wider conservation area. The proposals are considered to be consistent with LDP Policy: Historic Environment and the Council's Supplementary Guidance for the Historic Environment insofar as these relate to conservation areas.

LDP Policy: Archaeology

The development plan seeks to only allow development which will not negatively affect known archaeological resources or resources discovered during the period of the plan if developers can show that the benefits of the proposal clearly outweigh the archaeological value of the site or feature. There are no statutorily recorded sites of archaeological interest within the application site. Notwithstanding the extent of 20th century development that has taken place within the site, due to the site's location within the historic burgh of Ayr there is potential for archaeological features to be present. West of Scotland Archaeology Service do not object to the proposals but recommend that a condition be imposed securing a program of archaeological works.

LDP Policy: Land Use and Transportation

The application is supported by a Transport Assessment (TA). The TA confirms that the existing pedestrian network in the vicinity of the development is good in terms of coverage with all desire lines catered for. Ayr bus station and Ayr railway station are both within 500m of the site, with several frequent bus services stopping directly adjacent to the Alloway Street entrance as well as at the nearby bus stops in Burns Statue Square, Miller Road and High Street. The site is therefore located in a highly accessible town centre location. Two car parks are proposed including a 69-space car park incorporating 3 electric vehicle charging points accessed from Dalblair Road and a 12-space car park for Blue Badge holders incorporating one electric vehicle charging point accessed from Alloway Street. The development will be accessible by cycling and secure cycle parking provision will be provided for 30 bicycles. The development proposals incorporate various transport/access related enhancements to the local network including relocation of the existing pedestrian crossing on Alloway Street to align with the new access, modification of the existing bus layby to provide a wider footway outside the entrance, creation of a new vehicular access across the footway in Alloway Street to provide access to the new Blue Badge Holder car park, closure of the pend between The Frame Shop and the Hourstons building and alterations to the vehicular access from Dalblair Road. Whilst the TA notes that the site is highly accessible by sustainable transport means, the TA demonstrates that the existing local car park network benefits from significant capacity to accommodate any overspill parking demand at peak times. ARA have no objection to the proposal but note that the technical design details of the proposed access bellmouth from Dalblair Road requires to be redesigned to ensure pedestrian priority. Conditions are also required covering the layout and design of the proposed access junction onto Alloway Street and the alterations to the pedestrian crossing and parking and loading arrangements on Alloway Street and arrangements for collection of refuse bins. ARA have confirmed that the proposed level of on-site parking is appropriate for an accessible town centre location. The TA also highlights the availability of in excess of 1,300 off-road parking spaces within a 5 minute walk of the site and ARA are satisfied that any overspill parking during period of peak demand can be accommodated within the existing provision. The ARA however seek the attachment of a condition for a Parking Management Strategy to be developed – this strategy document would seek to influence the management of overspill parking demands through consideration of appropriate measures and initiatives, such as an agreement with one of the other nearby car parks to accommodate leisure centre patrons at a reduced parking tariff. ARA have also advised that conditions should be imposed requiring a Site Travel Plan to promote sustainable travel to and from the site and a Members Travel Pack which would be issued as part of a welcome/induction pack for all new members. ARA also seek a condition requiring an Event Management Plan to be approved which will detail how traffic generated by regular or sporadic events is managed.

(ii) Other Policy Considerations (including Government Guidance)

Scottish Planning Policy (SPP) sets out national planning policy advice which reflects Scottish Minister's priorities for operation of the planning system and for the development and use of land. SPP is a material planning consideration. SPP advises that planning should adopt a positive approach to enabling high-quality development making efficient use of land to deliver long-term public benefits while protecting and enhancing natural and cultural resources. SPP introduces a presumption in favour of development that contributes to sustainable development and seeks to ensure that the right development takes place in the right place. Decisions on development proposal should be guided by a number of policy considerations, including *"considering the reuse or redevelopment of brownfield land before development of greenfield land"* and *"locating development where investment in growth or improvement would have the most benefit for the amenity of local people and the vitality of the local economy"*. The current proposal is for the redevelopment of a largely vacant retail complex in a town centre location, thus avoiding the use of greenfield land. The location within the town centre is highly accessible and the reuse of the site will introduce a footfall generating activity which will contribute to the vitality of the area. The reoccupation of vacant listed building will create a new use which will help ensure the survival of the Hourstons building into the future. SPP also sets out that planning should support development that is designed to a high-quality and demonstrates the six qualities of successful places. The proposed new build portion of the development and associated landscaped areas are considered to be of high design quality and will contribute positively to a sense of place. In terms of the historic environment SPP advises that the planning system should enable *"positive change in the historic environment which is informed by a clear understanding of the importance of the heritage assets affected and ensure their future use. Change should be sensitively managed to avoid or minimise adverse impacts on the fabric and setting of the asset and ensure that its special characteristics are protected, conserved or enhanced"*. At paragraph 141, SPP notes that any change to a listed building should be managed to protect its special interest while enabling it to remain in active use. Special regard must be given to the importance of preserving and enhancing the building, its setting and any features of special architectural or historic interest. For the reasons set out in the foregoing assessment under the Local Development Plan, it is considered that the proposal is consistent with these aspects of SPP. SPP promotes a town centre first principle and the current proposal is consistent with this.

Historic Environment Policy for Scotland contains six policies which define how the historic environment should be managed. HEP1, HEP2 and HEP4 are the most relevant to the current proposal. HEP1 states that decisions affecting the historic environment should be informed by an inclusive understanding of its breadth and cultural significance. HEP2 states that decisions affecting the historic environment should ensure that its understanding and enjoyment as well as its benefits are secured for present and future generations. HEP4 states that changes to specific assets and their context should be managed in a way that protects the historic environment. Opportunities for enhancement should be identified where appropriate. If detrimental impact is unavoidable, it should be minimised it should be demonstrated that alternatives have been explored. The Conservation Statement Audit submitted with the application, together with the written description in the listing provide good understanding of the listed buildings cultural and architectural significance. Whilst the interventions proposed to remove the original interior form of the building are acknowledged as being far reaching, they are considered vital to repurposing the building and for the buildings' long-term survival. The alterations proposed to the exterior of the building are primarily aimed at preserving the exterior fabric and architectural detailing. The proposed alterations to the shop front will retain the appearance of retail whilst permitting the space behind to be fully utilised for wellbeing purposes which require a degree of privacy which would not be possible if the current large, glazed areas were to be retained.

Managing Change in the Historic Environment Historic Environment Scotland also issue guidance on managing change in the Historic Environment to inform the application of the Policy Statement. In relation to adaptation, the Guidance notes that *'adaptation will normally involve working within the existing building envelope, focusing more on internal alterations.'* And emphasises that *'successful conservation based solutions on one part of a site or building may balance out a higher level of interventions or additions elsewhere within the scheme, as long as these involve less significant elements'*. The interventions proposed are fully assessed under the LDP policy and Historic Environment Policy assessments above. On balance the proposals are considered to be appropriate and justified within the context of the heritage assets concerned.

(iii) Objector Concerns

The matters relating to traffic and transportation (items 1 to 13) are addressed in the assessment and the consultation response from ARA. In relation to points 11, 12 and 13 the response from ARA notes that the proposed leisure centre is in an accessible town centre location which is acceptable in transportation terms

With regard to the comments relating to town centre vitality/vibrancy the principle of the proposal is consistent with the retail Town Centres and Retail LDP Town Centre (Guiding Land Use) policy which supports a range of uses within town centres including leisure facilities. The proposal has also been assessed positively against the Tourism policy of LDP 1 and LDP2 which direct new large scale commercial leisure developments to key town centres, including Ayr.

The comments on the standard/range of the proposed sports facilities (points 18 to 21), public/Member consultation (points 21 & 22) and Financial Viability of the project (points 23 to 27) are not matters that fall within the remit of the planning system and are not therefore material considerations in this assessment.

The points raised regarding the building design and the effect on the listed building (points 28 & 29) are fully covered in the assessment.

With regard to point 30 (embodied carbon) current Scottish Planning Policy and the policies of the Adopted Local Development Plan do not seek to prohibit the demolition of existing buildings in the interest of climate change. As detailed in the assessment section, the Local Plan seeks to encourage the use of low carbon technologies and renewable energy generation in new buildings, and the proposal includes measures to reduce the amount of greenhouse gas emissions resulting from the operation of the building.

in relation to point 31, the Site Investigation report notes the presence of ground gas resulting from buried peat within the site and makes recommendations for safely venting this gas. This is a matter which will be addressed at the building standards consenting stage.

The possible future of the Citadel building (point 32) is not material to the assessment of the current application.

The suggestion that the Arran Mall site could be redeveloped as an urban park (point 33) is noted. However, the proposal requires to be assessed on its own merits and is considered to be an acceptable use for the site.

(iv) Impact on the Locality

The proposed redevelopment of the Arran Mall and re-purposing of the Hourstons building for use as a sports, leisure and fitness centre will improve the appearance of this area of the town centre and will not impact on the adjoining land uses, including residential land uses in terms of traffic, visual amenity, noise/disturbance or light pollution. The main building includes full height glazing and a raised terrace on its south facing elevation which faces the rear elevations of the upper floor residential properties in Dalblair Road. The ground floor of the side of the building facing Dalblair will be used for a café and reception area, however, the space above will be a void to the underside of the roof. Thus there will be no overlooking of the flats from the upper floor. Tree planting is to be undertaken within the linear garden area that will run along the southern side of the site between Alloway Street and Dalblair Road that will help screen any possible views from the ground floor of the building and the raised terrace. It is not considered there that there will be significant loss of privacy as a result of overlooking. In consultation with Environmental Health, a condition is proposed to ensure that noise emitted from fixed plant and machinery mounted on the roof is limited to an acceptable level.

8. Conclusion:

The proposed redevelopment of the Arran Mall shopping centre and alterations and refurbishment of the adjoining grade C listed buildings for use as a sports, leisure and fitness centre is compatible with the surrounding commercial and residential uses. The proposal is consistent with the Spatial Strategy and relevant subject policies of the Local Development Plan and relevant national policy and guidance. There are no other material considerations that would indicate that planning permission should be refused.

9. Recommendation:

It is recommended that the application is approved subject to conditions.

Conditions to be attached Planning Permission 21/01153/APPM:

Transportation

- (1) That before occupation of the development a Travel Plan shall be submitted for the prior written approval of the Council as Planning Authority (in consultation with the Council as Roads Authority). The Travel Plan shall identify the measures and initiatives to be implemented in order to encourage modes of travel to and from the development other than by single occupancy private car trips. The Travel Plan shall clearly define the system of management, monitoring, review, reporting and the duration of the plan.
- (2) That prior to commencement of operation of the development, a draft of the Members 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 site, including journey times by sustainable modes of transport to key local destinations. Thereafter, any new member will be provided with a copy of a Member Travel Pack as part of any induction/ welcome pack information.
- (3) That prior to the commencement of construction works on site an amended access junction design for the proposed Dalblair Road access shall be submitted for the prior written approval of the Council as Roads Authority. The junction layout shall require to accord with the Council's National Roads Development Guide, and clearly prioritise pedestrian movements over vehicles.
- (4) That prior to the commencement of construction works on site, further details of all proposed alterations to public road on Alloway Street associated with the development including the access junction, bus stop provision, loading bay details, and controlled pedestrian crossing shall be submitted for the prior written approval of the Council as Roads Authority.
- (5) That prior to occupation of the development any proposed gates shall be set back a minimum of 6 metres from the rear of the public footway/ roadway, and open inwards away from the public roadway.
- (6) That the discharge of water onto the public road carriageway shall be prevented by drainage or other means. Precise details and specifications of how this is to be achieved shall be submitted for the prior written approval of the Council as Planning Authority (in consultation with the Council as Roads Authority) before any construction work commences on site.
- (7) That defined parking bays and associated aisle widths shall accord with the dimensions as set out within paragraphs 3.6.2 and 3.6.3 of the National Roads Development Guide publication, adopted for use by the Council
- (8) That a maximum of 81 off-road parking spaces shall be provided within the existing site boundary to satisfy provision levels as defined within the Council's adopted National Roads Development Guide. Fully dimensioned details of parking layouts designed to comply with the guidance set out in the Council's National Roads Development Guide shall be submitted for the prior written approval of the Council as Roads Authority prior to the commencement of construction works on site.

- (9) The applicant/ developer shall, prior to the opening of the development to the public, submit a Parking Management Plan for the written approval of the Council as Roads Authority. The plan shall describe the arrangements for the management of overspill parking to the development at periods of peak demand associated with typical development operation, and shall set out proposed measures and initiatives to aid in management of development parking.
- (10) That cycle parking accommodating a minimum of 30 cycles (20 spaces adjacent to Alloway Street, and 10 spaces adjacent to Dalblair Road) shall be provided within the site boundary. Precise details of the siting and specifications of the cycle stand(s) shall be submitted for the prior written approval of the Council as Planning Authority (in consultation with the Council as Roads Authority) before any construction work commences on site
- (11) That land be safeguarded within the site boundary to accommodate the future expansion of cycle parking, as required. Precise details of the area to be retained for potential further cycle parking provision shall be submitted for the prior written approval of the Council as Planning Authority (in consultation with the Council as Roads Authority) before any construction work commences on site.
- (12) That prior to the occupation of the development, details of the location of the bin collection point(s) shall be submitted to and approved by the planning authority. Any such details shall show a collection point(s) positioned no more than 15 metres from the public road carriageway.
- (13) The applicant/ developer shall, prior to the opening of the development to the public, submit an Event Traffic Management Plan for the written approval of the Council as Roads Authority. The plan shall describe the arrangements for the management of trip generation associated with events to the development of varying sizes and frequencies, including any proposed traffic management measures, parking management, coach pick-up and drop-off arrangements, etc.
- (14) No work shall be carried out on any phase of the development unless and until an effective vehicle wheel washing facility has been installed in accordance with details that shall be submitted for the written approval of the Council as Roads Authority prior to its installation, if required for that phase. When required, such facility shall be retained in working order and used such that no vehicle shall leave the site carrying earth and mud in their wheels in such a quantity which will cause a nuisance or hazard to the road system in the locality.
- (15) The applicant/ developer shall submit a Construction Traffic Management Plan for the written approval of the Council as Roads Authority. The plan shall describe the methodology for the movement of works traffic to and from the site during both demolition and construction works, and shall include agreement on suitable routes to and from the site and a works programme showing a breakdown of estimated daily trips by vehicle classification. The Construction Traffic Management plan shall require the agreement of the Council as Roads Authority prior to any movement of works traffic associated with demolition or construction.

SUDS

- (16) That a suitable Sustainable Urban Drainage System shall be designed and constructed in accordance with the recommendations of the Drainage Assessment Document Reference Report Ref No ALC-GAL-XX-XX-RP-C-0001, Issue 01 - 09/11/21, The Terrenus Land & Water Level 1 Flood Risk Assessment 8th September 2020, the SUDS Manual CIRIA C735 and other relevant guidance. The Sustainable Urban Drainage System shall be designed to ensure that infrastructure and buildings are generally free from surface water flooding in rainfall events where the annual probability of occurrence is greater than 0.5% (1 in 200 years + Climate Change calculated in accordance with the SEPA Climate Change Allowance (2019) Guidance). If the chosen Sustainable Urban Drainage System solution requires discharge to an open watercourse then this discharge rate shall be agreed with the Flood Risk Management Authority.

Archaeology

- (17) 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.

Environmental Health

- 18) Prior to the commencement of construction works on-site, a noise assessment shall be undertaken and submitted to the Planning Authority to determine the likelihood of noise impact detrimental to the residential amenity of nearby dwellings from the proposed fixed plant on noise sensitive receptors. The assessment shall be carried out by a suitably qualified acoustic consultant or other competent person, and shall include all relevant noise sources that may impact on the noise sensitive receptors using the current British Standard (or as may be amended). Maximum Target Noise Levels within the noise sensitive receptor to be used are as follows:

I.	LAEQ16hrs	35dB	(0700-2300)	internal noise level
II.	LAEQ 8hrs	30dB	(2300-0700)	internal noise level
III.	LAMAX	45dB	(2300-0700)	internal noise level
IV.	LAEQ 16hrs	50dB	(0700-2300)	internal noise level

In addition, the significance of effect to be no greater than neutral as per Technical Advice Note Assessment of Noise (TAN) Table 3.5 page 20. 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 sufficiently for ventilation (normally 10% of the opening area). The report requires to demonstrate that plant associated with the development meets noise rating criteria 25 when measured within a habitable room of the nearest noise sensitive dwelling with windows open sufficiently for ventilation shall be submitted for the formal prior written approval of the Council as Planning Authority. The report shall include details of any mitigation measures necessary to achieve the target noise levels detailed above. The approved mitigation measures shall be fully implemented upon completion of the development and maintained thereafter in perpetuity.

Landscaping

- (19) That notwithstanding approved drawings ALC-TGP-ZZ-ZZ-DR-L-0004 ALC-TGP-ZZ-ZZ-DR-L-0001 before any construction works start on site, revised detailed landscape plans incorporating a substantial reduction in the quantity of herbaceous perennial plants and replacement with a wider variety of deciduous and evergreen shrubs and bulbs that will provide all year round interest and offer some form and structure, shall be submitted for the prior written approval of the Planning Authority. Plans shall be accompanied by a planting schedule which details the genus, species and variety or cultivar of all plants, bulbs, seeds and turf. The size and specification of all plant material shall be detailed, together with total plant numbers and densities per m2. The location of all plant material shall be clearly identified on the landscape drawing. Ground preparation methods, topsoil quality and depth, planting methods, hole sizes and other materials such as mulches and stakes shall also be specified. Construction details for paved or other hard surfaces shall be provided together with details of any fences for inclusion as part of the landscape scheme. The scheme as approved shall be implemented within the first planting season following the completion or occupation of the development, whichever is the sooner. The open space/landscaped area shall be retained as open space and to this approved standard.

External Materials

- (20) That before any construction work commences on site, 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.
- (21) Prior to the commencement of works to remove and replace the existing shop display windows at 30 Alloway Street and 22 to 28 Alloway Street, full details of the proposed replacement shopfront glazing, stallriser, pilasters, pedestal base and fascia, including 1:20 scale elevation plans and 1:1 or 1:5 or 1:10 scale typical cross sections and samples of the materials to be used and colours shall be agreed in writing with the Council as Planning Authority.
- (22) Prior to the commencement of stone repair work on 30 Alloway Street and 22 to 28 Alloway Street details of the methods of cleaning and repairing the stonework shall be agreed in writing with the Council as Planning Authority. Such details shall include the results of petrographic analysis of the existing stone and any stone indents to ensure that any indents match closely the original stone colour and texture.
- (23) Following demolition of the rear extensions at 30 Alloway Street and 22 to 28 Alloway Street and prior to the formation of the new exterior walls, further detailed elevational drawings shall be submitted to and approved by the planning authority showing the treatment of Hourstons west and south elevations and in particular the treatment of the junctions between sections of new cladding and the original stonework.

- (24) prior to the occupation of the approved sports, leisure and recreation centre, the works to repair and restore the original windows, cornice and balustrade, iron balconies and plaques, decorative capitals and other decorative features including the Arts and Crafts period sundial in 30 Alloway Street and 22 to 28 Alloway Street as detailed within the approved plans and supporting documents shall be completed to the satisfaction of the Council as Planning Authority.

Reasons:

- 1/ To encourage sustainable means of travel.
- 2/ To encourage sustainable means of travel.
- 3/ In the interest of road safety and to ensure an acceptable standard of construction.
- 4/ In the interest of road safety and to ensure an acceptable standard of construction.
- 5/ In the interest of road safety.
- 6/ In the interest of road safety and to avoid the discharge of water onto the public road.
- 7/ In the interest of road safety and to ensure that there is adequate space for manoeuvring and turning.
- 8/ In the interest of road safety and to ensure adequate off-street parking provision.
- 9/ In the interest of road safety.
- 10/ To ensure adequate provision of cycle parking on site, and encourage sustainable means of travel.
- 11/ To ensure adequate provision of cycle parking on site, and encourage sustainable means of travel.
- 12/ In the interests of road safety.
- 13/ In the interests of road safety.
- 14/ In the interests of road safety.
- 15/ In the interests of road safety.
- 16/ To ensure the site is drained in an acceptable and sustainable manner.
- 17/ To establish whether there are any archaeological interests on this site and allow for archaeological excavation and recording
- 18/ In order to ensure that the residential properties adjoining the site are not adversely affected by noise nuisance
- 19/ In the interest of visual amenity
- 20/ To ensure that materials are appropriate for the site and in the interests of visual amenity.
- 21/ To safeguard the character and appearance of the listed building
- 22/ To safeguard the character and appearance of the listed building
- 23/ To safeguard the character and appearance of the listed building
- 24/ In order to ensure that the proposed restoration works are carried out timeously

Advisory Notes:

- (1) Scottish Water

General notes:

Scottish Water asset plans can be obtained from our appointed asset plan providers:

Site Investigation Services (UK) Ltd
Tel: 0333 123 1223
Email: sw@sisplan.co.uk

SW Public General

Scottish Water's current minimum level of service for water pressure is 1.0 bar or 10m head at the customer's boundary internal outlet. Any property which cannot be adequately serviced from the available pressure may require private pumping arrangements to be installed, subject to compliance with Water Byelaws. If the developer wishes to enquire about Scottish Water's procedure for checking the water pressure in the area, then they should write to the Customer Connections department at the above address.

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(s) by way of a deed of servitude. Scottish Water may only vest new water or waste water 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.

Please find information on how to submit application to Scottish Water at our Customer Portal.

Next Steps:

All Proposed Developments

All proposed developments require to submit a Pre-Development Enquiry (PDE) Form to be submitted directly to Scottish Water via our Customer Portal prior to any formal Technical Application being submitted. This will allow us to fully appraise the proposals.

Where it is confirmed through the PDE process that mitigation works are necessary to support a development, the cost 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 in April 2008 the water industry in Scotland has opened to market competition for non-domestic customers. All Non-domestic Household customers now require a Licensed Provider to act on their behalf for new water and waste water connections. Further details can be obtained at www.scotlandontap.gov.uk

Trade Effluent Discharge from Non-Domestic Property

Certain discharges from non-domestic premises may constitute a trade effluent in terms of the Sewerage (Scotland) Act 1968. Trade effluent arises from activities including; manufacturing, production and engineering; vehicle, plant and equipment washing, waste and leachate management. It covers both large and small premises, including activities such as car washing and launderettes. Activities not covered include hotels, caravan sites or restaurants.

If you are in any doubt as to whether the discharge from your premises is likely to be trade effluent, please contact us on 0800 778 0778 or email TEQ@scottishwater.co.uk using the subject "Is this Trade Effluent?". Discharges that are deemed to be trade effluent need to apply separately for permission to discharge to the sewerage system. The forms and application guidance notes can be found [here](#).

Trade effluent must never be discharged into surface water drainage systems as these are solely for draining rainfall run off.

For food services establishments, Scottish Water recommends a suitably sized grease trap is fitted within the food preparation areas, so the development complies with Standard 3.7 a) of the Building Standards Technical Handbook and for best management and housekeeping practices to be followed which prevent food waste, fat oil and grease from being disposed into sinks and drains.

The Waste (Scotland) Regulations which require all non-rural food businesses, producing more than 50kg of food waste per week, to segregate that waste for separate collection. The regulations also ban the use of food waste disposal units that dispose of food waste to the public sewer. Further information can be found at www.resourceefficientscotland.com

(2) Ayrshire Roads Alliance

Road Opening Permit:

That a Road Opening Permit shall be applied for, and obtained from the Council as Roads Authority, for any work within the public road limits, prior to works commencing on site.

Roads (Scotland) Act:

The Council as Roads Authority advises that all works on the carriageway to be carried out in accordance with the requirements of the Transport (Scotland) Act 2005 and the Roads (Scotland) Act 1984.

New Roads and Street Works Act 1991:

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

Costs of Street Furniture:

The Council as Roads Authority advises that any costs associated with the relocation of any street furniture shall require to be borne by the applicant / developer.

Costs of TROs:

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

Signage to TSRGD 2016:

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

RSA Stage 2:

The Council as Roads Authority advises that prior to the commencement of works to construct any new or amended roads infrastructure; a Stage 2 Road Safety Audit in compliance with HD 19/03 of the Standard for Highways Design Manual for Roads and Bridges shall be completed and submitted for the prior written approval of the Council as Roads Authority. This applies to all proposed new roads and any alterations to existing roads carried out under a Section 56 Agreement with the Council as Roads Authority & the applicant.

RSA Stage 3:

The Council as Roads Authority advises that a Stage 3 Road Safety audit in compliance with HD 19/03 of the Standard for Highways Design Manual for Roads and Bridges should be submitted for the prior written approval of the Council as Roads Authority no later than 1 month after completion of the development, unless an alternative time period is approved. This applies to all proposed new roads and any alterations to existing roads carried out under a Section 56 Agreement with the Roads Authority & the applicant. The requirement to complete a Road Safety Audit includes for addressing the recommendations contained within the audit report.

Footway/ Carriageway Reinstatement:

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.

(3) South Ayrshire Council Biodiversity Officer

1. That the applicant is made aware that works should not lead to contravention of either the Protection of Badgers Act 1992 or the Wildlife & Countryside Act 1981 as amended by the Nature Conservation (Scotland) Act 2004; (this includes ensuring that any foraging badger would not become trapped /injured during construction).
2. That the applicant is made aware that works should not lead to contravention of the Habitats Directive / Conservation (Natural Habitats, &c.) Regulations 1994 (as amended).
3. That the area of construction be checked prior to the commencement of any works for any ground nesting birds or nesting hare, thereby ensuring that they are not contravening the Wildlife & Countryside Act 1981 as amended by the Nature Conservation (Scotland) Act 2004.
4. If there is a requirement for any tree felling then it may be appropriate for the developer to conduct a survey (in season) for potentially roosting bats / nesting birds.
5. If a bat survey demonstrates that bats and / or a known roost are likely to be affected by the proposed development and planning permission is to be granted then a condition should be placed on the decision notice requiring the developer to apply for, and obtain, a European Protected Species Licence (EPS) before work commences.
6. If a bat survey demonstrates that development is likely to affect bat foraging and/or commuting habitat then where possible linear features such as tree lines should be retained, and compensatory planting should be considered.

7. If there are any woodland edges likely to provide important foraging habitat, where possible an experienced ecologist should provide input to the lighting schemes so as not to impact on foraging bats and provide darkened corridors for commuting and foraging.
8. Any temporary lights used during construction should be fitted with shades to prevent light spillage outside the working area. Temporary lights should not illuminate any tree lines or hedgerows due to lighting potentially affecting wildlife commuting and foraging.
9. Where possible the developer considers the inclusion of bird and bat boxes within the development.
10. If there are any woodland edges likely to provide important foraging habitat, where possible an experienced ecologist provides input to the lighting schemes so as not to impact on foraging bats and provide darkened corridors for commuting and foraging.
11. If an EPS licence is required further survey will be required in order to gain sufficient information in order to supply a sufficient baseline and to inform the necessary mitigation plan required to support a licence application. Application forms can be found on the SNH website along with guidance.
12. Should any EPS be found either prior to or during the period of development then a qualified ecological consultant should be contacted immediately for advice before proceeding with works. Advice from SNH may be required and the ecologist should be able to determine this.
13. Should any European EPS be found either prior to or during the period of development then the need for EPS licensing should be reviewed.
14. Should any vegetation require to be removed this should be undertaken outwith the breeding bird's season, specifically March to August, inclusive. If this is not possible, and works are due to take place between March and August, then nesting bird checks should be undertaken by a suitably qualified ecologist, immediately prior to any tree or vegetation removal works commencing.
15. Where possible that any native hedgerows are retained, or replaced with native species hedgerow enhancements. This could consist of mostly hawthorn, with a mix of hazel, holly, dog rose, willow and elder.
16. That where possible any landscape planting considers the use of native nectar rich species and fruiting species. These might include Blackthorn (*Prunus spinose*), Crab apple (*Malus sylvestris*), Elder (*Sambucus nigra*), Hawthorn (*Crataegus monogyna*), Hazel (*Corylus avellana*), Holly (*Ilex aquifolium*), Rowan (*Sorbus aucuparia*) and Silver birch (*Betula pendula*). * Applicable to sites > 13km distance from Prestwick Airport.
17. All holes and excavations greater than 1 m deep should be covered whilst unattended to prevent animals falling in, or ramps should be used in order to provide a means of trapped species to escape. Where this is not possible these areas should be fenced off to prevent accidental entry.
18. The ends of any pipeline should be capped when unattended, or at the end of each working day to prevent animal access.

(4) Glasgow Presiwck Airport

Cranes

Guidance should be considered relevant to users of all cranes exceeding a height of 10 metres above ground level (AGL) or that of the surrounding structures or trees (if higher), within 10 Nautical Miles (NM) / (18.5km) of the aerodrome. For guidance to crane users on the crane notification process and obstacle lighting and marking please refer to CAA CAP Document 1096 which is available at: <http://www.caa.co.uk>. Please be aware any crane erected without notification may be considered a hazard to air navigation and such a crane operates at the crane user's risk of endangering the safety of an aircraft.

List of Determined Plans:

- Drawing - Reference No (or Description): ALC-LAA-XX-XX-SK-A-00161 Sun Path P01
- Other - Reference No (or Description): Acoustic Assessment
- Other - Reference No (or Description): Archaeological Assessment
- Other - Reference No (or Description): Conservation Statement
- Other - Reference No (or Description): Description of Proposed Works to Facade
- Other - Reference No (or Description): Design _ Access Statement
- Other - Reference No (or Description): Drainage Assessment
- Other - Reference No (or Description): Ecological Assessment _ Roost Assessment
- Other - Reference No (or Description): Flood Risk Assessment
- Other - Reference No (or Description): Geotechnical Report
- Other - Reference No (or Description): Heritage Audit
- Other - Reference No (or Description): PAC Report
- Other - Reference No (or Description): Planning Statement
- Other - Reference No (or Description): Sustainability Statement
- Other - Reference No (or Description): Transport Assessment
- Other - Reference No (or Description): Tree Survey Report
- Other - Reference No (or Description): Utility ·& Energy Infrastructure Report
- Drawing - Reference No (or Description): ALC-LAA-LC-ZZ-DR-A-01400 Detail Section 01 - Foyer P01
- Drawing - Reference No (or Description): 2007-LAA-XX-00-DR-A-E0020 Site Plan Existing P06
- Drawing - Reference No (or Description): 7802/03 Hourstons Elevations Proposed a
- Drawing - Reference No (or Description): Hourstons Floorplans Existing P01
- Drawing - Reference No (or Description): ALC-LAA-LC-ZZ-DR-A-01401 Deatil Section 02 - Fitness/Room Changing P01
- Drawing - Reference No (or Description): ALC-LAA-LC-ZZ-DR-A-01402 Deatil Section 01 - Main Pool P01
- Drawing - Reference No (or Description): ALC-LAA-ZZ-00-DR-A-01101 Ground Floor Proposed P01
- Drawing - Reference No (or Description): ALC-LAA-ZZ-01-DR-A-01102 Proposed First Floor Plan P01
- Drawing - Reference No (or Description): ALC-LAA-ZZ-B1-DR-A-01100 Proposed Basement Plan P01
- Drawing - Reference No (or Description): ALC-LAA-ZZ-LP-DR-A-01000 Propsoed Location Plan P01
- Drawing - Reference No (or Description): ALC-LAA-ZZ-LP-DR-A-E0001 Existing Location Plan P01
- Drawing - Reference No (or Description): ALC-LAA-ZZ-RF-DR-A-01103 Propsoed Roof Plan P01
- Drawing - Reference No (or Description): ALC-LAA-ZZ-SP-DR-A-01020 Proposed Site Plan P01
- Drawing - Reference No (or Description): ALC-LAA-ZZ-SP-DR-A-E0002 Existing Site Plan P01

Drawing - Reference No (or Description): ALC-LAA-ZZ-ZZ-DR-A-00500 Site Demolition Plan P01

Drawing - Reference No (or Description): ALC-LAA-ZZ-ZZ-DR-A-01200 Proposed East Elevation P01

Drawing - Reference No (or Description): ALC-LAA-ZZ-ZZ-DR-A-01201 Proposed South _ North Elevations P01

Drawing - Reference No (or Description): ALC-LAA-ZZ-ZZ-DR-A-01205 Proposed West _ Hourstons Elevations P01

Drawing - Reference No (or Description): ALC-LAA-ZZ-ZZ-DR-A-01300 Proposed Sections 01-02 P02

Drawing - Reference No (or Description): ALC-LAA-ZZ-ZZ-DR-A-01301 Proposed Sections 03-04 P02

Drawing - Reference No (or Description): ALC-TGP-ZZ-ZZ-DR-L-0001 Landscape Masterplan P19

Drawing - Reference No (or Description): ALC-TGP-ZZ-ZZ-DR-L-0004 Masterplan Planting Design P04

Drawing - Reference No (or Description): ALC-TGP-ZZ-ZZ-DR-L-0006 Park Ramp Elevation P01

Drawing - Reference No (or Description): ALC-TGP-ZZ-ZZ-DR-L-0007 Fencing Concepts P00

Drawing - Reference No (or Description): ALC-TGP-ZZ-ZZ-DR-L-0008 Vegetation Management Plan P01

Drawing - Reference No (or Description): ALC-TGP-ZZ-ZZ-RP-L-0009 Rendered Masterplan

Reason for Decision (where approved):

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

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

Conditions to Be Attached to Listed Building Consent 21/01140/LBC

1/ Prior to the commencement of works to remove and replace the existing shop display windows at 30 Alloway Street and 22 to 28 Alloway Street, full details of the proposed replacement shopfront glazing, stallriser, pilasters, pedestal base and fascia, including 1:20 scale elevation plans and 1:1 scale typical cross sections and samples of the materials to be used and colours shall be agreed in writing with the Council as Planning Authority.

2/ Prior to the commencement of stone repair work on 30 Alloway Street and 22 to 28 Alloway Street details of the methods of cleaning and repairing the stonework shall be agreed in writing with the Council as Planning Authority. Such details shall include the results of petrographic analysis of the existing stone and any stone indents to ensure that any indents match closely the original stone colour and texture.

3/ Following demolition of the rear extensions at 30 Alloway Street and 22 to 28 Alloway Street and prior to the formation of the new exterior walls, further detailed elevational drawings shall be submitted to and approved by the planning authority showing the treatment of Hourstons west and south elevations and in particular the treatment of the junctions between sections of new cladding and the original stonework.

4/ prior to the occupation of the approved sports, leisure and recreation centre, the works to repair and restore the original windows, cornice and balustrade, iron balconies and plaques, decorative capitals and other decorative features including the Arts and Crafts period sundial in 30 Alloway Street and 22 to 28 Alloway Street shall be completed to the satisfaction of the Council as Planning Authority.

Reasons

- 1/ To safeguard the character and appearance of the listed building
- 2/ To safeguard the character and appearance of the listed building
- 3/ To safeguard the character and appearance of the listed building
- 4/ In order to ensure that the proposed restoration works are carried out timeously ilding

Background Papers:

- Application form, plans and submitted documentation
- Consultation Responses
- Representations
- Adopted South Ayrshire Local Development Plan 1
- Town Centres and Retail Local Development Plan
- Modified proposed South Ayrshire Local Development Plan 2
- Supplementary Guidance: Historic Environment
- Scottish Planning Policy

Equalities Impact Assessment:

An Equalities Impact Assessment is not required because the proposed development is not considered to give rise to any differential impacts on those with protected characteristics.

Person to Contact:

Mr Alan Edgar, Supervisory Planner - Place Planning - Telephone 01292 616 683