

REGULATORY PANEL: 14 DECEMBER 2022

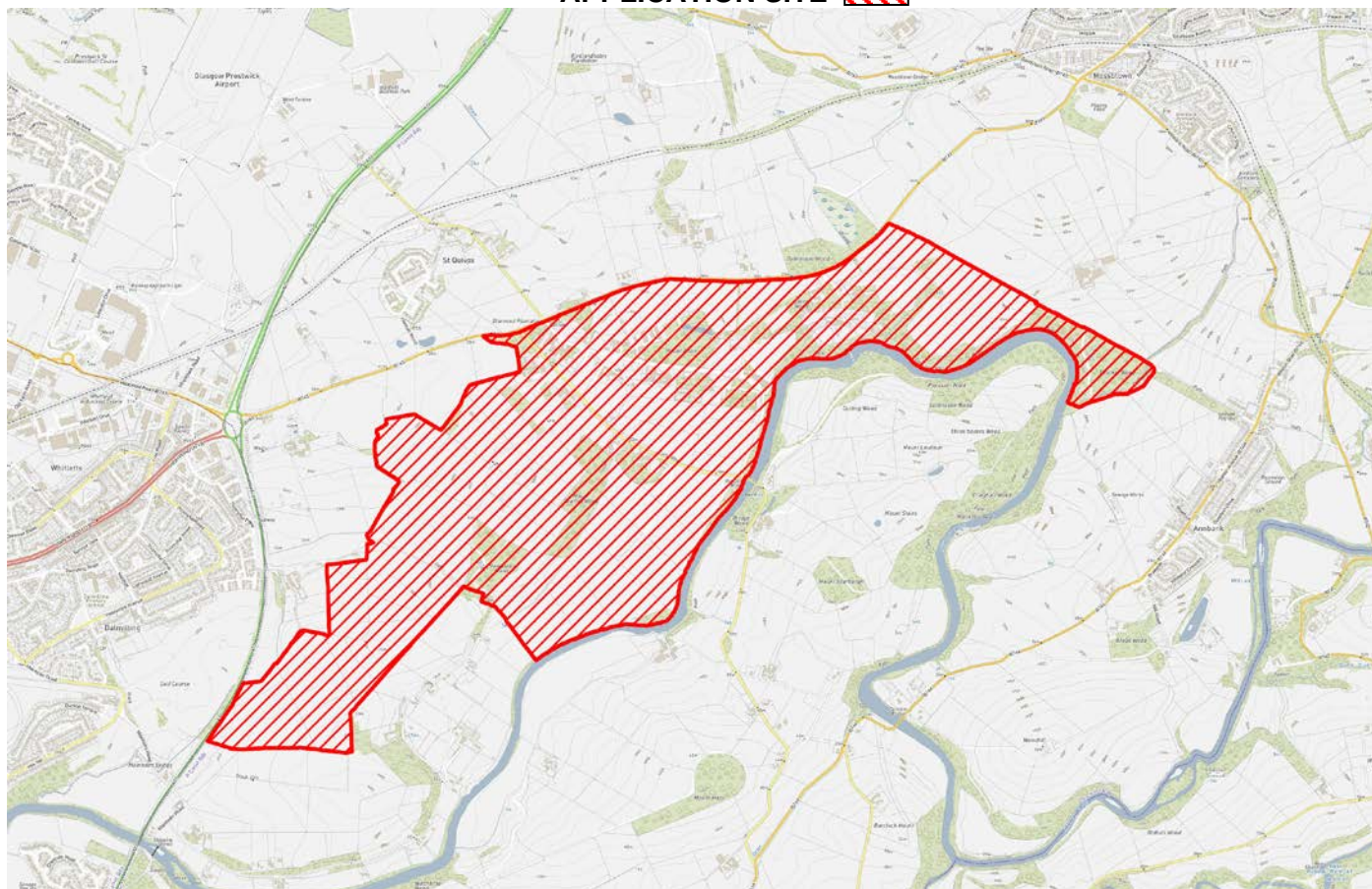
REPORT BY HOUSING, OPERATIONS AND DEVELOPMENT DIRECTORATE

22/00391/FURM

SCOTTISH AGRICULTURAL COLLEGE B743 FROM A77T AT WHITLETTS ROUNDABOUT TO MAUCHLINE ROAD MOSSBLOWN AYR SOUTH AYRSHIRE KA6 5HW

Location Plan

APPLICATION SITE 



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Summary

This application is made under Section 42 of the Town and Country Planning (Scotland) Act 1997 for planning permission to vary condition 19 of approved planning permission 09/01416/PPPM. The application seeks to vary condition 19 by altering the timing of the roundabout provision from prior to the construction of any residential unit to prior to the construction of the 201st residential unit. Consultation responses have been received from Transport Scotland and the Ayrshire Roads Alliance with no objection being offered. A Section 75 obligation/agreement is attached to application 09/01416/PPPM. Should Members be minded to approve this application with conditions, in accordance with the recommendation, then the obligation/agreement will require to be updated by all landowners before the decision notice can be issued.

REPORT BY HOUSING, OPERATIONS AND DEVELOPMENT DIRECTORATE

REGULATORY PANEL: 14 DECEMBER 2022

SUBJECT:	PLANNING APPLICATION REPORT
APPLICATION REF:	22/00391/FURM
SITE ADDRESS:	SCOTTISH AGRICULTURAL COLLEGE B743 FROM A77T AT WHITLETTS ROUNDABOUT TO MAUCHLINE ROAD MOSSBLOWN AYR SOUTH AYRSHIRE KA6 5HW
DESCRIPTION:	FURTHER PLANNING PERMISSION TO ALTER THE WORDING IN PLANNING CONDITION 19 RELATING TO THE TIMING OF INFRASTRUCTURE (ROUNDABOUT PROVISION)
RECOMMENDATION:	APPROVAL WITH CONDITIONS

APPLICATION REPORT

This report fulfils the requirements of Regulation 16, Schedule 2, paragraphs 3 (c) and 4 of The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013. The application is considered in accordance with the Council's Scheme of Delegation as well as the Procedures for the Handling of Planning Applications.

1. Proposal:

This application is made under Section 42 of the Town and Country Planning (Scotland) Act 1997 for planning permission to vary condition 19 of approved planning permission 09/01416/PPPM.

Condition 19 of planning permission 09/01416/PPPM states:

That the first Application for Approval of Matters Specified in Conditions shall include full details and specifications of the required new roundabout at the junction between the B743 and the C37. The roundabout (together with associated footways, cycle paths and crossing points) shall be constructed in accordance with the approved plans prior to the occupation of any proposed new residential unit. For the avoidance of doubt the new roundabout and junction shall incorporate; a footway and cycle path, road crossing facilities for walkers and cyclists and a footway between the junction and the bus stop opposite the B7035. The applicant shall consult the Planning Authority with regard to the requirement for listed building consent for any proposed alterations.

This application seeks to vary condition 19 by altering the timing of the roundabout provision from prior to the construction of any residential unit to prior to the construction of the 201st residential unit.

Planning Process

As this is a Section 42 application, there is no requirement to present the application to Regulatory Panel, as per the scheme of delegation. However, as the original application to which this section 42 relates was a 'Major' development and also due to the scale of the original proposal, it is considered appropriate to refer the current application to the Regulatory Panel in this instance. The assessment section of this report concludes that the proposal complies with the South Ayrshire Local Development Plan and consequently there is no requirement for referral of the application to Full Council.

The effect of granting permission for a section 42 application is such that a new and separate permission exists for the development with different conditions attached. In this case, it is recommended that the application is approved with same conditions as those within 09/01416/PPPM, together with the change to condition 19, condition 1 (length of time of consent) and the addition of a further condition in respect of junction upgrade (condition 78). The previous planning permission remains unaltered by, and is not varied by, the decision on the section 42 application.

A Processing Agreement has been prepared and agreed in consultation with the applicant which agrees that the Planning Service will seek to present the application to the Council's Regulatory Panel no later than 14th December 2022.

Planning History

There is an extensive planning history at the site; however, the most relevant applications are listed as follows:

09/01416/PPPM - Planning Permission in Principle for proposed mixed use development comprising business and research floorspace, residential development, hotel/wedding centre, holiday accommodation unit, public house and restaurant, children's nursery, office, village shop, retention/conversion of existing buildings; an 18 - hole golf course and club house an equestrian centre/stabling facilities; landscaping and associated access and infrastructural works – Approved July 2012. This consent gave a time period of 8 years in which to submit Approval of Matters Specified in Conditions applications; however, the Coronavirus (Scotland) Act 2020 and the Town and Country Planning (Emergency Period and Extended Period) (Coronavirus) (Scotland) Regulations 2021 extended this until March 2023.

13/01332/FURM - Further application to vary conditions 3, 4, 6, 7, 8, 9, 10, 11, 20, 37, 38, 39, 40, 41, 42 and 57 and demonstrate compliance with condition 13 of planning permission in principle 09/01416/PPPM – Approved December 2014. This consent has now expired.

14/00519/MDO - Modification of minute of agreement (Section 75) June 2012 (Planning Permission 09/01416/PPPM) – Approved July 2014. This application resulted from changes approved under application 13/01332/FURM (now expired).

2. Consultations:

Ayrshire Roads Alliance – No objection subject to additional condition in respect of priority-controlled junction.

Transport Scotland (Trunk Roads) – No objection.

3. Submitted Assessments/Reports:

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

Section 42 Planning Statement: This document outlines a planning overview and states that a road safety audit has been undertaken which found that 200 homes could be accommodated by the existing junction without creating any road safety issue. The document concludes by stating that the applicant is committed to implementing the infrastructure and that delaying the construction of the roundabout to prior to construction of the 201st residential unit would help to kick start the redevelopment in a pragmatic and phased manner.

Road Safety Audit Report (May 2021): This document outlines the objective of a Road Safety Audit as being to identify any aspects of a road design or construction scheme that could give rise to safety concerns and, where possible, to suggest modifications that would improve the road safety of the resultant scheme. The report is in reference to Phase 1 of the proposed development. The report details 4 recorded collisions that have occurred at the junction of the B743 and C37 in the last 5 years and a further collision which occurred west of the junction of the B743 and C37. It is stated that the audit was carried out following the general principles of the Design Manual for Roads and Bridges (DMRB), with adaptations to meet the requirements of the local road authority. Five problems are identified and recommendations are made for each of these, including: ghost right turn lane constructed on the B743 at the junction with the C37, temporary barrier erected along the length of the exit taper to prevent vehicles from parking in this area until works are carried out, set back the existing bus stop on the B743 east of the junction with the C37, cycle friendly routes between Auchincruive and Ayr are identified and signposted from within the site and where necessary proposed footways should be widened to 3m to accommodate shared use and provide additional crossing points within the site.

Transport Planning Ltd response document to the Ayrshire Roads Alliance (October 2020): This letter sets out justification for altering the timing of the roundabout provision from prior to the occupation of any proposed new residential unit. It reasons that condition 19 of planning consent 09/01416/PPPM could be modified so that a limited number of new homes could be occupied using the existing priority junction, with the roundabout provided at a later point in the development programme. Traffic survey details are outlined, with the analysis outlining that the junction, largely on its current format, would operate within capacity to allow the development of up to 200 homes to be implemented. The letter also includes a plan illustrating a roundabout.

4. S75 Obligations:

In assessing and reporting on a Planning application the Council is required to provide a summary of the terms of any Planning obligation/agreement entered into under Section 75 of The Town and Country Planning (Scotland) Act in relation to the grant of Planning permission for the proposed development.

A Section 75 obligation/agreement is attached to application 09/01416/PPPM. Should Members be minded to approve this application, then the obligation/agreement will require to be updated by all landowners before the decision notice can be issued. The obligation/agreement, as outlined in application 09/01416/PPPM, covers the following matters:

- a) Evidence of funding the College relocation to Craigie Campus in Ayr.
- b) Development contribution towards trunk road network upgrades identified in the Ayr Corridor Study or, if necessary, alternative transport mitigation measures.
- c) Development contribution for local sustainable transport upgrades (including multi-use path upgrade to Mossblown and multi-use path to A77 via the base of the eastern embankment).
- d) Provision of a bus service into the site (taking into consideration phasing of the development).
- e) Development contribution for addressing shortfall in education provision.
- f) Erection of affordable housing on site and transfer to the Council.
- g) Provision and temporary reservation of a unit in the proposed village square for use as a shop unit.
- h) Reservation of building(s) for provision of public house, restaurant, office and crèche.

5. Scottish Ministers Directions:

In determining a Planning application, the Council is required to provide details of any Direction made by Scottish Ministers under Regulation 30 (Directions requiring consultation), Regulation 31 (Directions requiring information), Regulation 32 (Directions restricting the grant of Planning permission) and Regulation 33 (Directions requiring consideration of condition) of The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013, or under Regulation 50 (that development is EIA development) of The Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2017.

None.

6. Representations:

1 representation has been received which supports the proposed development in principle. However, the representation also raises an issue of concern. All representations can be viewed online at www.south-ayrshire.gov.uk/planning

The issue raised by Representees can be summarised as follows.

- Concern in respect of Waterman Drawing number 0910 contained within the Transport Planning Ltd response document to the Ayrshire Roads Alliance that the proposed roundabout geometry does not allow for a 16.5m articulated lorry to enter or leave the estate from either direction without causing over-run onto the outer grass verges.
- Trust that construction of central mono-block overrun area will be subject to the appropriate Roads Construction Consents.

In accordance with the Council's procedures for the handling of Planning applications the opportunity exists for Representees to make further submissions upon the issue of this Panel Report by addressing the Panel directly. A response to this representation is included within the assessment section of this report.

7. Assessment:

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

(i) Development Plan

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

The policy context of the wider development proposal was considered in the determination of the planning permission in principle application (09/01416/PPPM). This application is solely to amend the content of condition number 19 in respect of the timing of the roundabout provision, with this alteration considered to be acceptable as no objection has been received from either Transport Scotland or the Ayrshire Roads Alliance in this regard.

(ii) Other Policy Considerations (including Government Guidance)

There are a wide range of policies and guidance that were taken into account in the consideration and determination of the application which has been granted for Auchincruive mixed use development (09/01416/PPPM). It is considered that these policies and guidance notes do not have over-riding significance to the application under consideration.

(iii) Objector Concerns

- Concern in respect of Waterman Drawing number 0910 contained within the Transport Planning Ltd response document to the Ayrshire Roads Alliance that the proposed roundabout geometry does not allow for a 16.5m articulated lorry to enter or leave the estate from either direction without causing over-run onto the outer grass verges

Condition number 19 requires details of the proposed roundabout to be submitted with the first Application for Matters Specified in Conditions and an assessment of the roundabout would be made at this time.

- Trust that construction of central mono-block overrun area will be subject to the appropriate Roads Construction Consents (RCC).

It can be confirmed that RCC would be required for these works.

(iv) Impact on the Locality

As aforementioned, Transport Scotland and the Ayrshire Roads Alliance offer no objection to the application and the development proposal is therefore not considered to introduce any adverse road safety issues, subject to additional conditions as included in section 9 below.

8. Conclusion:

Given the above assessment of the proposal and having balanced the applicant's right against the general interest, it is recommended that the application is approved with same conditions as those within 09/01416/PPPM, together with the change to condition 19, condition 1 (length of time of consent) and the addition of a further condition in respect of junction upgrade (condition 78).

9. Recommendation:

It is recommended that the application is approved with condition(s). A Section 75 obligation/agreement is attached to application 09/01416/PPPM. Therefore, should Members be minded to approve this application, then the obligation/agreement will require to be updated by all landowners before the decision notice can be issued.

9.1 Conditions:

Duration of permission

Timescale for submission of AMSC

1. That formal application(s) for the Approval of Matters Specified in Conditions shall be submitted to, and approved by, the Council before commencement of development. Such application(s) shall be made not later than three years from the date of this permission or, if later, within 6 months from when an earlier approval for the same matters was refused or dismissed on appeal. The proposed development shall commence within two years from the approval of the requisite Matters Specified in Condition application, or in the case of approval of different matters on different dates, from the requisite approval for the last such matter being obtained.

Matters to be included in AMSC applications

2. That Applications for Approval of Matters Specified in Conditions shall include full details of the proposed development, including the siting, design and external appearance of all buildings, means of access, landscaping measures, and any other matters specified in conditions below.

Extent of approval

Approved plans

3. That the development hereby approved shall be implemented in accordance with the plan(s) stamped approved as follows: - Site Plan, Masterplan (August 2010), Indicative Phasing Plan (Revision C, December 2010) and Project Programme Spreadsheet Rev B 10-12-10, Conservation Plan, Sustainability Statement, Transport Assessment (Rev C, 30/07/2010) and Travel Plan Framework dated 20 July 2010; as forming part of this permission unless a variation is required by a condition of the permission or a non-material change has been agreed in writing by the Planning Authority.

Scale of development

4. Approval is given in principle for the Masterplan for Auchincruive. The scale of development approved in this Planning Permission in Principle is as follows:
 - a. Residential: The total number of residential units to be developed throughout the entire site shall not exceed 495 residential units and shall be contained within the development footprint as defined in figure 22 of the masterplan.
 - b. Business and Research floorspace: up to 5574sqm of business and research floorspace within the 3.5 hectare East Campus area.
 - c. Hotel, conference and wedding centre within Oswald Hall.
 - d. Holiday accommodation unit associated with Oswald Hall Hotel to be formed within Oswald's Temple.
 - e. Public House, restaurant, crèche, office and residential use within Gibbs Yard.

- f. Residential units within Wilson Hall.
 - g. Holiday accommodation units within the Bothy block adjacent to the walled garden and glasshouses.
 - h. Residential use of the West Lodge.
 - i. 18 hole golf course and associated club house.
 - j. Retail unit as defined by Class 1 of the Schedule to the Town and Country Planning (Use Classes) (Scotland) Order 1997 but not exceeding 200m² gross within the buildings around the village square.
 - k. Equestrian centre and stables.
- i. Allotment gardens within area 10 to the north of the walled gardens as defined in figure 19 of the Masterplan.

Scale and design of leisure buildings

5. That the buildings to accommodate the proposed equestrian centre and golf club house shall be designed to minimise the landscape and visual impact through careful siting, scale, height, sensitive use of materials and landscaping. For the avoidance of doubt the golf club house building shall not exceed single storey construction. A green roof construction shall be considered for incorporation on the golf clubhouse building.

Scale and design of Phase E

6. That the buildings in phase E of the Indicative Phasing Plan (Revision C, December 2010) shall primarily be single storey but shall not exceed one and a half storeys in height.

Programme of development

Residential phasing

7. That the residential development component of the development shall be implemented in accordance with the Indicative Phasing Plan (Revision C, December 2010) and Project Programme Spreadsheet Rev B 10-12-10, which for the avoidance of doubt states that the development commences with Phase A and progresses sequentially through phases B1, B2, C1, C2, C3, D and E.

Overall phasing plan

8. A detailed phasing plan, based on the Indicative Phasing Plan (Revision C, December 2010) and Project Programme Spreadsheet Rev B 10-12-10, shall be submitted with the first Application for Approval of Matters Specified in Conditions and within each phase, programming will be determined by a detailed Phasing Plan which shall be submitted at the first formal application for each phase, or as otherwise agreed by the Council. The Phasing Plan shall detail the exact sequences of development for each proposed land use, the provision of infrastructure, landscaping, open space, footpaths, cycleways and the scale and distribution of affordable housing within each phase of the development to be agreed with South Ayrshire Council as Planning Authority.

Phase E and East Campus

9. That Phase E shall be cleared and work shall commence on the East Campus in accordance with the approved Indicative Phasing Plan (Revision C, December 2010) and Project Programme Spreadsheet Rev B 10-12-10 and approved plans unless otherwise approved by the Council as Planning Authority.

Village Square

10. That the proposed village square shall be completed in accordance with an approved planning permission before work commences on phases D or E.

Policy Parkland

11. That the proposed policy parkland to the south west of Oswald's Hall as delineated in figure 33 of the Masterplan shall be implemented in accordance with an approved landscape scheme before work commences on phase C, D or E.

Design

Design Review

12. That prior to the submission of the first Application for Matters Specified in Conditions, the developer shall enter into a Design review process with the Planning Authority and Architecture and Design Scotland. The outcome from this process shall inform the Development Brief / Design Code required by this Planning Permission in Principle.

Development Brief / Design Code

13. That prior to the submission of the first Application for Matters Specified in Conditions, a Development Brief / Design Code for the entire development site (including residential, business, research, commercial, leisure and recreational uses) shall have been submitted to, and approved by, the Planning Authority. The required Development Brief / Design Code shall set out clearly the design standards and criteria to which all subsequent applications shall adhere and shall;
 - a. Include a clear **vision** for the feel and character of the development which fully achieves the 6 qualities of successful places as defined in 'Designing Places' taking into account the approved masterplan and the requirements outlined below.
 - b. Be well illustrated and seek to convey most of the required information graphically in the form of plans, drawings, sketches, perspectives (including 3 dimensional drawings) and photomontages in preference to text.
 - c. demonstrate how the development complies with relevant national **policy and guidance**, the development plan and supplementary planning guidelines with a particular emphasis on 'Designing Streets', 'Designing Places', PAN67 'Housing Quality' and PAN78 'Inclusive Design'.
 - d. Demonstrate how the proposed development shall achieve the applicant's stated intention to create an **exemplar development** in terms of design quality and sustainability.
 - e. The **Urban design code** shall demonstrate root morphology including patterns of ownership, connectivity, urban space and massing rather than focussing solely on superficial aesthetic considerations.
 - f. Include a thorough **appraisal of the site**, the character of the historic designed landscape and the site context and demonstrate how the proposed development responds to the identified characteristics. To ensure that the scale and massing of the higher elements of the village do not adversely affect the setting of Oswald's Temple an assessment of the setting should encompass views both to and from it and include appropriate visualisations such as photomontage views of the development in relation to this asset, illustrating views both towards and from the proposed development.
 - g. Include a thorough **appraisal of similar sized villages** in South Ayrshire in terms of the following characteristics; built form, scale and mix, details and materials, density, movement and landscape and demonstrate how the proposed development reflects the best local examples of successful places.
 - h. Include a **mixed use strategy** which demonstrates how the development will incorporate a proven mix of residential, commercial, and leisure community uses within the village.

- i. Include a **built form strategy** for the proposed development including; legibility, key buildings and frontages, views and vistas, layout, density, public and private space, scale and mix (including building and storey heights), all architectural details and palette of materials (including fenestration style and proportions), boundary treatments, parking, development fringe, above ground infrastructure and utility structures, allotment structures and maintenance arrangements. This strategy shall set out the arrangements for home zones, the provision of affordable housing and set out a range of 'Auchincruive' building styles which responds to the character of the listed and vernacular buildings on the site in a distinctive and contemporary manner fit for the 21st century. For the avoidance of doubt key buildings within the development shall be externally finished with natural slate or a natural slate substitute, natural stone and / or wet render.
- j. Include a **movement strategy** with an emphasis on walking, cycling, public transport and inclusive design which seeks to maximise the permeability of the area by maintaining and enhancing and extending the existing walking and cycling network both within the site and extending out to surrounding towns and villages. This shall include bus routes (preferably with separate access and egress arrangements), bus stops, arrangements for covered cycle rack provision and signage within the site and shall set out clearly how movement within and through the site will be maintained during the construction phase. The movement strategy shall facilitate the forward movement of service vehicles, including service vehicles, through the site and minimise the use of turning areas.
- k. Include a soft and hard **landscaping strategy** identifying structural planting (including areas for advance planting), tree, hedge, shrub and grass planting, tree protection measures (during construction), hard landscaping, passive and active areas of open space and play facilities.
- l. Include an analysis of buildings, movement and spaces in the form of the **Bavarian B-plan** tool (i.e. a layered plan outlining 'movement' in yellow, 'buildings' in red and 'open space' in green) and demonstrate how these elements are integrated to make a successful place.
- m. Include a **Public realm strategy** which sets out the design approach to all public space within the development, including (but not exclusively) the Main Street (i.e. the C37), the proposed village square and the proposed village green. This shall explain the methodology for delivering these places within the overall development strategy. For the avoidance of doubt the Main Street (C37) shall be designed with the objective of ensuring that it becomes a 'place' as expressed in 'Designing Streets'. This should give particular consideration to pedestrian movement and crossing, cycling, public transport and bus stops, vehicular accesses, visibility, on and off street parking, building form and landscaping.
- n. Include a detailed **sustainable development strategy** which takes forward the submitted sustainability statement and sets out the precise details of how the sustainability objectives will be achieved under the headings identified by BREEAM. This strategy shall demonstrate how the development will achieve a reduction in CO² emissions in accordance with Scottish Planning Policy and establish the framework for compliance with the BREEAM excellent rating for the East Campus, the Ecohome Good rating for the proposed houses and the independent assessment method.
- o. Include a **waste and recycling strategy** which addresses the arrangements for waste and recycling (including home composting) and identifies the broad location of a community recycling centre. Refer to movement strategy regarding service vehicles.
- p. Include a **lighting strategy** taking account of energy efficiency, nature conservation issues and minimising light pollution.
- q. Include an **earthwork strategy** demonstrating how the development will address site topography and levels to ensure minimal earthworks and visual impact.
- r. Include a **public art strategy** which sets out how public art will be commissioned and incorporated within the development including the proposed hilltop feature to the north of Newbarns Wood and the sculpture on the new roundabout.

- s. Include a detailed **phasing brief** which reflects the phasing requirements of this decision notice
- t. Include a **planning, procurement and contingency strategy** which sets out the precise arrangements to ensure delivery of the development in accordance with the planning permission in principle and the Development Brief / Design Code. This shall address how future developers of individual phases will engage with the Development Brief / Design Code and with the relevant Regulatory authorities, including the Roads Construction Consent process and the pre-application stage.
- u. Include details of the long term **management and maintenance** arrangements for the new development and the existing Auchincruive estate (including each listed building) in perpetuity.

Accord with Development Brief / Design Code

14. All formal applications shall be in accordance with the approved Development Brief / Design Code required by this Planning Permission in Principle unless otherwise agreed by the Planning Authority, and shall set out the means of access, Sustainable Urban Drainage Systems (SUDS), associated greenspace and any cut/fill within the site and other principles outlined in the Development Brief / Design Code. Unless otherwise approved by the Planning Authority, all development shall generally follow the topography of the site and shall work within existing ground levels not exceeding +/- 1.5 metres to the satisfaction of the Planning Authority.

Roads, Transportation and Access

Construction traffic

15. That the first formal application for each phase of the development, shall include a detailed construction traffic management plan and this shall be approved by the planning authority prior to the commencement of development of each phase.

Travel Plan Framework

16. That a Travel Plan Framework aimed at promoting sustainable travel modes and reducing the reliance on the private car shall be prepared in consultation with the Council as Roads and Planning Authority and approved prior to submission of the first Application for Approval of Matters Specified in Conditions.

Travel Plan

17. That within 6 months of occupation of any commercial, retail or leisure facility a Travel Plan, in accordance with the approved travel plan framework, shall have been submitted to, and approved by, the Planning Authority (in consultation with the Council as Roads Authority). The Travel Plan shall identify the measures to be implemented, the system of management, monitoring, review, reporting and the duration of the plan. It shall incorporate measures designed to encourage modes of travel other than private car.

Parking for public walks

18. That details of parking provision (location, details and specifications) for public access to the walks at Auchincruive shall be submitted with the first Application for Matters Specified in Conditions. The approved parking area shall be provided prior to the occupation of any general market housing units and thereafter be permanently retained for public use.

Roundabout

19. That the first Application for Approval of Matters Specified in Conditions shall include full details and specifications of the required new roundabout at the junction between the B743 and the C37. The roundabout (together with associated footways, cycle paths and crossing points) shall be constructed in accordance with the approved plans prior to the occupation of the 201st new residential unit. For the avoidance of doubt the new roundabout and junction shall incorporate; a footway and cycle path, road crossing facilities for walkers and cyclists and a footway between the junction and the bus stop opposite the B7035. The applicant shall consult the Planning Authority with regard to the requirement for listed building consent for any proposed alterations.

Bus stops on B743

20. That the first Application for Approval of Matters Specified in Conditions shall include full details and specifications of upgrades to the three bus stops on the B743 (including provision for Real Time Passenger Information, cycle racks and bus boarding facilities) and the provision of a new bus stop as follows;
- a. The upgrade of the existing bus stop westbound on the B743 opposite the B7035, and
 - b. The upgrade of the existing bus stop eastbound on the B743 east of the junction with the B7035, and
 - c. The relocation and upgrade of the existing bus stop westbound on the B743 at Nellie's gate as detailed in drawing number 120. This work shall include a footpath along the B743 to Nellie's Gate junction and a connecting footpath into the application site as indicated in the masterplan, and
 - d. The provision of an eastbound bus stop on the B743 close to Nellie's Gate.

The required bus stop provision and upgrading work shall be implemented in accordance with the approved plans prior to the occupation of any proposed new residential unit unless alternative measures are approved in writing by the planning authority.

Nellie's Gate Junction

21. That the first Application for Approval of Matters Specified in Conditions for the East Campus development shall include full details and specifications of upgrading works to the Nellie's Gate junction with the B743. The junction upgrade shall be implemented in accordance with the approved plans prior to the occupation of any part of the East Campus development. For the avoidance of doubt the applicant shall consult the Planning Authority with regard to the requirement for listed building consent for any proposed alterations.

General path upgrades

22. That path upgrades as per figures 27, 28, 29 and 30 in the Transport Assessment shall be implemented in accordance with a timescale and specification to be submitted for the prior written approval of the Council before the occupation of any proposed dwellinghouse. For the avoidance of doubt this shall include the new tarmac multi-use path, through the Arboretum, between the new east campus access road and the north eastern corner of the site together with the pedestrian and cyclist access point in the existing estate boundary.

Path to Hilltop structure

23. That a hard surfaced path shall be provided from the proposed hilltop focal point northwards to the multi-use path between the C37 and Newbarns Wood in accordance with a timescale for implementation and specification to be submitted for the prior written approval of the Planning Authority before the occupation of any proposed dwellinghouse unless other approved in writing by the Planning Authority.

Oswald's Bridge

24. That a traffic management scheme at Oswald's Bridge (including priority system / signalisation) shall be provided in accordance with a timescale for implementation and specification to be submitted for the prior written approval of the Planning Authority before the occupation of any proposed dwellinghouse unless other approved in writing by the Planning Authority.

Cycle racks

25. That the first formal application for each phase of the development, shall include details of the number, location and specifications of covered and uncovered cycle racks to be provided throughout the area of that phase and include a timescale for implementation. The cycle rack provision shall be in accordance with the guidelines in the Travel Plan and the approved Development Brief / Design Code.

Traffic Profiler

26. That the applicant shall provide a profiler, traffic loops, counter cabinet, post, batteries, connectors & solar panel at the B743 west of the site. Precise details of the timing of installation, siting and specifications of the count site shall be submitted for the formal prior written approval of the Planning Authority and Roads Authority before any work commences on site.

Wheel washing

27. That 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. 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.

Junction sightline splays

28. That details of junction access visibility sightline splays be submitted with each phase application for Approval of Matters Specified in Conditions. Approved sightlines shall be maintained in both directions. There shall be no obstacle greater than 1.05 metre in height within the visibility sightline splays.

Discharge of water

29. 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 with each application for Approval of Matters Specified in Conditions.

Movement strategy (turning)

30. That the movement strategy and road layout shall primarily accommodate the movement of vehicles (including service vehicles) through all parts of the development in a forward gear and seek to minimise the use of cul-de-sacs and turning areas. Applications for Approval of Matters Specified in Conditions shall include details of service vehicle movement routes and where necessary the design and specification of turning areas capable of allowing service vehicles to turn within site boundaries. Turning areas shall be in accordance with the Council's Roads Development Guide and shall be constructed as approved prior to the development being occupied.

Gates inwards

31. That prior to completion of the development any gates shall open inwards away from the public roadway.

Residential travel pack

32. That a residential travel pack, the details of which shall be submitted for the prior written approval of the planning authority, shall be placed in each new residential unit prior to occupation.

Public transport strategy

33. Prior to the occupation of the first property the applicant shall have agreed with the Planning Authority, in consultation with SPT, a public transport strategy for access to/from and within the site with agreed timetables for its implementation.

Bus service infrastructure

34. The applicant shall provide bus service infrastructure within the site boundaries to the satisfaction of the Council as Roads Authority.

Signage

35. That at the first formal application for each phase of the development, details of the location, siting and design of the proposed signage on site (including street names and directional signage) shall be included. Thereafter the signage shall be implemented in accordance with the approved details. For the avoidance of doubt the signage shall accord with the signage strategy set out in the approved Development Brief / Design Code.

Public Access

36. As part of the first formal application for each phase of development, a detailed plan of public access across the site (existing, during construction and upon completion) will be provided for the approval of the Council as Planning Authority. This shall show:
- a) all existing paths, tracks and rights of way, and any areas currently outwith or excluded from the statutory access rights under Part One of the Land Reform (Scotland) Act 2003;
 - b) any areas proposed for exclusion from the statutory access rights, for reasons of privacy, disturbance or curtilage, in relation to proposed buildings or structures;
 - c) all paths and tracks proposed for construction, for use by walkers, riders, cyclists, all-abilities users etc,
 - d) any diversions of paths – temporary or permanent – proposed for the purposes of the development.

Built and cultural heritage

Restoration of Oswald's Temple

37. That valid applications for all necessary statutory consents (including a comprehensive schedule of works) for the restoration of Oswald's Temple shall be submitted to the Planning Authority prior to any application for Approval of Matters Specified in Conditions being submitted for Phase B, C, D or E in the approved Indicative Phasing Plan (Revision C, December 2010) and no more than 150 of the new general market houses hereby approved shall be occupied and phase C shall not commence prior to the full restoration of Oswald's Temple in accordance with the approved schedule of works. For the avoidance of doubt the applicant is advised to engage in pre-application consultation with the Planning Authority and Historic Scotland regarding the intended restoration works and note that no new structures are permissible on the grassed area surrounding the Oswald's Temple building.

Restoration of walled garden and glasshouse

38. That valid applications for all necessary statutory consents (including a comprehensive schedule of works) for the restoration of the Walled Garden and Glasshouse shall be submitted to the Planning Authority prior to any application for Approval of Matters Specified in Conditions being submitted for Phase D or E in the approved Indicative Phasing Plan (Revision C, December 2010) and no more than 250 of the new general market houses hereby approved shall be occupied before the approved restoration works to the Walled Garden and Glasshouse are completed.

Restoration of Bothy Block

39. That valid applications for all necessary statutory consents (including a comprehensive schedule of works) for the restoration of the Bothy Block shall be submitted to the Planning Authority prior to any application for Approval of Matters Specified in Conditions being submitted for Phase D or E in the approved Indicative Phasing Plan (Revision C, December 2010) and no more than 250 of the new general market houses hereby approved shall be occupied before the approved restoration works to the Bothy Block are completed.

Removal of modern shed

40. That valid applications (including detailed plans) for all necessary statutory consents for the removal of the modern shed from the walled garden and glasshouse area and the landscape restoration arrangements for the site shall be submitted to the Planning Authority prior to any application being submitted for phase D or E in the Indicative Phasing Plan (Revision C, December 2010). No more than 250 of the new general market houses hereby approved shall be occupied before the modern shed is removed and the landscape restored in accordance with submitted and approved details.

Stabilisation and preservation of Ice House

41. That a building condition survey of the Ice House and a schedule of works for the stabilisation and preservation of the Ice House (and valid applications for all necessary statutory consents where necessary) shall be submitted to the Planning Authority prior to any Application for Approval of Matters Specified in Conditions being submitted for Phases B, C, D or E in the approved Indicative Phasing Plan (Revision C, December 2010) and no more than 200 of the general market houses hereby approved shall be occupied before the approved stabilisation / preservation works to the Ice House are completed.

Accord with conservation plan

42. That the listed buildings on the site shall be used and maintained in accordance with the indicative proposals and timescales in the approved Indicative Phasing Plan (Revision C, December 2010) and Project Programme Spreadsheet Rev B 10-12-10 and the Conservation Plan unless otherwise approved in writing by the Planning Authority. For the avoidance of doubt the applicant shall consult the Council with regard to the requirement for planning permission and / or listed building consent for any proposed change of use or alterations.

Update conservation plan

43. That the conservation plan hereby approved for the land at Auchincruive shall be updated specifically to reflect timescales and refinements that have arisen through consideration of this application for planning permission in principle. The updated Conservation Plan shall be submitted with the first application for Approval of matters specified in conditions. Thereafter, all future applications for Approval of Matters Specified in Conditions or planning applications shall include an updated version of the conservation plan for the land at Auchincruive.

Conservation plan for 'A' listed buildings

44. That site specific, comprehensive and detailed conservation plans prepared in accordance with Historic Scotland's publication "A Guide to the Preparation of Conservation Plans" shall be submitted with future applications for Oswald's Hall and Oswald's Temple.

Archaeological mitigation strategy

45. The developer shall submit for the approval of the planning authority an archaeological mitigation strategy along with the first application for Approval of Matters Specified in Conditions. Thereafter the developer shall ensure that the approved strategy is fully implemented, that all significant archaeological remains are preserved in situ as may be required by the planning authority, or that any necessary recording and recovery of archaeological resources within the development site is undertaken to the satisfaction of the planning authority in consultation with the West of Scotland Archaeology Service.

Landscape and Nature Conservation

Compliance with open space policy

46. That the housing development shall comply with the Council's Supplementary Planning Guidance (SPG) 'Open Space and Designing New Residential Developments'. At the Approval of Matters Specified in Conditions stage detailed supporting information illustrating compliance with this SPG shall be submitted for the approval of the Planning Authority.

Planning Permission in Principle (ground and floor levels)

47. That at the Approval of Matters Specified in Conditions stage the detailed plans shall include suitably scaled block layout plans showing;
- a. Existing ground levels
 - b. Proposed ground levels, and
 - c. Finished floor levels of each proposed dwellinghouse and building

Landscape scheme

48. That at the first formal application for each phase of the development (including the East Campus), a scheme of landscaping indicating 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 earthmounding, shall be submitted for the prior written approval of the Planning Authority. In addition, the scheme of landscaping shall be suitably secured by the provision of a financial bond, or other means as agreed with the Planning Authority, covering the cost of the works; to be lodged prior to the granting of formal permission. The scheme as approved shall be implemented within the first planting season following the completion or occupation of the last unit for each land parcel in the relevant phase development. The open space/landscaped area shall be retained as open space and to this approved standard.

Golf Course Landscape scheme

49. That the formal application for the golf course shall include a detailed scheme of landscaping indicating 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 earthmounding and timing of works. The scheme as approved shall be implemented in full prior to operation of the golf course. For the avoidance of doubt the landscape scheme shall retain as far as possible the existing natural landform and indigenous planting.

Golf course management

50. The proposed golf course shall be developed and managed following the Royal & Ancient Course Management Best Practice Guidelines pertaining to Sustainability and the Environment. The required landscape scheme shall demonstrate how this is to be achieved.

Advance structural planting

51. That the landscape scheme required by this planning permission in principle shall, at the first Application for Approval of Matters Specified in Conditions, include details and timing of the advance structural planting specified in the approved Development Brief / Design Code.

Hanging Gardens Landscape Scheme

52. That a landscaping and planting scheme for the Hanging Gardens shall be included with the first application for Approval of Matters Specified in Conditions. Plans shall be at a recognised metric scale and be accompanied by a planting schedule which details the genus, species and variety or cultivar of all plants, bulbs, seeds and turf. The size and specification of all plant material shall be detailed, together with total plant numbers and densities per m². The location of all plant material shall be clearly identified on the landscape drawing. Ground preparation methods, topsoil quality and depth, planting methods, hole sizes and other materials such as mulches and stakes shall also be specified. Construction details for paved or other hard surfaces shall be provided together with details of any fences for inclusion as part of the landscape scheme. No more than 100 of the general market houses hereby approved shall be occupied before the approved landscaping and planting scheme is implemented.

Tree Survey

53. That before any works start on any phase within the site, the developer shall institute an accurate survey and tree protection plan, in accordance with the current British standards, to be carried out by a qualified arboriculturist of all trees that may be affected by development both within the site as well as trees adjacent to or overhanging the site; and submit details of those trees proposed to be felled or lopped and those to be retained. A plan at a recognised scale shall be submitted showing the proposed development and the precise location of those trees affected. The survey shall contain details of tree species, height, crown spread, diameter at breast height (DBH), age, physiological condition, general condition and management recommendations. The approved tree protection plan shall be implemented and no trees shall be felled, topped, lopped or have roots cut or damaged without the prior written approval of this Planning Authority.

Tree Protection

54. That before any works start on site, the developer shall submit a tree protection plan in accordance with BS 5837 (Trees in relation to Construction Sites) for areas near development zones, temporary site offices or any new roads or paths, giving details and specifications of the protective measures necessary to safeguard trees on the site during operations. This Planning Authority shall be formally notified in writing of the completion of such measures and no work on site shall commence until the Planning Authority has confirmed in writing that the measures as implemented are acceptable. The protective measures shall be retained in a sound and upright condition throughout the operations and no building materials, soil or machinery shall be stored in or adjacent to the protected area, including the operation of machinery.

Auchincruive Estate Management and Maintenance arrangements

55. That at the first Application for Approval of Matters Specified in Conditions details of the landscape management and maintenance arrangements for the Auchincruive Estate (including a tree maintenance schedule and a tree management plan for the entire estate for the short, medium and long term), shall be submitted for the approval of the Planning Authority and thereafter be put in place. Thereafter the approved management and maintenance arrangements shall be adhered to at all times. For the avoidance of doubt these management and maintenance arrangements shall include the arboretum, ornamental gardens, tennis courts and playing fields.

Residential Landscape Maintenance arrangements

56. That at the first formal application for each phase of the development, a factoring arrangement and a maintenance schedule (where different from the wider Auchincruive Estate Management arrangements) shall be submitted for the approval of the Planning Authority and be put in place for all landscape works including grassed and planted areas and play facilities. Thereafter the approved management and maintenance schedule shall be adhered to at all times for the duration of the development by the nominated factor for the site, and no changes shall be undertaken without the prior written approval of the Planning Authority.

Tennis Court Refurbishment

57. That the tennis courts opposite Gibbs Yard shall be refurbished in accordance with a schedule of works approved in writing by the Planning Authority, prior to the occupation of the first house in phase B. For the avoidance of doubt the required estate management plan shall specify the precise ongoing management and maintenance arrangements for the refurbished tennis courts.

EA Mitigation measures

58. That the full range of mitigation measures identified in the applicant's Environmental Statement (including section 7.12 and with regard to agriculture) shall be adopted in full.

On site ecologist

59. That an on-site ecologist shall be appointed to oversee all phases of the development, to provide on-site training, ensure the ecological needs of the site are respected, to implement actions as outlined in the badger mitigation plan and ensure works are carried out in line with legislative requirements. Details of the proposed on-site ecologist arrangements shall be submitted for the prior written approval of the Planning Authority before any work commences on site.

Bat emergence survey

60. That, in consultation with the Council and SNH (now renamed as NatureScot), a detailed up to date bat emergence survey shall be undertaken to approved methodologies by a suitably qualified ecologist to inform the status of bats at the site and this shall be included in the first application for Approval of Matters Specified in Conditions. It shall be ensured that the emergence survey builds on the assessments stated within the current report of all potential roost sites. This includes potentially new maternity roosts within the site prior to the determination of full planning permission.

Bat transect survey

61. That, in consultation with the Council and SNH (now renamed as NatureScot), complimentary transect surveys (incorporating transect 2 and 3 – see drawing 11963/Fig 7.9) are undertaken to update the status of bats at the site and these shall be included in the first application for Approval of Matters Specified in Conditions.

Bat method statement

62. That, in consultation with the Council and SNH (now renamed as NatureScot), a prospective bat method statement shall be produced by the applicant and be included in the first application for Approval of Matters Specified in Conditions. This is required to ensure the following:
- (a) That bats are a material consideration in the construction phase of development and that a standard methodology, supported by an onsite ecologist, is produced which ensures that all buildings are checked prior to demolition or renovation to ensure that no bat roosts are inadvertently destroyed or disturbed during construction.
 - (b) The inclusion of strategies which will detail mitigation and compensation measures (based on available survey information) to incorporate bat friendly measures at the site and help ensure long-term viability of bats at Auchincruive. SNH would recommend that methods outlined in Williams (2010) (i.e. Williams, Carol (2010) Biodiversity for Low and Zero Carbon Buildings: A Technical Guide for New Build, Bat Conservation Trust (RIBA Publishing; ISBN – 978 1 85946 353 6) would be appropriate and may be utilised within on-site building design, however, SNH would also welcome other creative means in which this can be taken forward.

Badger mitigation and management

63. That, in consultation with the Council and SNH (now renamed as NatureScot), the additional provisions detailed within the Badger Mitigation Plan (dated April 2010) and the Badger Management Plan be implemented in full by a suitably qualified on-site ecologist before and throughout the duration of the development. For the avoidance of doubt, an amended access strategy that fully accords with the Badger Mitigation and Management Plans shall be submitted with the first Application for Approval of Matters Specified in Conditions.

Bird breeding season

64. That demolition or vegetation clearance works, shall not take place during the bird breeding season (March to July inclusive). If work is essential during the breeding period an ornithological survey shall be carried out, by a suitably qualified ecologist, immediately prior to the works and measures taken to avoid any impacts on breeding birds, their nests, eggs or young, and be submitted for the prior written approval of the planning authority before any such demolition or clearance works take place.

Existing houses – garden ground

65. That the first Application for Approval of Matters Specified in Conditions submitted following this planning permission in principle shall incorporate details and specifications of the garden ground, access, parking and boundary treatments to be associated with each existing residential unit to be retained on site.

Bat and Swift bricks

66. That bricks designed to facilitate nesting and roosting of swifts and bats shall be incorporated into a number of the proposed houses. Precise details of the number of these bricks and their inclusion in the proposed dwellinghouses shall be submitted with first formal application for each phase of the development for the prior written approval of the Planning Authority.

Water and drainage

Sustainable Urban Drainage Systems

67. That surface water from the site shall be treated in accordance with the principles of the Sustainable Urban Drainage Systems SUDS Manual (C697) published by CIRIA in March 2007. At the Approval of Matters Specified in Conditions stage full details of the methods to be employed, following discussions with SEPA, and including where appropriate calculations, along with details of how these measures will be maintained in perpetuity, shall be submitted for the formal prior written approval of the Planning Authority before any work commences on site.

SUDS implementation

68. That none of the development shall be occupied until the Sustainable Urban Drainage System (SUDS) to which that part of the development relates has been completed in accordance with the submitted and approved plans.

Foul drainage

69. That the foul drainage arrangements for the site shall be to the satisfaction of the Planning Authority, in consultation with SEPA and Scottish Water.

Environment and sustainability

Environmental performance

70. That all new buildings with the proposed East Campus proportion of the development shall be designed to achieve the BREEAM "excellent" rating and all new residential properties shall be designed to achieve a "Good" rating under the BRE Ecohomes assessment scheme unless otherwise approved in writing by the Planning Authority. All Applications for Approval of Matters Specified in Conditions shall demonstrate how the development relates to this target.

Soil Management Strategy

71. That at the first formal Application for Approval of Matters Specified in Conditions for each phase of the development, a soil management strategy shall be submitted for the prior written approval of the Planning Authority.

Potential contamination

72. That the presence of any previously unsuspected or unencountered 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 by the Planning Authority.

Noise assessment and mitigation

73. That the internal noise level (L_{aeq} TdB) within the proposed properties shall not exceed 45dB(A) daytime 07.00 hours to 23.00 hours and 35dB(A) night time 23.00 hours to 07.00 hours. In order to achieve this, the measured background L_{aeq} daytime shall not exceed 57dB(A) and 48dB(A) night time on any part of the site marked for dwellings. (Internal measurements assessed with windows sufficiently open to provide ventilation). Results of a day time / night time assessment together with any noise mitigation measures shall be submitted with all residential Applications for Approval of Matters Specified in Conditions. For the avoidance of doubt all noise measurements shall be carried out by a suitably qualified acoustic consultant or other competent person. All approved mitigation measures shall be implemented and thereafter be permanently maintained in accordance with the approved specifications.

Waste management

74. That in all domestic premises with gardens, dedicated space for three 240 litre wheeled bins for refuse shall be provided. In all domestic premises without gardens, space to accommodate two 240 litre wheeled bins shall be provided. Precise details of the arrangements for accommodating the required bins in a screened and discreet manner shall be submitted with first formal application for each phase of the development.

Recycling Centre

75. That an area of land with a suitable hardstanding base with access for LGV service refuse vehicles shall be made available to the Council for a community recycling centre together with recycling banks for glass, paper, food and drinks cans, plastics and cardboard. This recycling centre shall be located within the area to be identified in the approved Development Brief / Design Code.

Bird hazard assessment

76. That at the first formal application for Approval of Matters Specified in Conditions for each phase of the development a bird hazard control plan and risk assessment shall be submitted for the prior written approval of the planning authority before any work commences on site.

Infrastructure and Utilities

77. That precise details and specifications of all above ground infrastructure and utility structures (e.g. power, water and telecommunications) shall be submitted for the prior written approval of the planning authority before erection or installation of any structures on site.

Additional Roads and Transportation

78. That the first Application for Approval of Matters Specified in Conditions shall include full details and specifications of a required new priority-controlled junction incorporating a ghost lane for right turning traffic at the junction between the B743 and the C37, designed to fully comply with the standards as set out in the SCOTS National Roads Development Guide, as adopted by the Council, and the Design Manual for Roads and Bridges (DMRB, as appropriate. The priority-controlled junction (together with associated footways, cycle paths and crossing points) shall be constructed in accordance with the plans to be approved by the Council as Roads Authority prior to the occupation of any proposed new residential unit. For the avoidance of doubt, the new priority-controlled junction with ghost right turn lane shall incorporate; a footway and cycle path, road crossing facilities for walkers and cyclists and a footway between the junction and bus stop opposite the B7035.

9.2 Reasons:

1. To be in compliance with Section 59 of The Town and Country Planning (Scotland) Act 1997 as amended by Section 32 of The Planning (Scotland) Act 2019.
2. To 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. In order to retain proper control over the development proposal.
3. To clarify the extent of the planning permission and to be in compliance with Section 59 of The Town and Country Planning (Scotland) Act 1997 as amended by Section 32 of The Planning (Scotland) Act 2019.
4. To clarify the extent of the planning permission and to be in compliance with Section 59 of The Town and Country Planning (Scotland) Act 1997 as amended by Section 32 of The Planning (Scotland) Act 2019.
5. In the interests of visual amenity and sustainable development.
6. To preserve the setting of the category 'A' listed Oswald's Temple.
7. To clarify the terms of the permission.
- 8-11 In the interests of the proper planning of the area and the timeous provision of different inter-related parts of the development.
12. In order to ensure a responsive and robust development and design framework is created for the site.
13. To establish a clear vision for an exemplar sustainable development in this sensitive historic and natural landscape and to ensure that vision is translated into a succinct and well illustrated Development Brief / Design Code that provides clear design parameters for all future site developers.
14. To clarify the terms of the permission.

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15. In the interests of road safety.
- 16-17 To encourage sustainable means of travel.
18. To ensure that adequate and safe parking arrangements are available.
19. In the interest of road safety and to ensure an acceptable standard of construction. To encourage sustainable means of transport.
20. In the interest of road safety and to ensure adequate provision for public transport. To ensure that the results of detailed site investigation can be taken into consideration in the interest of road safety and the proper planning of the area.
21. In the interest of road safety and to ensure an acceptable standard of construction.
22. To encourage sustainable means of travel.
23. To maximise the public use of, and access to, the focal point to strengthen its urban design value and in the interests of nature conservation.
24. In the interests of pedestrian and cyclist safety and to encourage sustainable means of travel
25. To encourage sustainable means of travel.
26. In the interest of monitoring traffic flow generated by the development as stipulated in the Transport Assessment.
27. In the interest of road safety.
28. In the interest of road safety and to ensure acceptable visibility at road junctions.
29. In the interest of road safety and avoid the discharge of water on to the public road.
30. To enable service vehicles to enter and leave the site in a forward gear in the interests of road safety
31. In the interest of road safety.
- 32-34 To encourage sustainable means of travel.
35. In the interests of visual amenity.
36. In the interests of securing public access through the site.
- 37-39 In order to ensure that the restoration of listed buildings proceeds on a properly regulated basis within a reasonable timescale relative to the level of enabling development.
40. In the interests of visual amenity and to ensure a satisfactory standard of local environmental quality for this Historic Garden and Designed Landscape. To ensure necessary landscaping works are completed at an appropriate stage in the development of the site.
41. In order to ensure that the stabilisation and preservation of listed buildings proceeds on a properly regulated basis within a reasonable timescale relative to the level of enabling development.
- 42-43 To safeguard the character and appearance of the historic designed landscape and listed buildings.
44. To safeguard the character and appearance of these category 'A' listed buildings.
45. To ensure that there is an acceptable archaeological mitigation strategy in place for preserving archaeological remains in situ or that there is suitable recording and recovery.
46. To comply with Local Plan policies and Supplementary Planning Guidelines and in the interests of the proper planning of the area.
47. In the interests of residential and visual amenity and to ensure that there is no significant detrimental landscape impact.
- 48-51 In the interests of visual amenity and to ensure a satisfactory standard of local environmental quality.
52. In the interests of visual amenity and to ensure a satisfactory standard of local environmental quality for this Historic Garden and Designed Landscape. To ensure necessary landscaping works are completed at an appropriate stage in the development of the site.
53. In the interests of visual amenity; to ensure that all trees worthy of retention are satisfactorily protected before and during works on site.
54. In order to ensure that no damage is caused to the existing trees during development operations.
55. In the interests of the proper planning of the area and to ensure that this enabling development establishes robust landscape management and maintenance arrangements for the whole Auchincruive Estate and recreational facilities in perpetuity.
56. In the interests of visual amenity; to ensure that adequate measures are put in place to protect and maintain the landscape and planting in the long term.
57. In the interest of sustainable development and to ensure that adequate measures are put in place to maintain this facility in the long term.
58. In order to reasonably mitigate environmental impacts of the development and in the interests of nature conservation.
59. In the interests of nature conservation and to ensure works are carried out in line with legislative requirements.
60. In the interests of nature conservation and to identify the likely licensing requirements, if any, for the development.
- 61-62 In the interests of nature conservation.
63. In the interests of nature conservation and to avoid significant and irreversible impacts on the local badger population.

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64. In the interests of nature conservation and to avoid any impacts on breeding birds, their nests, eggs or young.
65. In order to retain proper control over the development proposal in the interests of amenity and road safety.
66. In the interests of sustainable development and nature conservation.
67. To ensure the site is drained in an acceptably sustainable manner and the drainage infrastructure is properly maintained.
68. To ensure the site is drained in an acceptable and sustainable manner.
69. In the interests of pollution control.
70. In the interests of sustainable development and to establish a clear measure for assessing the sustainable design qualities and environmental performance of the proposed development.
71. To minimise detrimental impacts on the soil resource.
72. To ensure all contamination within the site is dealt with.
73. To avoid noise disturbance in the interests of residential amenity.
74. In the interests of residential and visual amenity.
75. In the interest of sustainability. To encourage waste recycling and retain proper control over the development proposal in the interests of residential and visual amenity.
76. In the interests of airport safety.
77. In the interests of the proper planning of the area and to ensure that this infrastructure is carefully sited and designed to minimise visual and landscape impact.
78. In the interest of road safety and to ensure an acceptable standard of construction.

9.3 **Advisory Notes:**

Requirement for listed building consent

1. The grant of planning permission in principle does not remove the requirement for Listed Building Consent for any alterations, either internal or external. It is recommended that the applicant / prospective developer(s) make early contact with Historic Scotland with regard to the potential impact of the development on the setting of the designed landscape and the setting of listed buildings.

Requirement for consent of owners

2. The applicant is advised that the granting of planning permission does not remove him/her from the requirement to obtain the consent of adjacent landowners in respect of any access required to build, or maintain, this approved development. Such consent should be obtained prior to the commencement of works on site.

Roads & Transportation

3. 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
4. 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.
5. 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.
6. 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.
7. 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.
8. Please note that Roads Construction Consent (RCC) from the Council as Roads Authority shall 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.

9. The Council as Roads Authority advises that a Stage 3 Road Safety Audit in compliance with GG119 version 2 of the Standard for Highways Design Manual for Roads and Bridges should be submitted for the prior written approval of the Council as Roads Authority no later than 1 month after completion of the priority junction with ghost right turn lane, unless an alternative time period is approved. The requirement to complete a Road Safety Audit includes for addressing the recommendations contained within the audit report.
10. 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.
11. Waste Management has advised that Refuse collection vehicles are 4.5m high, 2.54m wide, 12m long and the area required for operatives to stand clear of bin whilst being lifted is 3m length by 3.5m width. The vehicles weigh approximately 26 tonnes. This raises some concerns with the plans in terms of vehicle movement, turning, waste storage in terraced commercial and residential properties and the standard of construction for the road surface due to the weight of the vehicles. It would be expected that consideration to be given to the placement of recycling point(s) in that area. The applicant is advised to liaise with the Council's Waste Management Service in the preparation of the Development Brief / Design Code and Applications for Matters Specified in Conditions.

SEPA

12. Please note that work should be undertaken in compliance with legislation and guidance relating to the; Water environment, Chemical & oil storage, Pollution prevention (including construction, demolition and agricultural activities), Storage and movement of waste materials and Controlled waste. Information and guidance, including best practice, can be found at the website of the Scottish Environment Protection Agency (SEPA) as follows www.sepa.org.uk. As a sewage pumping station and rising main facility would be required to service the development, it is likely that the Sewerage Authority, Scottish Water, will insist on the provision of an emergency overflow arrangement. Note that the emergency discharge of sewage effluent would only occur in the event of a complete mechanical or electrical breakdown of the pumping station and will require to be authorised, in accordance with the Water Environment (Controlled Activities) (Scotland) Regulations 2005 (as amended). The applicant should therefore contact the Ayrshire Environmental Protection and Improvement Team (EPIT) directly to fully discuss the potential drainage implications for this proposed development. The contact details for the local EPIT are as follows; 31 Miller Road, Ayr, KA7 2AX TEL: 01292 294000

Scottish Water

13. Should you require information regarding the location of Scottish Water infrastructure you should contact Scottish Water Property Searches Department, Bullion House, Dundee, DD2 5BB. Telephone 0845 601 8855. If you require any further assistance or information on the matters dealt with by Scottish Water, they suggest that you contact Stephen Kelly at the above number or alternatively additional information is available on the Scottish Water website: www.scottishwater.co.uk.

NatureScot

14. Please note that should evidence of bat roosts be found, NatureScot should be informed and a licence obtained from the licensing authority (Scottish Government). Any work carried out without due consideration of bats is likely to breach European Directives.
15. Badgers: Where it is proposed to carry out development works which will disturb a badger or involve the damage or destruction of a sett within an occupied badger territory - regardless of when it may last have been used - a licence must first be obtained from NatureScot. In general, development works of any kind within 30 metres of a sett will require licensing prior to works being undertaken.
16. Birds: It is a criminal offence to deliberately or recklessly take, damage, destroy or otherwise interfere with the nest of any wild bird while that nest is in use or being built or obstruct or prevent any wild bird from using its nest. Therefore, the steps specified in the above noted condition must be taken to avoid any disturbance during the bird breeding season from March to July inclusive.

Other nature conservation

17. It is recommended that the detailed application takes in to account the publication entitled, Bats & Lighting in the UK by the Bat Conservation Trust which suggests mitigation methods available in relation to lighting and bats.
18. The developer is referred to the publication "Greenspace Quality – a Guide to Assessment Planning and Strategic Development" when giving consideration to the provision of greenspace within the development.

Prestwick Airport

19. 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

9.4 List of Determined Plans:

Drawing - Reference No (or Description): All plans and documents approved under 09/01416/PPPM

Drawing - Reference No (or Description): L(--)-103 – Location Plan

Background Papers:

1. Application form, plans and submitted documentation
2. Consultation Responses
3. Adopted South Ayrshire Local Development Plan
4. Planning Application 09/01416/PPPM

Equalities Impact Assessment:

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

Person to Contact:

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