

REGULATORY PANEL (PLANNING)

Minutes of a hybrid webcast meeting
on 2 February 2023 at 10.00 a.m.

Present
In County
Buildings: Councillors Martin Kilbride (Chair), Ian Cavana, Alec Clark, Brian Connolly,
Mark Dixon and Craig Mackay.

Present
Remotely: Councillor Mary Kilpatrick.

Apologies: Councillors Kenneth Bell and Duncan Townson.

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);
A. Edgar, Supervisory Planner; A. Gibson, Committee Services Officer, and
C. McCallum, Committee Services Assistant.

Attending
Remotely: K. Braidwood, Ayrshire Roads Alliance.

Chair's Remarks

The Chair

- (1) welcomed everyone to the meeting; and
- (2) outlined the procedures for conducting this meeting and advised that this meeting would be broadcast live.

1. Sederunt and Declarations of Interest.

The Service Lead – Legal and Licensing called the Sederunt for the meeting and having called the roll, confirmed that there were no declarations of interest by Members of the Panel in terms of Council Standing Order No. 17 and the Councillors' Code of Conduct.

2. Minutes of previous meeting.

The minutes of:-

- (1) 13 December 2022 ([issued](#)) were submitted and approved; and
- (2) 14 December 2022 ([issued](#)) were submitted and approved subject to an amendment to the minute in relation to item 1 “Welcome and Declarations of Interest” to indicate that Councillor Cavana had declared an interest in item 4(7) of the minute, as he had spoken with objectors and would withdraw from the meeting during consideration thereof.

3. Application for Planning Permission for Land To The North East Of Barassie Farm, Kilmarnock Road, Troon, South Ayrshire (22/00853/MSCM).

There was submitted a report ([issued](#)) of January 2023 by the Housing, Operations and Development Directorate in respect of an application seeking approval of matters specified in conditions of Planning in Principle 17/00814/FURM incorporating proposal for remixing 49 housing units to the north pod and associated roads, footpaths and landscaping on land to the north-east of Barassie Farm, Kilmarnock Road, Troon.

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

- (a) that the development hereby granted shall be implemented in accordance with the approved plan(s) as listed below and as forming part of this permission unless a variation required by a condition of the permission or a non-material variation has been agreed in writing by the Planning Authority;
- (b) that 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 (internal measurements assessed with windows slightly (5%) open for ventilation), unless otherwise agreed as acceptable in writing by the Planning Authority in consultation with Environmental Health. In order to achieve this, the measured external background L_{aeq} daytime shall not exceed 55dB(A) and 45dB(A) night-time in rear gardens. For the avoidance of doubt all noise measurements shall be carried out by a suitably qualified acoustic consultant or other competent person;
- (c) the presence of any previously unsuspected or un-encountered contamination that becomes evident during the development of the site shall be brought to the attention of the planning authority within one week. At this stage, a comprehensive contaminated land investigation shall be carried out if requested by the Planning Authority. Thereafter, any remediation required through the investigation shall be implemented in full in a timeframe to be agreed in writing by the Planning Authority;
- (d) that the housing development hereby approved shall accord with the conditions of the application for approval of matters specified in conditions 12/00163/MSCM in terms of the provision of the spine road and housing layout, earthworks strategy including agreed levels, drainage arrangements, provision of structural landscaping along the south western and southern boundary of the site and provision of footpaths within and linking to the surrounding area;

- (e) prior to the commencement of development, a detailed phasing plan for the development shall be submitted to and approved by the Planning Authority. The phasing plan shall detail the sequence in which the roads, footpaths, housing, structural landscaping, and internal landscaping hereby approved will be constructed. The phasing plan shall stipulate the timing of the implementation of the landscaping and footpaths which shall generally be commenced upon completion of the last house within the respective phase of the development. The development shall, thereafter, be implemented in accordance with the approved phasing plan, unless otherwise agreed in writing with the Planning Authority;
- (f) that before any works start on site, detailed landscape plans at a recognised metric scale shall be submitted for the prior written approval of the Planning Authority. The required landscape details shall detail the requirements of Section 8 the Design and Access Statement dated 15th September 2011, approved under planning permission 11/00514/PPP, specifically the landscaping of the spine road, avenues, streets, lanes, parking and footpaths. This includes further details of heights of hedgerows to provide lower hedge heights around the village greens and near road junctions, and higher heights of hedgerows around the landscape buffer areas. This shall be accompanied by a planting schedule which details the genus, species and variety or cultivar of all plants, bulbs, seeds and turf. The size and specification of all plant material shall be detailed, together with total plant numbers and densities per m². The location of all plant material shall be clearly identified on the landscape drawing. Ground preparation methods, topsoil quality and depth, planting methods, hole sizes and other materials such as mulches and stakes shall also be specified. Construction details for paved or other hard surfaces shall be provided together with details of any walls and fences for inclusion as part of the landscape scheme. The scheme as approved shall be implemented within the first planting season following the completion or occupation of the development, whichever is the sooner;
- (g) performance bonds or a suitable alternative financial arrangement shall be submitted to the Planning Authority for the development prior to the commencement of development to cover the costs of the following:-
 - (i) structural landscaping for the landscape buffers and wildlife corridors of Barassie and all internal landscaping; and
 - (ii) landscape works, grassed and planted areas, including trees within the public road limits, trees culverts and burns.

For the avoidance of doubt, in order to calculate the landscape bond for the proposed areas, the following information is required; The total length of the proposed hedge, the areas of the proposed riparian, mixed woodland and evergreen rich screening woodland mix as well as shrub, ornamental planting, grass and bulb areas in m² and the number of plants for each area as well as species and sizes proposed to be planted in the above areas. The details should cover only areas that will be maintained by a factor;

- (h) that prior to the commencement of development, full details of the footpaths shown on the approved drawings, including their width, build-up and finished surface treatment shall be submitted to and approved by the Planning Authority. The timing of the provision of the approved footpaths shall be in accordance with the phasing plan approved under condition 5 of this permission;

- (i) that all works shall be carried out in accordance with the Ecological Management Plan, dated March 2012, prepared by MacKenzie Bradshaw Environmental Consulting and approved under planning permission for approval of matters specified in conditions reference 12/00163/MSCM, and if works to remove existing hedges or trees is required, a qualified ecologist shall be employed, to the satisfaction of the Planning Authority;
- (j) that all landscaping works and open space provision shall be retained as open space;
- (k) that prior to the commencement of development, samples or a brochure of all materials to be used on external surfaces, in respect of type, colour and texture, shall be submitted for the prior written approval of the Planning Authority and thereafter implemented as approved;
- (l) that notwithstanding the plans hereby approved the boundary treatments are not approved. Details of the boundary treatments for each plot, adhering to the guidance in paragraph 8.5.4 of the Design and Access Statement (subject to the requirements of condition 2 of this permission) shall be submitted for the prior written approval of the Planning Authority prior to the commencement of development. Such details shall show either masonry walls, combination of masonry walls and timber fencing or timber fencing screened on the public side by soft landscaping for all plot boundaries that front a road. Thereafter, the boundary treatments will be implemented as approved;
- (m) that before occupation of the first dwelling within the development a Residential Travel Pack shall be submitted for the prior written approval of the Council as Planning Authority (in consultation with the Council as Roads Authority). The Travel Pack shall include information on walking, cycling and public transport facilities and services within the vicinity of the development sites, including journey times by sustainable modes of transport to key local destinations. The Travel Pack shall be distributed to all new residents within the development at the time of first occupancy;
- (n) that all new roads infrastructure associated with the development shall require to be designed and constructed to adoptable standards, as specified by the Council's National Roads Development Guide, and take full cognisance of the principles of Designing Streets as National Policy. The precise details and specifications of all new roads infrastructure shall be submitted for the prior written approval of the Council as Planning Authority (in consultation with the Council as Roads Authority). All roads infrastructure shall be constructed, as approved by condition and in conjunction with the necessary Roads Construction Consents, prior to occupation of the first dwellinghouse in this phase of the development;
- (o) that the discharge of water onto the public road carriageway shall be prevented by drainage or other means. Precise details and specifications of how this is to be achieved shall be submitted for the prior written approval of the Council as Planning Authority (in consultation with the Council as Roads Authority) before any work commences on site and implemented as approved;
- (p) that plans, supplemented by swept path analysis of the largest vehicle type reasonably expected to be serving the development, shall be submitted for the prior written approval of the Council as Planning Authority (in consultation with the Council as Roads Authority), and shall require to accord with paragraph 3.1.3 of the Council's National Roads Development Guide. The turning areas shall be constructed, as approved, prior to completion of the development;

- (q) that off road parking spaces shall be provided in accordance with the Council's Roads Development Guide within the site boundaries prior to completion of the dwellinghouse(s);
- (r) that cycle parking accommodating a minimum of 1no. cycle shall be provided within each plot boundary. Precise details of the siting and specifications of the cycle stand(s) shall be submitted for the prior written approval of the Council as Planning Authority (in consultation with the Council as Roads Authority) before any work commences on site and thereafter shall be implemented as approved;
- (s) that designated bin collection points shall be located a maximum of 15 metres from the public carriageway, before occupation of the development. Details and specification of the siting and design of bin collection points shall be submitted for the prior written approval of the Council as Planning Authority (in consultation with the Council as Roads Authority) before any work commences on site and thereafter shall be implemented as approved;
- (t) no work shall be carried out on any phase of the development unless and until an effective vehicle wheel washing facility has been installed in accordance with details that shall be submitted for the written approval of the Council as Roads Authority prior to its installation, if required for that phase. When required, such facility shall be retained in working order and used such that no vehicle shall leave the site carrying earth and mud in their wheels in such a quantity which will cause a nuisance or hazard to the road system in the locality;
- (u) the applicant/developer shall, prior to the movement of any construction traffic to or from the site, submit a Construction Traffic Management Plan (CTMP) for the written approval of the Council as Roads Authority, and Police Scotland. The plan shall describe the methodology for the movement of construction traffic to and from the site and shall require the agreement of the Council as Roads Authority and Police Scotland prior to any movement of construction traffic associated with the site. Thereafter, the CTMP shall be implemented as approved;
- (v) surface water from the site shall be treated in accordance with the principles of the Sustainable Urban Drainage Systems (SUDS). Full details of the methods to be employed, along with details of how these measures will be maintained in perpetuity, shall be submitted for approval in writing by the Council as Planning Authority prior to the commencement of any works on site. None of the dwellings shall be occupied until the Sustainable Urban Drainage System (SUDS) has been completed in accordance with the submitted and approved plans; and
- (w) notwithstanding the approved plans, the floorplans and elevations for the houses proposed on plots 37 and 39 are not hereby approved. No development shall take place for the construction of dwellings on either of these two plots until revised elevations and floorplans have been submitted to and approved by the planning authority which incorporate an additional window opening serving an occupied room in either the southern facing gable elevation of plot 39 or the northern facing gable elevation of plot 37 or both. Thereafter, the plans shall be implemented as approved

Reasons:

- (a) to ensure that the development is carried out in accordance with the approved plans unless otherwise agreed;
- (b) in the interest of residential amenity;
- (c) to ensure that all contamination within the site is dealt with;
- (d) to comply with the terms of the first formal application for matters specified in conditions 12/00163/MSCM for the site;
- (e) in order to ensure that the timing of the provision of the landscaping and footpaths is appropriate to meet the needs of the new residents;
- (f) in the interest of biodiversity and amenity;
- (g) to ensure that the required landscaping scheme is implemented in full, in the interest of visual amenity;
- (h) to encourage sustainable means of transport and in the interest of amenity;
- (i) in the interest of biodiversity;
- (j) in the interest of biodiversity and amenity;
- (k) in the interest of visual amenity;
- (l) in the interest of visual amenity and to ensure compliance with 17/00814/FURM;
- (m) to encourage sustainable means of travel;
- (n) in the interest of road safety and to ensure an adequate standard of construction;
- (o) in the interest of road safety;
- (p) in the interest of road safety and to ensure an adequate standard of design;
- (q) in the interest of road safety and in order to ensure adequate off-street parking;
- (r) to ensure adequate provision for cycle parking and to encourage sustainable means of travel;
- (s) in the interest of road safety and to ensure adequate storage arrangements for refuse bins;
- (t) road safety;
- (u) in the interest of road safety;
- (v) to ensure that the site is drained in an acceptable manner; and
- (w) in the interest of good urban design and to comply with the approved Design and Access Statement covering the Northeast Troon development.

List of Determined Plans:

- Drawing - Reference No (or Description): 6319.P. Culzean;
- Drawing - Reference No (or Description): 6319.P.Garages;
- Drawing - Reference No (or Description): 6319.P.Ladybank;
- Drawing - Reference No (or Description): 6319.P.Machrie;
- Drawing - Reference No (or Description): 6319.P.Machrie Feature;
- Drawing - Reference No (or Description): 6319.P.Newark;
- Drawing - Reference No (or Description): 6319.P.Newark Feature;
- Drawing - Reference No (or Description): 6319.P.Rosemont;
- Drawing - Reference No (or Description): 6319.P.Rozelle G;
- Drawing - Reference No (or Description): 6319.P.Sundrum;
- Drawing - Reference No (or Description): 6319.P.Turnberry;
- Drawing - Reference No (or Description): 6319.P.Underwood G;
- Drawing - Reference No (or Description): 6319.P.Waverley;
- Drawing - Reference No (or Description): 6319.P.Waverley Feature;
- Drawing - Reference No (or Description): 6319/NP-001 North Pod;
- Drawing - Reference No (or Description): 5354.LYN.015 Levels 1 of 3;
- Drawing - Reference No (or Description): 5354.LYN.016 Levels 2 of 3;
- Drawing - Reference No (or Description): 5354.LYN.017 Levels 3 of 3;
- Drawing - Reference No (or Description): 5354.LYN.030 Drains 1 of 3;
- Drawing - Reference No (or Description): 5354.LYN-031 Drains 2 of 3;

Drawing - Reference No (or Description): 5354.LYN-032 Drains 3 of 3;

Drawing - Reference No (or Description): 6319/EX APP-001 Existing Approved Site Plan;

Drawing - Reference No (or Description): 6319/LOC-03 Location Plan A;

Drawing - Reference No (or Description): 6319/NP-001 Proposed Layout D;

Drawing - Reference No (or Description): 5354.LYN-015_A Levels Sheet 1 of 3 A;

Drawing - Reference No (or Description): 5354.LYN-016_A Levels Sheet 2 of 3 A;

Drawing - Reference No (or Description): 5354.LYN_017_A Levels Sheet 3 of 3 A;

Drawing - Reference No (or Description): 5354.LYN-030_A Drainage 1 of 3 A;

Drawing - Reference No (or Description): 5354.LYN-031_A Drainage 2 of 3 A; and

Drawing - Reference No (or Description): 5354.LYN-032_A Drainage 3 of 3 A.

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 10.22 a.m.