

REGULATORY PANEL (PLANNING)

Minutes of a hybrid webcast meeting
on 17 November 2022 at 10.00 a.m.

Present
In County
Buildings:

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

Present
Remotely:

Councillor Craig Mackay.

Attending
In County
Buildings:

K. Briggs, Service Lead – Legal and Licensing; C. Iles, Service Lead –
Planning and Building Standards; E. Goldie, Co-ordinator (Place Planning);
D. Clark, Supervisory Planner; R. Lee, Supervisory Planner; E. McKie,
Planner; S. Groves, Planner; D. Manson, Ayrshire Roads Alliance; A.
Gibson, Committee Administrative Officer, and C. McCallum, Committee
Services Assistant.

1. Welcome and Declarations of Interest

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

2. Minutes of Previous Meeting

The minutes of [22 September](#), [4 October](#) (Special) and [12 October 2022](#) (issued) were
submitted and approved.

3. Applications for Planning Permission

There were submitted reports ([issued](#)) of November 2022 by the Housing, Operations and Development Directorate on planning applications for determination.

The Panel considered the following applications:-

- (1) **21/00998/APP – DUNDONALD – Recreation Ground, Winehouse Yett –** Landscaping works (including changing site levels) and installation of drainage system.

The Panel heard from the applicant's agents and various interested parties.

The Panel heard from Councillor Dettbarn, Local Member. After she addressed the Panel, she left the meeting.

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

- (2) **22/00779/MSCM – COYLTON – Land at Manse Road –** Approval of matters specified in conditions for erection of 53 residential dwellings with associated access road, open space landscaping and infrastructure.

The Panel heard from the applicants agents and various interested parties.

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

- (a) that the proposed development shall commence within five years (unless otherwise agreed in writing by the Planning Service) from the approval of this 'Matters Specified in Conditions' application, or in the case of approval of different matters on different dates, from the requisite approval for the last such matter being obtained;
- (b) that the development hereby granted shall be implemented in accordance with the approved plans(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;

- (c) that prior to the occupation of the first dwellinghouse within the development site, a Residential Travel Pack/Plan shall be submitted to and approved in writing by the Planning Authority (in consultation with the Council as Roads Authority). The Residential Travel Pack/Plan 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) as well as including details which promote feasible sustainable travel to and from the site alongside appropriate measures and actions to reduce car dependence for the development. In addition to this, the Residential Travel Pack/Plan shall include details of the contents of an information pack which will be provided to future occupants of the development to ensure that they are aware of their public transport and active travel options available within the area. Thereafter, the approved Residential Travel Pack/Plan and all associated measures and actions shall be in place and implemented in full prior to the occupation of the first dwellinghouse within the site and as part of this, the approved information pack associated with the Residential Travel Pack/Plan shall be distributed to all new residents within the development;
- (d) that the existing public footway on both sides of Manse Road shall be resurfaced from the proposed site access to the A70. Details of the resurfacing works shall be submitted to and approved in writing by the Planning Authority (in consultation with the Council as Roads Authority) prior to the commencement of development on site. Thereafter, the approved resurfacing details shall be implemented as approved in a timescale to be agreed in writing by the Planning Authority (in consultation with the Council as Roads Authority);
- (e) that prior to the commencement of development on site, details for an effective vehicle wheel washing facility shall be submitted to and approved in writing by the Planning Authority (in consultation with the Council as Roads Authority). The details provided shall demonstrate that the facility will be sufficient enough to prevent or limit the occurrence of vehicles leaving the site carrying earth and mud in their wheels in such a quantity which could cause a hazard to the road system in the locality. The approved wheel washing facility shall be installed immediately before any other construction works commence on site. Thereafter, the wheel washing facility shall be retained in effective working order for the duration of construction (including all phases), until all construction activity associated with the full development is completed on site unless otherwise agreed in writing by the Planning Authority;
- (f) that prior to the commencement of development on site, a Construction Traffic Management Plan (CTMP) shall be submitted to and approved in writing by the Planning Authority (in consultation with the Council as Roads Authority). The CTMP shall describe the methodology for the movement of construction traffic to and from the site and shall provide confirmation that all construction vehicles associated with the development when statutory shall be parked within the site and not on any adjacent streets or road networks. The approved CTMP shall thereafter be implemented on site and will be adhered to for the duration of construction (including all phases), until all construction activity associated with the full development is completed on site;

- (g) that prior to the occupation of the first dwellinghouse within the development site, the two bus stops located on A70 (Naptan reference numbers: 6190472 and 6190473) shall be upgraded to incorporate Real Time Passenger Information screens (RTPI) compatible with the existing Ayrshire Real Time system. 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 cost of which will be met by the applicant/developer. The applicant/developer shall also be responsible for providing 5 years maintenance cover for the screens. Prior to the commencement of development on site, details of the designs, locations and specifications of the RTPI screens associated with the bus stop(s) shall be submitted to and approved in writing by the Planning Authority (in consultation with the Council as Roads Authority);
- (h) that the presence of any previously unencountered contamination that becomes evident during the development of the site shall be reported to the Planning Authority in writing within one week, and work on the affected area shall cease with immediate effect. At this stage, if requested by the Planning Authority, an investigation and risk assessment shall be undertaken and an amended remediation scheme shall be submitted to and approved by the Planning Authority prior to the re-commencement of works in the affected area. The approved details shall be implemented as approved;
- (i) that prior to the commencement of development on site, details of measures to protect trees and hedgerows located within and adjacent to the site (including those forming part of the Ancient Woodland Inventory Designation to the northern, eastern and southern site boundary) shall be submitted for the written approval of the Planning Authority. The trees and hedgerows shall be protected during the course of development by the erection of fencing in accordance with British Standard BS 5837(2012) 'Trees in Relation to Construction', or by such other means of protection deemed necessary and shall be agreed in advance in writing with the Planning Authority. No changing of levels, movement or parking of vehicles, storage of building materials, machinery, plant equipment or soil/aggregate shall take place within the protected areas established pursuant to this condition. The development shall be undertaken in accordance with the approved tree protection details and shall be implemented before any other construction works commence on site. Thereafter, the measures agreed shall be maintained as such for the duration of the construction works until the development is complete on site;
- (j) that all construction work and activity on site relevant to the development shall be carried out in strict accordance with the recommendations and mitigation measures outlined within Section 5.2 of the approved 'Extended Phase 1 Habitat Survey' (Wild Surveys Ltd, Dated 23rd February 2022). These measures and recommendations shall remain in effect until all construction work associated with the development is complete on site;

- (k) that further to condition 10 above and the mitigation measures and recommendations outlined within Section 5.2 of the approved 'Extended Phase 1 Habitat Survey' (Wild Surveys Ltd, Dated 23rd February 2022), all ground and vegetation clearance works shall take place out with the main breeding bird season (specifically March to August, inclusive). If this is not possible, and works are due to take place between March and August, then a suitably qualified ornithologist/ecologist shall be engaged and appointed to undertake surveys and scrub vegetation and nesting bird checks and advise of any actions required to protect birds immediately prior to any scrub or vegetation removal works commencing on site;
- (l) that prior to the occupation of the 25th dwellinghouse within the development site, evidence that the upgraded and modified pumping station has been formally vested and adopted by Scottish Water shall be submitted to and approved in writing by the Planning Authority (in consultation with the Council's Environmental Health Service). Until such time as this has been received and in the interim period until formal adoption by Scottish Water has been achieved, the upgraded and modified pumping station shall be maintained in efficient working order in line with the approved 'Drainage and Waste Report and Strategy (Milestone Developments, Dated 09/09/22)' and 'Hope Homes Letter Regarding Pumping Station (Hope Homes, Dated 21/09/22)';
- (m) that notwithstanding approved drawing 'Site Phasing Plan (Drawing No. AL(00)04 Rev 2)' hereby approved, prior to the completion of the construction of the 8th dwelling unit within phase 2 of the development site, the approved play area scheme including all associated play equipment shall be installed and completed in its entirety in line with approved plan 'Play Park Layout (Drawing No. AL(00)09 Rev 1)'. All matters relating to the proposed play area facility including; the design and manufacture of the equipment, the installation of the equipment, the installation of the safer-surfacing, and the maintenance and repair programme following completion shall all be in compliance in accordance to the British and European Play Standards BS EN 1176 and BS EN 1177. No alterations or deviations to the approved and installed play area scheme shall be made without the further written consent of the Planning Authority;
- (n) that unless otherwise agreed in writing by the Planning Authority, the soft landscaping scheme for the site approved as shown on approved drawings 'Landscape Proposals' (Drawing Nos. Sheet 1, 2, 3, 4 and 5) shall be implemented as approved prior to the completion of the construction of the last dwellinghouse within each respective phase of development in accordance with approved drawing 'Site Phasing Plan (Drawing No. AL(00)04 Rev 2)'. Once implemented, the soft landscaping scheme shall be maintained as such in line with the approved maintenance arrangements. Any trees, shrubs, plants or grass forming part of the approved landscape scheme which die, are removed or become seriously damaged or diseased, within a period of 5 years from the date of their planting, shall be replaced (at no cost to the Council) in line with good horticultural practice with others of similar sizes and species unless the Planning Authority gives written approval to any variation;

- (o) that prior to the commencement of development on site, details and plans demonstrating how the identified areas of public open space as shown on approved plan 'Site Plan Proposed (Drawing No. AL(00)03 Rev 4)' shall function and operate shall be submitted to and approved in writing by the Planning Authority. As part of this, this shall include any details and specifications of park/street furniture, cycle storage/parking, walkways and path connections, lighting, art or any other features to be installed in the public open space areas. Thereafter, the public open space areas shall be implemented in accordance with the approved details and within the timescales set out in Condition 14 above. No alterations or deviations from the approved public open space arrangements shall be undertaken without the further written consent of the Planning Authority;
- (p) that further to condition 15 above, other than where they share mutual boundaries with existing and proposed dwelling plots, no fencing or other means of enclosure shall be erected around the any of the areas of open space within the development site as shown on approved 'Site Plan Proposed (Drawing No. AL (00)03 Rev 04)' unless otherwise agreed in writing by the Planning Authority. This includes the area of public open space situated on the northwest corner of the application site nearest the pedestrian linkage to Manse Road and the area of open space which surrounds the play area on the southwestern corner of the development site;
- (q) that prior to the commencement of development on site, full details of the design and location of any retaining walls and other retention features required as part of the development shall be submitted to and approved in writing by the Planning Authority. Thereafter, the agreed retention details shall be implemented prior to the occupation of any associated houses or completion of associated open space area. No alterations or deviations from the approved retention arrangements shall be undertaken without the further written consent of the Planning Authority;
- (r) that the development hereby approved shall be constructed strictly in accordance with the finished site levels and finished floor levels as shown on approved plan 'Vertical Geometry (Drawing No. 21228-100-101)'. Any alterations or deviations to these finished site and floor levels shall first be agreed in writing with the Planning Authority; and
- (s) that the 13 affordable housing units associated with the development hereby approved shall be constructed and delivered on site in strict accordance with the approved 'Site Plan Proposed (Drawing No. AL (00)03 Rev 04)' and shall be completed as part of Phase 3 of the development in line with the approved 'Site Phasing Plan (Drawing No. AL(00)04 Rev 2)'. Thereafter and once construction of the affordable housing units is complete, the affordable housing units shall function and be let/rented, occupied and maintained in strict accordance with the approved 'Letter Regarding Affordable Housing Provision (Ayrshire Housing, dated 15th September 2022)' and 'Statement in Response to Condition 28 - Affordable Housing Provision and Details (Milestone Developments, dated 28th October 2022)', unless otherwise agreed in writing by the Planning Authority.

Reasons:

- (a) to be in compliance with Section 59 of The Town and Country Planning (Scotland) Act 1997 as amended by Section 32 of The Planning (Scotland) Act 2019;
- (b) to ensure that the development is carried out in accordance with the approved plans unless otherwise agreed;
- (c) to encourage sustainable means of travel;
- (d) to ensure that the surrounding public footpaths are of an appropriate standard to serve the footfall associated with the development and encourage and facilitate sustainable means of travel;
- (e) in the interest of road safety and to ensure 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;
- (f) in the interest of road safety;
- (g) to enhance and improve existing accessible public transport facilities to ensure they are sufficient to support additional demand as a result of the proposed development;
- (h) to ensure all unencountered contamination within the site is dealt with appropriately;
- (i) in order to ensure no damage is caused to trees within or adjacent to the site during development operations;
- (j) in the interests of protecting local wildlife and minimising impact on ecology;
- (k) in the interest of protecting local wildlife and to advise the applicant/contractor/developer of any bird nesting activity and any actions required to protect birds;
- (l) to ensure that the existing pumping station is appropriately maintained and serviced and to ensure that it is accepted as being of sufficient capacity to support the proposed development;
- (m) to ensure that the play area scheme is installed and completed in a timely manner to serve future residents of the development;
- (n) to ensure that the soft landscaping scheme is implemented in a timely manner, in the interests of visual amenity of the site;
- (o) to ensure that the formal open spaces provide meaningful and usable areas which align with the requirements of the relevant planning guidance;
- (p) to ensure all areas of open space approved as part of the development are accessible and usable to future occupants of the development;
- (q) to ensure that any areas of retention are appropriately designed and treated so that they are commensurate to the development site;
- (r) in the interests of residential amenity; and
- (s) to ensure that the affordable housing units are delivered on site in a timely manner and that the affordable housing functions in line with the satisfactory arrangements proposed.

Advisory Notes:

South Ayrshire Council Environmental Health Service

- Site Contamination - The contaminated land report and site investigation reports have been assessed and no remedial measures have been identified. Environmental health are satisfied with the contents of the investigations.
- Pumping Station - Environmental Health expects that during interim period between the pumping stations starting operation and its proposed formal adoption by Scottish water, the pumping station and ancillary equipment required for its operation, are

properly maintained as per manufacturers guidelines. Should the pumping station fail, without immediate remedial action an Abatement Notice may be serviced under the Environmental Protection Act 1990 against those responsible for its immediate repair. Should investigations reveal that any failure was caused by a lack of maintenance, consideration will be given to preparing report to the Procurator Fiscal under the same legislation.

- Construction Noise and Dust - 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.
- Lighting - Advice on light pollution is contained within the Institution of Lighting Professionals "Guidance Note for the Reduction of Obtrusive Light". This should be adhered to: [http://ww20.south-ayrshire.gov.uk/devandenv/nbs/envhealth/PlanningEH/ILPGuidanceNotesfortheReductionofLightPollution\(New2013\).PDF](http://ww20.south-ayrshire.gov.uk/devandenv/nbs/envhealth/PlanningEH/ILPGuidanceNotesfortheReductionofLightPollution(New2013).PDF)
- During the period of construction, it is strongly recommended that all external works including piling and ancillary operations are carried out between the following hours; Mondays to Fridays – 0800 to 1800 and Saturdays 0800 to 1300. Furthermore, there should be no working on Sundays or public holidays.

Scottish Water

- Water Capacity Assessment – There is currently sufficient capacity in the Bradan Water Treatment Works to service the development. However, please note that further investigations may be required to be carried out once a formal application has been submitted to us.
- Waste Water Capacity Assessment – There proposed development will be serviced by Coylton Waste Water Treatment Works. Unfortunately, Scottish Water is unable to confirm capacity currently so to allow us to fully appraise the proposals we suggest that the applicant completes a 'Pre-Development Enquiry (PDE) Form and submits it directly to Scottish Water vis the Customer Portal or contact Development Operations.
- Please Note – 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.
- Asset Impact Assessment – Scottish Water records indicate that there is live infrastructure in the proximity of the development area that may impact on existing Scottish Water assets. This includes a 90mm MDPE water main, a 225mm surface water sewer and a 225mm foul sewer. The applicant must identify any potential conflicts with Scottish Water assets and contact our Asset Impact Team via our Customer Portal for an appraisal of the proposals. The applicant should be aware that any conflict with assets identified will be subject to restrictions on proximity of construction. Please note the disclaimer at the end of these notes.
- Surface Water – For reasons of sustainability and to protect 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 brownfields site 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 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.

- General Notes – Scottish Water asset plans can be obtained from our appointed asset plan providers (Site Investigation Services (UK) Ltd. Telephone: 0333 123 1223. Email: sw@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.
- Next Steps - 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. Any further information regarding these notes can be obtained either via telephone on 08003890379 or via email at planningconsultations@scottishwater.co.uk.

List of Determined Plans:

Landscape Proposal Sheet 1 of 5 (Drawing No. 468.06.01f);
Landscape Proposal Sheet 2 of 5 (Drawing No. 468.06.02f);
Landscape Proposal Sheet 3 of 5 (Drawing No. 468.06.03f);
Landscape Proposal Sheet 4 of 5 (Drawing No. 468.06.04f);
Landscape Proposal Sheet 5 of 5 (Drawing No. 468.06.05f);
Vertical Geometry (Drawing No. 21228-100-101);
Drainage Layout (Drawing No. 21228-500-100);
Swept Path Analysis Fire Appliance (Drawing No. 21228-SK-11);
Swept Path Analysis Refuse Vehicle (Drawing No. 21228-SK-11);
Location Plan (Drawing No. AL(00)01 Rev 2);
Site Plan Proposed (Drawing No. AL(00)03 Rev 4);
Site Plan Proposed with Open Space Annotated (Drawing No. AL(00)03 Rev 4);

Site Phasing Plan (Drawing No. AL(00)04 Rev 4);
Typical Plot Parking Layout (Drawing No. AL(00)05 Rev 1);
Play Park Layout (Drawing No. AL(00)09 Rev 1);
House Type – Carrick (Drawing No. AL(00)10 Rev 2);
House Type – Bothwell (Drawing No. AL(00)12 Rev 2);
House Type – Balmoral (Drawing No. AL(00)14 Rev 2);
House Type – Belvedere (Drawing No. AL(00)15 Rev 2);
House Type – Inverary (Drawing No. AL(00)16 Rev 2);
House Type - A (Drawing No. AL(00)20 Rev 2);
House Type - B (Drawing No. AL (00)22 Rev 2);
House Type - Cottage Flat (Drawing No. AL (00)24 Rev 2);
Single Garage Detail Plan (Drawing No. AL(00)26 Rev 2);
Archaeology/Data Structure Report (Author: David Swan Ayrshire Archaeology, dated 03/03/22);
Design and Access Statement (Author: Denham Youd & Milestone Developments, dated 09/09/22);
Drainage and Waste Report and Strategy (Author: Milestone Developments & Dougal Baillie Associates, dated 09/09/22);
Extended Phase 1 Habitat Survey (Author: Wild Surveys Ltd, dated 23/02/22);
Foul Water Calculations and Modelling (Author: Dougal Baillie Associates, dated 16/09/22);
Ground Investigation Report (Author: Johnson Poole & Bloomer Consultants, dated August 2021);
Surface Water Calculations and Modelling (Author: Dougal Baillie Associates, dated 16/09/22);
Hope Homes Letter Regarding Pumping Station (Author: Hope Homes, dated 21/09/22)
Letter Regarding Affordable Housing Provision (Author: Ayrshire Housing, dated 15th September 2022);
Statement in Response to Condition 28 - Affordable Housing Provision and Details (Author: Milestone Developments, dated 28th October 2022);
Site Sections A and B; and
Site Sections C and D.

The time being 12. 40 p.m., the Panel agreed to adjourn for ten minutes. The Panel resumed at 12.50 p.m.

- (3) [22/00701/APP](#) – CRAIGIE – Land at C8 From A719 Junction at Adamhill to Council Boundary – Proposed erection of 4 glamping pods, extension of hardstanding and formation of access.

The Panel heard from various interested parties.

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 three Members voted against the Motion and the Panel

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

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

- (c) that the holiday accommodation unit shall not be promoted, advertised, let or used for any purpose other than as holiday accommodation, and that the occupancy of the holiday accommodation by the same person, whether or not along with other persons, shall be strictly limited to a total of one month, in any year from 1st January in that year;
- (d) that should the holiday accommodation become obsolete, the units shall be removed from the site, and the site shall be restored to its former condition in accordance with a written specification, including a timescale within which the works shall be implemented, to be submitted for the prior written approval of the Planning Authority. The restoration specification shall be submitted within 2 months of the date of the accommodation becoming obsolete;
- (e) that, prior to the operation and occupation of the holiday accommodation, details shall be submitted for the prior written approval of the planning authority of the months of operation of the holiday accommodation, which shall not exceed eleven months in any calendar year. Thereafter, the accommodation shall be operated in accordance with the submitted details, to the satisfaction of the planning authority;
- (f) that, prior to the operation of the holiday accommodation details shall be submitted of a portable supply of water serving the holiday accommodation. Thereafter, the development shall be implemented and connected to the agreed supply, for the lifetime of the development, to the satisfaction of the Planning Authority, in conjunction with the relevant authorities;
- (g) that prior to the commencement of development, full details of the proposed areas of hardstanding shall be submitted for the prior written approval of the Planning Authority and thereafter implemented as approved;
- (h) that prior to the commencement of development, full details of the proposed gates and fence shall be submitted for the prior written approval of the Planning Authority and thereafter implemented as approved; and
- (i) that before any works start on site a scheme of landscaping of appropriate native species only shall be submitted for the prior written approval of the Planning Authority. The scheme shall indicate the siting, numbers, species, and heights (at time of planting) of all trees, shrubs, and hedges to be planted, and the extent and profile of any areas of earth mounding. The scheme as approved shall be implemented within first planting season following the completion or occupation of the first holiday accommodation unit, whichever is the sooner, and shall be retained to this approved standard.

Reasons:

- (a) to be in compliance with Section 58 of The Town and Country Planning (Scotland) Act 1997 as amended by Section 32 of The Planning (Scotland) Act 2019;
- (b) to ensure that the development is carried out in accordance with the approved plans unless otherwise agreed;
- (c) to clarify the terms of the permission, and to ensure that the accommodation is used for holiday purposes only;
- (d) in the interest of proper planning.
- (e) to clarify the terms of the permission, and to ensure that the accommodation is used for holiday purposes only;

- (f) in the interests of visual amenity and to ensure a satisfactory standard of local environmental quality;
- (g) to clarify the terms of the permission and the interests of visual amenity;
- (h) to clarify the terms of the permission and the interests of visual amenity; and
- (i) in the interests of visual amenity and to ensure a satisfactory standard of local environmental quality.

Advisory Notes:

- 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 30 minutes night time as applicable (Measured as per the current version of the British Standard 4142). For the avoidance of doubt BS4142 defines the rating level (Lar Tr) as being the specific noise level LAeq, Tr plus any adjustments for the characteristic features of the sound.
- Please note that work should be undertaken in compliance with legislation and guidance relating to Scottish Environment Protection Agency (SEPA) Guidance Note No.8 which can be found at the website of SEPA as follows: www.sepa.org.uk
- Advice on light pollution is contained within the Institution of Lighting Professionals "*Guidance Note for the Reduction of Obstrusive Light*".
- The premises require to fully comply with the Health and Safety at Work etc Act 1974 and any Regulations and requirements therein and thereto.
- Each glamping pod unit and static caravan unit must have suitable and sufficient toilet and shower facilities, and drainage connection to a suitable septic tank, or similar. Alternatively, provision of a toilet and shower block and drainage connection to a suitable septic tank, or similar.
- With regard to waste collection arrangements, as a commercial business, a separate commercial waste collection will be required.

List of Determined Plans:

Drawing - Reference No (or Description): EX(00) 001;
Drawing - Reference No (or Description): EX(00) 002;
Drawing - Reference No (or Description): EX(00) 003 Rev. A;
Drawing - Reference No (or Description): EX(00) 004;
Drawing - Reference No (or Description): EX(00) 005; and
Other - Reference No (or Description): Glamping Brochure.

In terms of Council Standing Order No 6.2 and in view that the meeting would take more than four hours to complete, the Panel agreed to continue this meeting today until all the agenda items had been considered.

- (4) [22/00619/APP](#) – SYMINGTON – Knockendale Farm, C93 from B730 Junction north-west of Bogend, south-west to Brewlands Road, KA1 5PN – Erection of a dwellinghouse.

The Panel heard from various objectors.

Councillor Kilbride, seconded by Councillor Connolly, moved that the application be approved, subject to the conditions contained within the report.

By way of an Amendment, Councillor Townson, seconded by Councillor Cavana, moved that the Panel undertake a site visit, prior to determination of the application.

On a vote being taken by electronic means, three Members voted for the Amendment and six for the Motion which was accordingly declared to be carried.

The Panel

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

- (a) that the development hereby permitted shall be begun within three years of the date of this permission;
- (b) that the development hereby granted shall be implemented in accordance with the approved plan(s) as listed below and as forming part of this permission unless a variation required by a condition of the permission or a non-material variation has been agreed in writing by the Planning Authority;
- (c) that full details of SUDS arrangements within the approved plot shall be submitted for the written approval of the Planning Authority, prior to the commencement of works on site, and shall be prepared in accordance with the provisions of Scottish Environment Protection Agency (SEPA) Guidance Note No.8. Thereafter, the SUDS arrangements shall be implemented as approved or a further grant of planning permission shall have been obtained for any SUDS arrangements out with the application site;
- (d) the garage shall be used solely for domestic purposes incidental to the use of the dwellinghouse hereby approved and no commercial activities shall be undertaken to the satisfaction of the Planning Authority;
- (e) that prior to the commencement of development, a revised plan shall be submitted that illustrates 3 fully accessible, unobstructed parking spaces within the site. Thereafter, the parking spaces shall be implemented as approved prior to the occupation of the dwellinghouse;
- (f) that notwithstanding the plans hereby approved, the rear boundary of the application site shall be delineated by way of hedging, the details of which shall be submitted for the prior written approval of the planning authority before the commencement of development on site. Thereafter, the hedging scheme as approved shall be implemented within the first planting season following the completion or occupation of the dwellinghouse, whichever is the sooner;
- (g) that prior to the commencement of development, details of the ground works required to achieve the radius improvements to the junction with the private road and B751 public road, as illustrated on drawing number 22.110.14A, shall be submitted for the approval in writing of the planning authority. Thereafter, the works to the junction shall be implemented and completed prior to the commencement of the dwelling house and garage hereby approved;
- (h) that the private access shall be surfaced for a minimum of 5 metres as measured from the rear of the public roadway, prior to occupation. Precise details and specifications of the required surface shall be submitted for the prior written approval of the Council as Planning Authority (in consultation with the Council as Roads Authority) before any works commences on site; and

- (i) 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 works commence on site.

Reasons:

- (a) to be in compliance with section 58 of the Town and Country Planning (Scotland) Act 1997 as amended by section 20 of the Planning ETC. (Scotland) act 2006;
- (b) to ensure that the development is carried out in accordance with the approved plans unless otherwise agreed;
- (c) to ensure the site is drained in an acceptable and sustainable manner;
- (d) in the interest of the residential character and amenity of the area;
- (e) in the interest of road safety and to ensure adequate off-street parking provision;
- (f) to ensure an appropriate boundary treatment for the rural development;
- (g) in the interests of visual amenity and to ensure an appropriate boundary treatment at the junction;
- (h) in the interests of road safety; and
- (i) in the interests of road safety.

Advisory Notes:

Road Opening Permit

A Roads Opening Permit is required and should be applied for and obtained from the Council as Roads Authority for 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 is 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, should be co-ordinated so as to minimise their disruptive impact. The co-ordination should be undertaken by the developer and their contractors in liaison with the local roads authority and the relevant utility companies.

Road will not be adopted

The Council as roads Authority advises that the Council will not adopt the access road with regards this development

Drainage not adopted

The Council as Roads Authority advises that the Council will not be liable to adopt the drainage system as it is wholly contained within private ownership.

Scottish Water advise the following;

Water Capacity Assessment- Scottish Water has carried out a Capacity review and SW can confirm the following: There is currently sufficient capacity in BRADAN Water Treatment Works to service the applicant's development. However, please note that further investigations may be required to be carried out once a formal application has been submitted to SW.

Waste Water Capacity Assessment- There is currently sufficient capacity for a foul only connection in the MEADOWHEAD waste Water treatment works to service the applicant's development.

Please note: The applicant should be aware that SW are unable to reserve capacity at the SW 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, SW will review the availability of capacity at that time and advise the applicant accordingly.

Surface Water- For reasons of sustainability and to protect SW customers from potential future sewer flooding, Scottish Water will not accept any surface water connections into the SW combined sewer system. There may be limited exceptional circumstances where SW 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 the SW 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. SW will assess this evidence in a robust manner and provide a decision that reflects the best option from environmental and customer perspectives.

Septic Tank

The applicant should refer to the Scottish Environment Protection Agency standing advice on septic tanks [sepa-flood-risk-standing-advice-for-planning-authorities-and-developers.pdf](#) which set out requirements.

List of Determined Plans:

Drawing - Reference No (or Description): 22.110.01;
Drawing - Reference No (or Description): 22.110.02A;
Drawing - Reference No (or Description): 22.110.04;
Drawing - Reference No (or Description): 22.110.05;
Drawing - Reference No (or Description): 22.110.06;
Drawing - Reference No (or Description): 22.110.07a;
Drawing - Reference No (or Description): 22.110.08;
Drawing - Reference No (or Description): 22.110.09a;
Drawing - Reference No (or Description): 22.110.10;
Drawing - Reference No (or Description): 22.110.11a;
Drawing - Reference No (or Description): 22.110.13A;
Drawing - Reference No (or Description): 22.110.14A;
Drawing - Reference No (or Description): 22.110.15;
Drawing - Reference No (or Description): 22.110.03C;
Drawing - Reference No (or Description): 22.110.14b;
Drawing- Reference No (or Description): Materials; and

Drawing- Reference No (or Description): Site Levels.

Reason for Decision:

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

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

The meeting ended at 2.08 p.m.

DRAFT