

## **REGULATORY PANEL (PLANNING)**

Minutes of a hybrid webcast meeting  
on 22 September 2022 at 2.00 p.m.

Present

In County

Buildings: Councillors Kenneth Bell (Chair), Ian Cavana, Mark Dixon, Martin Kilbride, Craig Mackay, Mary Kilpatrick and Duncan Townson.

Apologies: Councillors Alec Clark and Brian Connolly.

Attending

In County

Buildings: L. Reid, Assistant Director (Place); K. Briggs, Service Lead – Legal and Licensing; C. Iles, Service Lead – Planning and Building Standards; E. Goldie, Co-ordinator (Place Planning); A. McGibbon, Supervisory Planner; D. Clark, Supervisory Planner; E. McKie, Planner; D. Lewis, Planner; K. Braidwood, Ayrshire Roads Alliance; A. Gibson, Committee Administrative Officer, and C. McCallum, Committee Services Assistant.

Attending

Remotely: F. Sharp, Supervisory Planner.

### **1. Welcome and Declarations of Interest**

The Chair welcomed everyone to the meeting and took the sederunt.

In terms of Council Standing Order No. 17 and the Councillors' Code of Conduct

- (1) Councillor Bell advised that he would declare an interest in item 3(1) below as he had a connection with the Applicant club in Troon and withdraw from the meeting during consideration thereof;
- (2) Councillor Mackay advised that he would not take part in item 3(1) as he would speak to the Panel as a Ward Member and then withdraw from the meeting for the remaining time that item was being considered;
- (3) Councillor Townson advised he would declare an interest in item 3(3) below as he had a personal connection as a resident in that street and would withdraw from the meeting during consideration thereof;

### **2. Minutes of Previous Meeting**

The minutes of 23 June 2022 ([issued](#)) were submitted and approved.

### 3. Applications for Planning Permission

There were submitted reports ([issued](#)) of September 2022 by the Director - Place on planning applications for determination.

The Panel considered the following applications:-

**As previously indicated, Councillors Bell and Mackay left the meeting at this point. Councillor Kilbride took the Chair.**

- (1) [22/00417/APP](#) – TROON – New Public Convenience, North Shore Road – Erection of water sports hub.

Councillor Mackay was invited to return to County Hall to address the Panel as a Local Member. He left the meeting after he had addressed the Panel.

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

- (a) that the development hereby granted shall be implemented in accordance with the approved plan(s) as listed below and as forming part of this permission unless a variation required by a condition of the permission or a non-material variation has been agreed in writing by the Planning Authority;
- (b) that all coastal flood risk mitigation and evacuation measures detailed in the Evans River and Coastal, Flood Risk Assessment Reference No 2841/RE/12-21/01 are incorporated within design proposals and implemented prior to operation of the development. These measures shall include, but not be limited to, the following:-
  - Water entry strategy established up to the 1 in 200 year + climate change flood extent + 600mm freeboard; and
  - Development of a Business Flood Plan including actions required in the event of a flood warning;
- (c) that notwithstanding the plans hereby approved, the proposed building and galvanised steel gates shall be fully clad with larch within one calendar month of the siting of the building on site to the satisfaction of the Planning Authority;
- (d) that before the development hereby permitted is brought into use, details of the operational days and hours of the sports hub and ancillary community café shall be submitted for the approval in writing of the Planning Authority. Thereafter the sports hub and ancillary community café shall operate within the days and hours agreed under the terms of this condition, unless otherwise agreed in writing; and
- (e) that notwithstanding the plans hereby approved, precise details of electric bicycle charging points and bicycle storage racks to serve the development shall be submitted to and agreed in writing by the Planning Authority prior to occupation of the development. Thereafter, and unless otherwise agreed in writing by the Planning Authority, the agreed electric bicycle charging points and bicycle storage racks shall be implemented before the occupation of the development and shall be maintained and retained for the lifetime of the development to the satisfaction of the Planning Authority.

**Reasons:**

- (a) to ensure that the development is carried out in accordance with the approved plans unless otherwise agreed;
- (b) in order to ensure the development is protected against flooding in an acceptable manner;
- (c) in the interests of visual amenity;
- (d) in the interests of residential amenity; and
- (e) in the interests of sustainable modes of transport.

**Advisory Notes:**

- The premises require to fully comply with the Health and Safety at Work etc Act 1974 and the Food Safety Act 1990 and any Regulations and requirements therein and thereto.
- Please note that work should be undertaken in compliance with legislation and guidance relating to NatureScot <https://www.nature.scot/professional-advice/protected-areas-and-species/licensing>

**List of Determined Plans:**

Drawing - Reference No (or Description): LOCATION PLAN;  
Drawing - Reference No (or Description): EXTERNAL ELEVATIONS;  
Drawing - Reference No (or Description): PROPOSED ELEVATIONS (MONTAGE);  
Drawing - Reference No (or Description): SITE PLAN SERVICES;  
Drawing - Reference No (or Description): PROPOSED GROUND UPPER FLOOR VIEWING PLATFORM;  
Drawing - Reference No (or Description): SITE SURVEY 01;  
Other - Reference No (or Description): WATER SPORTS FLOOD RISK ASSESSMENT;  
Other - Reference No (or Description): TROON WATER SPORTS BUSINESS PLAN;  
Other - Reference No (or Description): WILDLIFE ASSESSMENT TROON HUB REPORT;  
Other - Reference No (or Description): SUPPORTING STATEMENT;  
Drawing - Reference No (or Description): 01 LOCATION PLAN;  
Drawing - Reference No (or Description): HUB BLOCK PLAN;  
Drawing - Reference No (or Description): PROPOSED GROUND AND UPPER FLOOR PLAN; and  
Other - Reference No (or Description): FURTHER SUPPORTING INFORMATION/ DETAILS.

**Reason for Decision:**

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

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

**Councillors Bell and Mackay re-joined the meeting at this point and Councillor Bell resumed the Chair.**

- (2) [22/00392/APM](#) – **TARBOLTON – Land at Westport** – Erection of residential development, ancillary road services, landscaping, drainage infrastructure and other associated works.

There was representation made to the Panel by an interested party.

In terms of Standing Order No. 19.9, there was no general agreement to the unopposed motion, therefore, the Panel moved to a vote undertaken by electronic means for or against the Motion. Six Members voted for the Motion and one Member voted against the Motion and the Panel,

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

- (a) that the development hereby granted shall be implemented in accordance with the approved plan(s) as listed below and as forming part of this permission unless a variation required by a condition of the permission or a non-material variation has been agreed in writing by the Planning Authority;
- (b) prior to the commencement of development, a phasing plan setting out the sequence of construction of the land engineering works, roads, parking areas, hard and soft landscaped areas, public open spaces, equipped play area, footpaths and SUDS features shall be submitted to and approved by the planning authority. The construction of the development shall thereafter proceed in accordance with the approved phasing plan, and no item shall be omitted, unless the prior written permission of the planning authority is received for an amendment to the approved phasing plan.
- (c) prior to the commencement of development, a landscaping phasing plan shall be submitted to and approved by the Planning Authority. Unless otherwise agreed in writing with the Planning Authority, the scheme as approved shall be implemented within the first planting season following the completion or occupation of the last house within the relevant phase of the development, whichever is the sooner. The open space/landscaped areas shall be retained as open space to this approved standard;
- (d) that notwithstanding the approved plans, prior to the occupation of the first house a maintenance schedule for all areas to be landscaped in accordance with the details approved under this permission shall be submitted to and approved by the Planning Authority. The landscaped areas shall be maintained for a period of five years from the date of completion of the landscaping within the relevant phase of the development;
- (e) that a performance bond or alternative financial mechanism, agreed by the Council, covering the cost of the landscaping of the development, as approved under this permission and play facility scheme as approved under this permission, shall be submitted to, approved in writing by the planning authority and executed before any works commence within the relevant phase. For the purposes of calculating the landscape bond quantum, details of the landscaping works to be implemented within areas that are to be maintained by a factor on a map in m<sup>2</sup>, including all plant species, sizes and densities shall be submitted to the planning authority.

- (f) that notwithstanding the approved plans, no consent is hereby granted for the proposed multi-language play board, rather details of a more universally play-minded board shall be submitted to and approved in writing by the Planning Authority prior to the installation of the play equipment;
- (g) that 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 to, and approved by the Planning Authority, in agreement with the West of Scotland Archaeology Service. 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;
- (h) that prior to the commencement of development, samples or a brochure of all materials to be used on external surfaces, in respect of type, colour and texture, shall be submitted for the prior written approval of the Planning Authority and thereafter implemented as approved;
- (i) that notwithstanding the plans hereby approved, no consent is granted for the footpath running between plots 25/37 and 26/36. Rather, a revised plan shall be submitted to and approved in writing by the Planning Authority illustrating its removal, prior to the commencement of development;
- (j) that the mitigation measures contained within the submitted noise report shall be adhered to;
- (k) that the presence of any previously unsuspected or un-encountered contamination that becomes evident during the development of the site shall be brought to the attention of the Planning Authority within one week. At this stage, a comprehensive contaminated land investigation shall be carried out if requested, and which 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 the development. Any amendments to the approved remediation plan shall not be implemented unless approved in writing by the Planning Authority;

- (l) prior to occupation of the first dwelling within the development, a Residential Travel Pack shall be submitted for the prior written approval of the Council as Planning Authority (in consultation with the Council as Roads Authority). The Travel Pack shall include information on walking, cycling and public transport facilities and services within the vicinity of the development sites, including journey times by sustainable modes of transport to key local destinations. The Travel Pack shall be distributed to all new residents within the development at time of occupation;
- (m) that all new roads infrastructure associated with the development shall be designed and constructed to adoptable standards specified by the Council's National Roads Development Guide and take full cognisance of the principles of Designing Streets as National Policy. The precise details and specifications of all new Roads infrastructure shall be submitted for the written approval of the Council as Planning Authority (in consultation with the Council as Roads Authority), prior to commencement of work on site. All roads infrastructure shall be constructed, as approved by condition and in conjunction with the necessary Roads Construction Consents, prior to occupation of any dwellings within the development;
- (n) 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 metres in height within the visibility sightline splays;
- (o) 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 work commences on site.
- (p) that prior to occupation of the development, any gates and / or doors shall be designed to open inwards away from the public roadway.
- (q) 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 (minimum off road parking bay to be 5.5 metres x 2.9 metres);
- (r) that integral or detached garages within the curtilage of a property intended to form part of the parking provision for the dwelling shall have internal garage dimensions of a minimum of 7m x 3m, per vehicle;
- (s) that designated bin collection points shall be located a maximum of 15 metres from the public carriageway, before occupation of the development. Details and specification of the siting and design of bin collection points shall be submitted for the prior written approval of the Council as Planning Authority (in consultation with the Council as Roads Authority) prior to the commencement of work on site and shall be implemented as approved;

- (t) 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 submitted to and approved by the planning 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;
- (u) that prior to the movement of any construction traffic to or from the site, the applicant/ developer shall submit a Construction Traffic Management Plan (CTMP) for the written approval of the Planning Authority, in consultation with the Council as Roads Authority. The plan shall provide all relevant information pertaining to traffic implications associated with construction, including details of the methodology for the movement of construction traffic to and from the site. The CTMP shall require the agreement of the Council as Planning Authority prior to any movement of construction traffic associated with the site. The CTMP shall be implemented as approved;
- (v) that the edge of any proposed signage within the public road limit shall be no nearer than 0.5 metres from the edge of the carriageway and the underside of the signage shall be a minimum of 2.25 metres above the public footway. Proposed traffic signage shall be agreed in writing by the Planning Authority through consultation with the Roads Authority before it is erected;
- (w) that none of the dwellings hereby approved shall be occupied until the Sustainable Urban Drainage System (SUDS) has been completed in accordance with the submitted and approved plans;
- (x) the applicant/developer shall provide / upgrade 2 no. bus stop(s) within Tarbolton prior to the completion of the development. The design, location and specification of the bus stops shall be submitted for the written approval of the Planning Authority through consultation with the Council's Roads Authority prior to their installation;
- (y) the applicant / developer shall submit plans of all proposed new bus stops for the prior written approval of the Council as Planning Authority (in consultation with the Council as Roads Authority). The bus stop details shall include the exact proposed location of the stops in addition to specifications of a flag and pole, bus shelter (where appropriate) and associated bus boarder kerbing. All new bus stops shall be constructed, as approved, prior to completion of the development;
- (z) that the applicant/developer shall upgrade the bus stop(s) to incorporate Real Time Passenger Information screens (RTPI) compatible with the existing regional Real Time system, prior to the completion of the development. This shall include supply and installation of an isolatable power source within a power termination pillar, the required ducting, a post retention socket compatible with a Trueform Elite pole, a Trueform Elite pole and a 6 line bann display or equivalent. The developer shall also be responsible for providing 5 years maintenance cover for the screens. The design, location and specification of the RTPI screens associated with all new bus stop(s) shall be submitted for the written approval of the Council as Planning Authority (in consultation with the Council as Roads Authority) prior to their installation and thereafter shall be implemented as approved.; and

- (aa) no dwelling shall be occupied on the site until a scheme for the provision of affordable housing as part of the development has been submitted to and approved in writing by the Council as Planning Authority. The affordable housing on the site shall be provided in accordance with the approved scheme and 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. The scheme shall take account of the Council's current guidance about affordable housing (the replacement (if any) of the Council's 2006 Supplementary Planning Guidance 'New Housing Developments and Affordable Housing: A Guideline for Developers') and shall include:-
- (i) the timing of the occupation of the market homes within each phase or sub-phase of the site and the delivery of the affordable homes in the relevant phase or sub-phase of the site;
  - (ii) the arrangements for the transfer of affordable homes to an affordable housing provider or for the management of the affordable homes;
  - (iii) the factoring and/or common maintenance regime (including charges) for affordable homes;
  - (iv) the arrangements to ensure that any affordable home is affordable for both first and subsequent occupiers of the affordable home; and
  - (v) the occupancy criteria to be used for determining the identity of occupiers of the affordable homes and the means by which such occupancy criteria shall be enforced.

**Reasons:**

- (a) to ensure that the development is carried out in accordance with the approved plans unless otherwise agreed;
- (b) to ensure that all elements of the proposed development are provided at an appropriate stage in the development in the interest of the proper planning of the area;
- (c) to ensure the approved landscaping details are implemented at an appropriate time and no areas are left in an unsatisfactory condition in respect to landscaping for an unacceptable length of time in the interest of visual amenity;
- (d) to ensure that the approved landscaping details are properly maintained for a sufficient length of time to ensure that all areas of planting are established in the interest of visual amenity;
- (e) to ensure that the approved landscaping is implemented in the event that the developer is unable to complete the development;
- (f) in the interest of interactivity of the proposed play equipment;
- (g) to establish whether there are any archaeological interests on this site and allow for archaeological excavation and recording;
- (h) in the interests of visual amenity;
- (i) in the interests of residential amenity;
- (j) to avoid noise disturbance in the interests of residential amenity;
- (k) to ensure all contamination within the site is dealt with;
- (l) to encourage sustainable means of travel;



- (m) in the interest of road safety and to ensure an acceptable standard of construction;
- (n) in the interest of road safety and to ensure an acceptable standard of construction. To avoid the possibility of unnecessary reversing of vehicles onto the public road;
- (o) in the interest of road safety and to avoid the discharge of water onto the public road;
- (p) in the interest of road safety;
- (q) in the interest of road safety and to ensure that there is adequate space for manoeuvring and turning;
- (r) in the interest of road safety and to ensure adequate off-street parking provision;
- (s) in the interest of road safety;
- (t) in the interest of road safety;
- (u) in the interest of road safety;
- (v) in the interest of road safety;
- (w) to ensure that the site is drained in an acceptable and sustainable manner;
- (x) to provide accessible public transport;
- (y) to provide accessible public transport;
- (z) to provide accessible public transport; and
- (aa) to ensure that satisfactory arrangements are made for the provision of affordable housing on the site.

**Advisory Notes:**

- 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.
- 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.
- In order to comply with the requirements of the New Roads and Street Works Act 1991, all works carried out in association with the development on the public road network, including those involving the connection of any utility to the site, must be co-ordinated so as to minimise their disruptive impact. This co-ordination shall be undertaken by the developer and his contractors in liaison with the local Roads Authority and the relevant utility companies.
- The Council as Roads Authority advises that any costs associated with the relocation of any street furniture will require to be borne by the applicant / developer.
- The Council as Roads Authority advises that promotion of Traffic Regulation Orders resulting from this development will require to be fully funded by the applicant - including any relevant road signs and markings and 20mph orders for all residential streets off the spine road.
- 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.

- That Roads Construction Consent (RCC) from the Council as Roads Authority will be required for the formation of any new road. The formation of any new road will require to comply with the specifications of the Council's National Roads Development Guide and Designing Streets as National Policy.
- Details of regulatory requirements and good practice advice can be found on the Regulations section of the SEPA website. If you are unable to find the advice you need for a specific regulatory matter, please contact a member of the regulatory services team in your local SEPA office at: 31 Miller Road, Ayr, KA7 2AX Tel: 01292 294000.
- 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).
- 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).
- 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.
- 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.
- 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.
- Where possible the developer considers the inclusion of bird and bat boxes within the development.
- 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 NatureScot website along with guidance.
- 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.
- Should any European EPS be found either prior to or during the period of development then the need for EPS licensing should be reviewed.
- 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.

- 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*). \* May be Applicable to sites > 13km distance from Prestwick Airport.
- 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 escape. Where this is not possible these areas should be fenced off to prevent accidental entry.
- Pipe work etc. if stored in the open, should be capped or sealed or blocked up during storage so as to prevent it being used by animals.
- In order to minimise nuisance in the surrounding area from noise and vibrations, during all demolition and construction works, the plant and machinery used should be in accordance with BS 5228; Noise Control on Construction and Open Sites and the Control of Pollution Act 1974. To prevent nuisance all reasonably practicable steps to minimise the formation of dust in the atmosphere and in the surrounding area must be taken.
- Advice on light pollution is contained within the Institution of Lighting Professionals "Guidance Note for the Reduction of Obtrusive Light"

[http://ww20.southayrshire.gov.uk/devandenv/nbs/envhealth/PlanningEH/ILPGuidanceNotesfortheReductionofLightPollution\(New2013\).PDF](http://ww20.southayrshire.gov.uk/devandenv/nbs/envhealth/PlanningEH/ILPGuidanceNotesfortheReductionofLightPollution(New2013).PDF)

- Notification of the use of cranes and associated equipment during construction phase would have to be granted permission in advance by the Airport if the crane is to be used within 18.5km of the aerodrome / airfield and its height exceeds 10m or that of the surrounding structures or trees. The developer must contact Glasgow Prestwick Airport, contact details below:

Glasgow Prestwick Airport  
 Aviation House  
 Prestwick  
 Ayrshire  
 KA9 2PL  
 Tel: 01292 511012  
[www.glasgowprestwick.com](http://www.glasgowprestwick.com)

- Should the developer make an amendment to this current planning application for a requirement of renewable energy (such as solar panels (roof based)), Glasgow Prestwick Airport (GPA) insists that the developer conducts a solar and glare assessment at the location and shares the results of said assessment with GPA to allow them to review the findings and satisfy themselves that such an installation would have no impact on the safe provision of air traffic services in the vicinity of the aerodrome.

#### **List of Determined Plans:**

Drawing - Reference No (or Description): 201 Revision A;  
 Drawing - Reference No (or Description): 202;  
 Drawing - Reference No (or Description): 203;  
 Drawing - Reference No (or Description): 300  
 Drawing - Reference No (or Description): 301;

Drawing - Reference No (or Description): 302;  
Drawing - Reference No (or Description): 303;  
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Drawing - Reference No (or Description): 502;  
Drawing - Reference No (or Description): 503;  
Drawing - Reference No (or Description): 504;  
Drawing - Reference No (or Description): 505 Revision B;  
Drawing - Reference No (or Description): 601;  
Drawing - Reference No (or Description): 701;  
Drawing - Reference No (or Description): 1829/01 Rev B;  
Drawing - Reference No (or Description): 1829/02 Rev A  
Drawing - Reference No (or Description): 1829/03 Rev B;  
Drawing - Reference No (or Description): 1829/04 Rev A;  
Drawing - Reference No (or Description): 1829/05 Rev A;  
Drawing - Reference No (or Description): 21181-SK-03 Rev B;  
Drawing - Reference No (or Description): 21181-SK-09 Rev B;  
Drawing - Reference No (or Description): 21181-SK-011 Rev A;  
Drawing - Reference No (or Description): SC14810/01;  
Drawing - Reference No (or Description): SK110;  
Other - Reference No (or Description): Planning Statement;  
Other - Reference No (or Description): Design and Access Statement;  
Other - Reference No (or Description): PAC Report;  
Other - Reference No (or Description): Ecological Appraisal;  
Other - Reference No (or Description): Flood Risk Assessment;  
Other - Reference No (or Description): Flood Risk Assessment Addendum;  
Other - Reference No (or Description): Drainage Strategy Report;  
Other - Reference No (or Description): Ground Investigation Report;  
Other - Reference No (or Description): Landscape and Visual Appraisal;  
Other - Reference No (or Description): Landscape Maintenance and Management Proposals;  
Other - Reference No (or Description): Noise Impact Assessment; and  
Other - Reference No (or Description): Transportation Statement

**Reason for Decision:**

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

**Councillor Townson, having previously declared an interest left the meeting at this point.**

- (3) [22/0466/APP](#) – AYR – 5 Cherry Hill Road – Erection of an ancillary outbuilding.

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

- (a) that the development hereby granted shall be implemented in accordance with the approved plan(s) as listed below and as forming part of this permission unless a variation required by a condition of the permission or a non-material variation has been agreed in writing by the Planning Authority;
- (b) the ancillary outbuilding shall be used solely for domestic purposes incidental to the use of the dwellinghouse and no commercial activities shall be undertaken to the satisfaction of the Planning Authority;
- (c) that the existing dwellinghouse and the outbuilding forming ancillary accommodation shall remain part of the same single inter-connected residential planning unit. Once the outbuilding has been erected, neither the existing dwellinghouse nor the ancillary outbuilding shall be sold, leased or otherwise disposed of separately for the use as a separate dwellinghouse without the benefit of planning permission;
- (d) that notwithstanding the plans hereby approved, the shower room window on the eastern elevation of the outbuilding hereby granted planning permission shall be glazed with obscured / frosted glass to the satisfaction of the Planning Authority, and retained as such for the lifetime of the development. Full details of the glazing shall be submitted for the prior written approval of the Planning Authority prior to the commencement of works on site and shall be implemented as approved; and
- (e) that notwithstanding the plans hereby approved and unless otherwise agreed, additional screening of 1.8 metres in height, when measured from ground level, shall be erected along the entire western boundary of the rear curtilage of the application site adjacent to the neighbouring residential property at 3 Cherry Hill Road. Precise details of the proposed screening shall be submitted for the prior written approval of the Planning Authority before works commence on site. Thereafter, the agreed screening shall be installed prior to the completion of the outbuilding hereby approved and retained at its agreed height and location for the lifetime of the development to the satisfaction of the Planning Authority.

**Reasons:**

- (a) to ensure that the development is carried out in accordance with the approved plans unless otherwise agreed;
- (b) in the interests of residential amenity;
- (c) in order to retain full control over the development and to avoid the creation of an additional permanent dwellinghouse;
- (d) in the interests of residential amenity; and
- (e) in the interests of residential amenity.

### **Advisory Notes:**

- The development could be in an area where there are gas mains and services. Please see the link below for further information and actions required of you: <https://archive.south-ayrshire.gov.uk/planning/decisions.aspx>
- A Building Warrant will require to be obtained before works start on site. The Council's Building Standards Service can be contacted for further information.

### **List of Determined Plans:**

Drawing - Reference No (or Description): **Approved** 2102-A-101;  
Drawing - Reference No (or Description): **Approved** 2102-A-102;  
Drawing - Reference No (or Description): **Approved** 2102-A-103; and  
Drawing - Reference No (or Description): **Approved** 2102-A-104.

### **Reason for Decision:**

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

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

**Councillor Townson re-joined the meeting at this point.**

- (4) [22/0558/APP](#) – AYR – **Seafield Post Office, 45 Blackburn** - Alterations and extension to existing shop.

There was representation made to the Panel by an interested party.

**Decided:** to approve application subject to the condition that the development hereby granted shall be implemented in accordance with the approved plan(s) as listed below and as forming part of this permission unless a variation required by a condition of the permission or a non-material variation has been agreed in writing by the Planning Authority.

**Reason:** to ensure that the development is carried out in accordance with the approved plans unless otherwise agreed.

### **Advisory Note:**

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. Contact should be made with the Ayrshire Roads Alliance.

### **List of Determined Plans:**

Drawing - Reference No (or Description): **Approved** 283/01;  
Drawing - Reference No (or Description): **Approved** 283/02;  
Drawing - Reference No (or Description): **Approved** 283/03;  
Drawing - Reference No (or Description): **Approved** 283/04;  
Drawing - Reference No (or Description): **Approved** 283/05;  
Drawing - Reference No (or Description): **Approved** 283/06;

Drawing - Reference No (or Description): **Approved** 283/07;  
Drawing - Reference No (or Description): **Approved** 283/08;  
Drawing - Reference No (or Description): **Approved** 283/09; and  
Drawing - Reference No (or Description): **Approved** 283/10.

**Reason for Decision:**

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

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

- (5) **22/00526/APP** – **COYLTON – Land to the rear of 30 Joppa** – Change of use of vacant land to form Community Garden.

There was representation made to the Panel by the applicant and her agent and various interested parties.

**Decided:**

- (a) that the development hereby granted shall be implemented in accordance with the approved plan(s) as listed below and as forming part of this permission unless a variation required by a condition of the permission or a non-material variation has been agreed in writing by the Planning Authority;
- (b) that before 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. The travel plan shall be implemented as approved;
- (c) that the proposed community garden shall not be in use before 9.00am and after 6.00pm and a management plan clarifying the operational arrangements to demonstrate compliance with the hours of operation restriction and how the facility will be secured when not in use, shall be submitted for the prior written approval of the planning authority before facilities become operational. Thereafter, the management plan shall be implemented as approved;
- (d) that prior to the commencement of development, details of the location, height and materials of all new boundary fences, gates or other means of enclosure shall be submitted to the Planning Authority for written approval. Thereafter, the development shall be implemented in accordance with the details approved; and
- (e) that notwithstanding the terms of condition (a) above, no sheds or structures shall be erected within the curtilage of the application site without the prior written approval of the planning authority. Thereafter, the shed/ structures shall be implemented in accordance with the details approved.

**Reasons:**

- (a) to ensure that the development is carried out in accordance with the approved plans unless otherwise agreed;
- (b) to encourage sustainable means of travel;
- (c) in the interests of residential amenity;
- (d) in the interests of residential amenity; and
- (e) to retain proper control over the development.

**Advisory Notes:**

- That any lighting to be installed on site shall comply with the Institute of Lighting Engineers Guidance Notes for the Reduction of Obtrusive Light to the requirements of Council's Environmental Health Service.
- Please note that work should be undertaken in compliance with legislation and guidance relating to NatureScot <https://www.nature.scot/professional-advice>

**List of Determined Plans:**

Drawing - Reference No (or Description): 694 B1;  
Drawing - Reference No (or Description): 694 L1; and  
Drawing - Reference No (or Description): 694 S1

**Reason for Decision:**

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

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

**Councillor Kilbride left the meeting at this point.**

- (6) [22/00137/APP](#) – TROON – 49 Academy Street – Erection of two retail units with associated access, parking and landscaping.

There was representation made to the Panel by the applicant and his agent.

In terms of Standing Order No. 19.9, there was no general agreement to the unopposed motion, therefore, the Panel moved to a vote undertaken by electronic means for or against the Motion. Five Members voted for the Motion and one Member abstained and the Panel,

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

- (a) that the development hereby granted shall be implemented in accordance with the approved plan(s) as listed below and as forming part of this permission unless a variation required by a condition of the permission or a non-material variation has been agreed in writing by the Planning Authority;



- (b) that, prior to the commencement of the development, details shall be submitted for the prior written approval of the planning authority of an uncontrolled crossing at Academy Street. Thereafter, the crossing shall be installed as per the agreed specification, and shall be operational prior to the first use of the development, and thereafter retained and maintained to the satisfaction of the Council;
- (c) that, prior to the commencement of the development, details shall be submitted for the prior written approval of the planning authority of cycle parking accommodating a minimum of 12 cycles shall be provided within the site boundary. Thereafter, the cycle parking shall be installed as per the agreed specification, and shall be operational prior to the first use of the development, and thereafter retained and maintained to the satisfaction of the Council;
- (d) that before the first 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. The travel plan shall be implemented as approved;
- (e) that, prior to the commencement of the development, details shall be submitted for the prior written approval of the planning authority of a swept path analysis accommodating the largest size of vehicle expected to be used by or serve the development. Thereafter, the development shall be installed as per the agreed specification, and shall be operational prior to the first use of the development, and thereafter retained and maintained to the satisfaction of the Council;
- (f) that, prior to the commencement of the development, details shall be submitted for the prior written approval of the planning authority of the trolley bays, electric charging points and electrical substation. The substation details shall include the substation being elevated to a level above 3.59 metres AOD. Thereafter, the trolley bays, electric charging points and electrical substation shall be installed as per the agreed specification, and shall be operational prior to the first use of the development, and thereafter retained and maintained to the satisfaction of the Council;
- (g) that the operation of this facility shall not result in an increase of more than 5dB(A) between the existing background noise level (LA90 (1 hour)) and the rating level (LArTr) where Tr = 1 hour daytime and 5 minutes 30 minutes night time as applicable (Measured as per the current version of British Standard 4142 BS 4142;1997, or as may be amended). For the avoidance of doubt BS4142;1997 defines the rating level (LAr Tr) as being the specific noise level LAeq, Tr plus any adjustments for the characteristic features of the sound as detailed in Section 8.2 of the British Standard. An assessment of the existing background noise level carried out by a suitably qualified acoustic consultant or other competent person shall be submitted for the formal prior written approval of the Planning Authority before any work commences on site;

- (h) that delivery vehicles for the operation of this facility shall be restricted to between the hours of 7am and 11pm Monday to Sunday, inclusive;
- (i) that prior to the commencement of development, samples or a brochure of all materials to be used on external surfaces, in respect of type, colour and texture, shall be submitted for the prior written approval of the Planning Authority and thereafter implemented as approved; and
- (j) that, prior to commencement of the development, a Construction Traffic Management Plan (CTMP) shall be submitted to, and approved by, the Planning Authority in conjunction with the Ayrshire Roads Alliance. 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. Thereafter the development shall be implemented as per the agreed Construction Traffic Management Plan (CTMP), prior to any movement of works traffic associated with demolition or construction.

**Reasons:**

- (a) to ensure that the development is carried out in accordance with the approved plans unless otherwise agreed;
- (b) for the purposes of road safety and the functional operation of the local road network;
- (c) to ensure adequate provision of cycle parking on site, and encourage sustainable means of travel;
- (d) to encourage sustainable means of travel;
- (e) in the interest of road safety;
- (f) to clarify the terms of this permission;
- (g) in order to prevent noise nuisance;
- (h) in the interests of residential amenity;
- (i) in the interests of visual amenity; and
- (j) in the interest of safety.

**Advisory Notes:**

- That, notwithstanding the terms of this permission, no permission is hereby granted for the erection of signage at the site, which shall require the submission and grant of advertisement consent.
- The Business Gateway Ayrshire (01292 616349) may be able to provide support and/ or advice regarding the availability of alternative retail premises in the area.

**List of Determined Plans:**

Drawing - Reference No (or Description): AL(0)001 P2;  
Drawing - Reference No (or Description): AL(0)002 P1;  
Drawing - Reference No (or Description): AL(0)003 P2;  
Drawing - Reference No (or Description): AL(0)004 P1;  
Drawing - Reference No (or Description): AL(0)005 P1;  
Drawing - Reference No (or Description): AL(0)1011P3;  
Drawing - Reference No (or Description): AL(0)1012P3;  
Drawing - Reference No (or Description): AL(0)1014 P2;

Drawing - Reference No (or Description): AL(0)2001 P1; and  
Drawing - Reference No (or Description): AL(0)1013 P2.

**Reason for Decision:**

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

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

**Councillor Mackay left the meeting at this point.**

**4. Public Access Exemption Order: Prestwick Golf Course 150th Open 2022.**

There was submitted a report ([issued](#)) of 20 September 2022 by the Director – Place seeking authority to undertake a public consultation, regarding a proposed temporary public access exemption order for an area of land affected by the Prestwick Golf Course 150<sup>th</sup> Open 2022.

The Panel

**Decided:-**

- (1) to approve the commencement of a public consultation on the proposed temporary public access exemption order under Section 11(1) of the Land Reform (Scotland) Act 2003, for land at Prestwick Golf Course and the right of way (SKC 35), as set out in Appendix 1 of the report; and
- (2) to ensure that there was suitable consultation with Prestwick Community Council.

The meeting ended at 5.00 p.m.