

REGULATORY PANEL (PLANNING)

Minutes of a hybrid webcast meeting
on 11 May 2023 at 10.00 a.m.

Present
In County
Buildings: Councillors Kenneth Bell (Chair), Ian Cavana, Alec Clark, Mark Dixon, Martin Kilbride, Craig Mackay and Duncan Townson.

Present
Remotely: Councillor Mary Kilpatrick.

Apology: Councillor Brian Connolly.

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); R. Lee, Supervisory Planner; F. Sharp, Supervisory Planner; D. Clark, Supervisory Planner; A. McGibbon, Supervisory Planner; D. Hearton, Local Conservation Planner; G. Senior, Ayrshire Roads Alliance; B. Seditas, Co-ordinator (Trading Standards and Environmental Health); A. Gibson, Committee Services Officer, and E. Moore, Clerical Assistant.

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 30 March 2023 ([issued](#)) were submitted and approved.

In terms of Council Standing Order No 13.3, the Panel agreed to vary the order of business as hereinafter minuted.

At this point Councillors Bell, Clark, Kilpatrick, Mackay and Townson left the meeting as they had not been present at a meeting of this Committee on 30 March 2023 when consideration was given to the two planning applications at item 3 below and/or subsequent site visits on 4 May 2023. Councillor Kilbride took the Chair at this point.

3. Planning applications continued following site visits.

(1) 22/00929/FURM – Crofthead Caravan Park, Ayr.

Following consideration of a report relating to a Section 42 application to remove planning conditions 1, 2, 3, 4, 6, 8, 9, 10 and 11 of planning consent ref 15/01231/APPM in relation to Crofthead Caravan Park, C74 from B742 north-east of Bowmanston to A70 at Old Toll, Ayr at meeting of this Panel on 30 March 2023 and a subsequent site visit on 4 May 2023, the Panel

Decided: to approve the Section 42 planning application subject to the following conditions:-

- (a) no further development shall commence on site until the Planning Authority has approved in writing the terms of appointment by the applicant of a suitability qualified and professional landscape consultant/contractor to implement and undertake the approved landscape scheme within the site and thereafter provide maintenance and monitoring of the landscaping for a period of 5 year from the date of its completed implementation. The terms of appointment shall:
- impose a duty on the landscape consultant/contractor to implement the revised landscape scheme in strict accordance with approved landscape plans and arrangements subject to the Section 42 planning permission and undertake and complete these by the timescales set in Condition 2 and Condition 3 of this permission below. Thereafter, the landscape consultant/contractor will notify the Planning Authority in writing once the landscape scheme has been completely implemented in full across the site;
 - Require the appointed landscape consultant to monitoring the completed landscaping scheme on the site for a period of 5 year from the date in which the landscape scheme has been completely implemented. Inspections shall be undertaken twice a year during the first 2 years of establishment with annual checks undertaken thereafter up to 5 years from the completion planting. Following each inspection, the appointed landscape consultant/contractor will provide and submit in writing to the Planning Service, a report which confirm the findings of the monitoring programme; and
 - In accordance with approved 'Landscape Proposals Schedule (Drawing S4-P02)' any trees, shrubs, plants, or grass forming part of the approved landscape scheme which die, are removed or become seriously damaged or diseased, within a period of 5 years from the date of their planting, shall be replaced by the appointed landscape consultant/contractor with others of similar sizes and species unless the Planning Authority gives written approval to any variation;

- (b) further to condition (a) above, within 2 months of the date of the appointment of the landscape consultant/contractor, the approved detailed landscape scheme for additional structural landscaping and diversified vegetation to be introduced within the 'as built' caravan development layout shall be implemented in full within the site. Thereafter, the approved detailed and additional landscape scheme once complete and in place shall be maintained in strict accordance with the management and aftercare arrangements as detailed on approved plan 'Landscape Proposals Schedule (Drawing S4-P02)' for the lifetime of this development, unless otherwise agreed in writing by the Planning Authority;
- (c) further to Condition (a) above and within 1 month of the date of the appointment of the landscape consultant/contractor, the approved revised scheme for the management of the hedge running along the C-class road heading east past the site shall come into full effect. Thereafter, the hedge shall be maintained in strict accordance with the approved hedge management plan as detailed on approved plan 'Landscape Proposals Schedule (Drawing S4-P02)' for the lifetime of this development, unless otherwise agreed in writing by the Planning Authority;
- (d) that all existing and proposed caravans associated with this development shall not be promoted, advertised, let, or used for any purpose other than as holiday accommodation;
- (e) surface water from the site shall be treated in accordance with the principles of the Sustainable Urban Drainage Systems (SUDS) Manual published by CIRIA in March 2007;
- (f) within 1 month of the date of this consent, precise details of the siting and specifications of a cycle stand to be situated within the Crofthead Caravan Park boundary shall be submitted to and approved in writing by the Planning Authority (in consultation with the Council as Roads Authority). The details provided shall show a cycle stand which is lockable and covered and which accommodate a minimum of 20 bikes. The approved cycle stand shall be installed in line with the approved arrangements within 1 month of the date of the Planning Authorities approval and once installed shall thereafter be maintained as such for the lifetime of the development unless otherwise agreed in writing by the Planning Authority; and
- (g) within 1 month of the date of this consent, a Travel Plan shall be submitted to and approved in writing 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 and it shall incorporate measures designed to encourage modes of travel other than private car. The approved Travel Plan and all associated measures and actions shall become effective within 1 month of the Planning Authorities approval and thereafter these measures shall be maintained as such for the lifetime of the development, unless otherwise agreed in writing by the Planning Authority.

Reasons:

- (a) to ensure that the approved revised landscape scheme for the site is implemented and monitored by a professional and suitably qualified landscape consultant with the relevant experience and expertise and to ensure that the landscape and planting is effectively monitored, and provisions are in place so that it can successfully establish within the site and serve its purpose in terms of screening;
- (b) to ensure that the revised landscape scheme is implemented in a timely manner to offer sufficient screening from the increased number of caravans that are now aligned in a different arrangement than that which was previously approved through application 15/01231/APPM;
- (c) in the interests of visual amenity, biodiversity gain and securing the health and vitality of the hedge and to ensure it can be as effective as possible in a timely manner to contributing to screening the increased number of caravans that are now aligned in a different arrangement than that which was previously approved through application 15/01231/APPM;
- (d) in order to retain full control over the development and to avoid the creation of any permanent additional dwellinghouses;
- (e) to ensure the site is drained in an acceptably sustainable manner and the drainage infrastructure is properly maintained;
- (f) to ensure adequate provision of a lockable and covered cycle storage on the site and to encourage and facilitate more sustainable means of travel; and
- (g) to encourage and promote sustainable means of travel.

Advisory Notes:

Biodiversity and Ranger Services

- Further to Condition 1 above, this service highlights that guidance and advice can be found online from SAC Consulting, the Scottish Rural Agricultural College (SRUC), or Nectar Network all of which can assist and advise the applicant should they have any questions regarding hedge management practices associated with the approved hedge management plan.

Environmental Health Service

- All remaining work should be undertaken in compliance with legislation and guidance relating to pollution prevention, information can be found at the website of the Scottish Environment Protection agency as follows www.sepa.org.uk
- If permission is granted, then you should contact South Ayrshire Council Environmental Health Service to update your current caravan site licence before the site opens and the site must meet the conditions stated in the Caravan sites and control of Development Act 1960 and amendments therewith included in the Act.
- This response with recommendation(s) was prepared by Elaine Little, Environmental Health Officer, to whom any further enquiries can be made on 01292 616341. This includes any enquiries about an updated caravan site license.

Scottish Water

- *If the applicant is looking for a new connection to the public network, they should submit a Pre-Development Enquiry application through Scottish Water's customer portal: <https://www.scottishwater.co.uk/Business-and-Developers/Connecting-to-Our-Network>*

List of Determined Plans:

- Location Plan;
- Planning Statement (Dated November 2022, Alan Neish Consulting Ltd);
- Landscape and Visual Impact Assessment (LVIA) (Dated November 2022, Alan Neish Consulting Ltd);
- Appendix 1 of LVIA – Appraisals/Plans submitted with 2015 application 15/01231/APPM;
- Appendix 2 of LVIA – Plan denoting pitches deleted under Condition 2 of 15/01231/APPM;
- Amended Appendix 3 of LVIA – Site Plan 'As Built' (Drawing No. Appendix 3 Revision B)
- Appendix 4 of LVIA – Cross Section A-A through the historic site and site 'as built';
- Amended Appendix 5 of LVIA (Part1) – Site Plan 'As Built' with Landscape Proposals General Arrangement (Drawing No. 64048.00.001 S4-PO3);
- Amended Appendix 5 of LVIA (Part 2) – Planting Plan 1 of 3 (Drawing No. 6408.00.002 S4-PO3);
- Amended Appendix 5 of LVIA (Part 3) – Planting Plan 2 of 3 (Drawing No. 6408.00.003 S4-PO3);
- Amended Appendix 5 of LVIA (Part 4) – Planting Plan 3 of 3 (Drawing No. 6408.00.004 S4-PO3);
- Amended Appendix 5 of LVIA (Part 5) – Planting Schedules (Drawing No. 6408.00.005 S4-PO3);
- Amended Appendix 5 of LVIA (Part 6) – Planting Details (Drawing No. 6408.00.006 S4-PO3);
- Amended Appendix 6 of LVIA – Site Plan 'As Built' with Topographical Survey (Drawing No. Appendix 6 Revision A);
- Addendum to Planning Supporting Statement and LVIA (Dated 15th February 2023, Alan Neish Consulting Ltd); and
- Copy of Decision Notice for permission 15/01231/APPM.

Reason for Decision:

The removal of conditions 1, 2, 3, 4, 6, 8, 9 and 11 of planning permission 15/01231/APPM are considered to be acceptable for the reasons set out in the Panel Report. Subject to the environmental mitigation secured through this Section 42 application which includes a revised landscape scheme for the site, the subsequent changes to the layout and density of the development are still considered to accord with the provisions of the statutory development plan framework and there is no additional significant or adverse impact on the amenity of neighbouring land or the surrounding environment and landscape to a point which would warrant refusal of the application.

(2) [22/00483/APPM](#) – **Crofthead Caravan Park, Ayr.**

Following consideration of a report relating to a planning application for the change in use of a field to form an extension to an existing holiday park to site an additional 150 holiday lodges at Crofthead Caravan Park, C74 from B742 north-east of Bowmanston to A70 at Old Toll, Ayr at meeting of this Panel on 30 March 2023 and a subsequent site visit on 4 May 2023, the Panel

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

- (a) that the development hereby permitted must be begun within three years of the date of this permission;
- (b) that the development hereby granted shall be implemented in accordance with the approved plan(s) as listed below and as forming part of this permission unless a variation required by a condition of the permission, or a non-material variation has been agreed in writing by the Planning Authority;
- (c) that the proposed caravans shall not be promoted, advertised, let or used for any purpose other than as holiday accommodation;
- (d) prior to the commencement of development on site, a full and detailed landscaping scheme, shall be submitted to and approved in writing by the Planning Authority. The scheme of landscaping shall indicate the siting, numbers, species and heights of all native trees, shrubs, and hedges to be planted and details as to how the existing areas of hedgerows, trees and areas of woodland are to be reinforced and enhanced. Thereafter, the landscape scheme as approved shall be implemented within the first planting season following the completion or occupation of the relevant phase of development, whichever is sooner;
- (e) prior to the commencement of development of the site, details of the future management and aftercare of the retained and proposed landscaping and planting shall be submitted to and approved in writing by the Planning Authority. As part of this, the maintenance arrangements shall confirm that any trees, shrubs, plants or grass forming part of the approved landscape scheme agreed through Condition 4, which die, are removed or become seriously damaged or diseased, within a period of 5 years from the date of their planting, shall be replaced by the appointed landscape consultant/contractor with others of similar sizes and species unless the Planning Authority gives written approval to any variation. Thereafter, the approved management and aftercare of the landscaping and planting shall be carried out in accordance with the approved details and be maintained on site for the lifetime of the development, unless otherwise agreed in writing by the Planning Authority;

- (f) Prior to the commencement of development on site, details of measures to protect trees and hedgerows located within or adjacent to the site boundary shall be submitted to and approved in writing by the Planning Authority. Such measures shall include the erection of fencing in accordance with British Standard BS 5837(2012) 'Trees in Relation to Construction' alongside any other means of protection deemed necessary. No storage of building materials, machinery, plant equipment or piling of soil/aggregate shall take place within the protected areas established pursuant to this condition. Thereafter, the development shall be undertaken in accordance with the approved details and the protection measures agreed shall be maintained as such for the duration of the construction works;
- (g) no development shall take place within the development site as outlined in red on the approved plan until the developer has secured the implementation of a programme of archaeological works in accordance with a written scheme of investigation which has been submitted to and approved by the Planning Authority (in consultation with West of Scotland Archaeological Service (WoSAS)). Thereafter, the developer shall ensure that the programme of archaeological works is fully implemented and that all recording and recovery of archaeological resources within the development site is undertaken in accordance with the approved arrangements;
- (h) no built development shall take place below the local 40 metre Above Ordnance Datum (AOD) contour line as shown and established in the approved 'Flooding Risk Response (Dated 30/11/22)' and associated technical Appendix 4 'Site Plan as Proposed with Contours and Finished Floor Levels' (Drawing No. 22_594_P04 Rev B);
- (i) further to approved 'Flooding Risk Response (Dated 30/11/22)' and associated technical Appendix 4 'Site Plan as Proposed with Contours and Finished Floor Levels' (Drawing No. 22_594_P04 Rev B), all caravan units associated with the development with the exception of units 11 and 23 shall be constructed so that they have a finished floor level which is a minimum of 1 metre above the local 40 metre Above Ordnance Datum (AOD) contour line. For caravan units 11 and 23, these shall be specifically constructed so that they have a minimum finished floor level which is 1.5 metre above the local 40 metre Above Ordnance Datum (AOD);
- (j) prior to the commence of any development works associated with the construction of the caravan units on the site, all of the wooden fence structures situated on and across the western bank of the tributary of the Annfield Burn as identified and depicted in approved 'Appendix 5 of Flood Risk Response - Site Photographs (Dated 30/11/22)' shall be removed in their entirety. The Planning Authority shall be notified in writing once this is complete to allow the section of the watercourse to be inspected and photographed accordingly;

- (k) prior to the occupation of the first caravan unit within this development and further to the approved amended 'Transport Assessment (dated 14th October 2022)', details of the operation and arrangements of the vehicular shuttle service intended to be accessible to guests of Crofthead Holiday Park to transport them between the site and facilities on the A70 shall be submitted to and approved in writing by the Planning Authority (in consultation with the Council as Roads Authority). Thereafter, the approved vehicular shuttle service and associated arrangements shall be implemented and come into effect in full prior to the occupation of the first caravan unit for holiday use within the site and this service shall be maintained as such for the lifetime of the development unless otherwise agreed in writing by the Planning Authority;
- (l) prior to the occupation of the first caravan unit within this development, a Guest Travel Pack/Plan shall be submitted to and approved in writing by the Planning Authority (in consultation with the Council as Roads Authority). The Guest Travel Pack/Plan shall include information on walking, cycling and public transport facilities and services within the vicinity of the development site (including journey times by sustainable modes of transport to key local destinations) as well details on how to access the vehicular shuttle service as agreed through Condition 11 above. In addition to this, the Guest Travel Pack/Plan shall include details of the contents of an information pack which will be provided to future occupants of the development to ensure that they are aware of their public transport and active travel options available within the area. Thereafter, the approved Guest Travel Pack/Plan and all associated measures and actions shall be in place and implemented in full prior to the occupation of the first caravan unit for holiday use within the site and as part of this, the approved information pack associated with the Guest Travel Pack/Plan shall be distributed to all new occupiers within the development; and
- (m) surface water from the site shall be treated in accordance with the principles of the Sustainable Urban Drainage Systems (SUDS) Manual published by CIRIA in March 2007. Prior to the commencement of any development works on site, full details of the design of drainage measures for surface water (including methods to be employed and where appropriate calculations, along with details of how these measures will be maintained in perpetuity), shall be submitted to, and approved in writing by the Planning Authority (in consultation with the Council as the Flood Risk Management Authority). Thereafter, the approved drainage measures for surface water treatment arrangements including any associated on-site drainage infrastructure and features, shall be implemented as approved and maintained as such for the lifetime of the development unless otherwise agreed in writing by the Planning Authority.

Reasons:

- (a) to be in compliance with Section 59 of The Town and Country Planning (Scotland) Act 1997 as amended by Section 32 of The Planning (Scotland) Act 2019;
- (b) to ensure that the development is carried out in accordance with the approved plans unless otherwise agreed;
- (c) in order to retain full control over the development and to avoid the creation of any additional permanent dwellinghouses;
- (d) in the interests of visual amenity and to secure and safeguard landscape screening in the interests of residential amenity;

- (e) in the interests of visual amenity and to ensure that the agreed landscape measures are fulfilled;
- (f) in order to ensure no damage is caused to trees within and neighbouring the site during development operations;
- (g) to establish whether there are any archaeological interests on the site and to allow for archaeological excavation and recording if it is deemed necessary;
- (h) in the interests of mitigating flood risks for the development;
- (i) in the interests of mitigating flood risk for the development and future occupants of the caravan units;
- (j) to ensure that the fence structures near the burn which could trap debris, act as a blockage and form a barrier during a flood event are removed to mitigate/avoid such a risk;
- (k) to encourage, promote and facilitate the use of sustainable means of travel situated outwith the application site;
- (l) to encourage and promote the use of sustainable means of travel; and
- (m) to ensure the site is drained in a sustainable manner that complies with the general surface water flood risk principles of Scottish Planning Policy (SPP) in that no flooding of properties could take place up to a 1 in 200-year event with an allowance for climate change.

Advisory Notes:

South Ayrshire Council Biodiversity and Ranger Services

Further to Condition 4 above, for additional landscaping of trees and shrubs, native species (especially flowering/berry producing varieties) should be included in the interests of enhancing biodiversity opportunities. In addition to this, flowering lawn mix instead of grass around the units would benefit pollinators and reduce the need for chemicals to maintain and this should be considered.

Further to Condition 5 above, it is recommended that maintenance for hedgerows to benefit biodiversity is to trim hedgerows no more frequently than every other year, preferably every third year for slow growing thorn hedges, and to adopt rotational cutting regime so no more than one third of hedges are trimmed within the same 12 months.

West of Scotland Archaeological Service (WoSAS)

Further to Condition 6 above, WoSAS would anticipate that this will be implemented in a staged manner, the first stage being archaeological evaluation of the application area. This will involve hiring a professional archaeological contractor (see list on our web site www.wosas.net) to undertake the required works. The results of these initial investigations will dictate the need for any further archaeological works on the site prior to or during further disturbance as necessary. Any significant discoveries will have to be excavated before their destruction including any post excavation analyses and publication required.

Scottish Water

Water Capacity Assessment – There is sufficient capacity in the Bradan Water Treatment Works to service the development. However, please note that further investigations may be required to be carried out once a formal application has been submitted to us.

Waste Water Capacity Assessment – There is currently sufficient capacity for a foul only connection in the Waste Water Treatment works to service your development. However, please note that further investigations may be required to be carried out once a formal application has been submitted to us.

Please Note – The applicant should be aware that we are unable to reserve capacity at our water and/or waste water treatment works for their proposed development. Once a formal connection application is submitted to Scottish Water after full planning permission has been granted, we will review the availability of capacity at that time and advise the applicant accordingly.

Drinking Water Protected Areas – A review of our records indicates that there are no Scottish Water drinking water catchments or water abstraction sources, which are designated as Drinking Water Protected Areas under the Water Framework Directive, in the area that may be affected by the proposed activity.

Surface Water – For reasons of sustainability and to protect customers from potential future sewer flooding, Scottish Water will not accept any surface water connections into our combined sewer system. In order to avoid costs and delays where a surface water discharge to our combined sewer system is anticipated, the development should contact Scottish Water at the earliest opportunity with strong evidence to support the intended drainage plan prior to making a connection request.

General Notes – Scottish Water asset plans can be obtained from our appointed asset plan providers (Site Investigation Services (UK) Ltd. Telephone: 0333 123 1223. Email: sw@sisplan.co.uk).

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

If the connection to the public sewer and/or water main requires to be laid through land out-with public ownership, the developer must provide evidence of formal approval from the affected landowner(s) by way of a deed of servitude.

Scottish Water may only vest new water or wastewater infrastructure which is to be laid through land out with public ownership where a Deed of Servitude has been obtained in our favour by the developer.

The developer should also be aware that Scottish Water requires land title to the area of land where a pumping station and/or SUDS proposed to vest in Scottish Water is constructed.

All proposed developments require to submit a Pre-Development Enquiry (PDE) to be submitted directly to Scottish Water via our Customer Portal prior to any formal Technical Application being submitted. This will allow us to fully appraise the proposals. Where it is confirmed through the PDE process that mitigation works are necessary to support a development, the cost of these works is to be met by the developer which Scottish Water can contribute towards through Reasonable Cost Contribution regulations. As network upgrades will be required to support this development, it is recommended that a PDE is submitted at your earliest convenience.

SEPA

It is recommended that the precautionary approach applied to the site layout which includes a minimum 9m buffer strip from the top of the banks of the watercourse is maintained at all times. SEPA have no objection to the access road being located in this area provided it is built at existing ground levels with no land raising taking place.

Buffer strips can allow space for natural watercourse migration and to reduce the impact of any overtopping. A buffer would also ensure adequate watercourse access for maintenance assessment and ensure bank stability as well as having multiple benefits such as a biodiversity and pollution reduction.

List of Determined Plans:

Rural Location Plan (Drawing No. 22-594-P01);
Location Plan (Drawing No. 22-594-P02);
Topographical Survey (Drawing No. 22-594-P03);
Proposed Site Plan (Drawing No. 22-594-P04);
Cross Sections (22-594-P05);
Planning Supporting Statement (Dated 06/06/22);
Pre-Application Consultation Report (Dated 06/06/22)
Pre-application Consultation – Additional Information Leaflet (Dated 06/06/22);
Pre-application Consultation – Consultee Invitation Brochure (Dated 06/06/22);
Pre-application Consultation – Copy of Notification Letter (Dated 06/06/22);
Pre-application Consultation – Copy of Press Advertisement (Dated 06/06/22);
Amended Transport Assessment (Dated 14/10/22);
Flood Risk Response and Statement to SEPA (Dated 30/11/22);
Details of Existing Watercourse – Appendix 1 of Flood Risk Response (Drawing No. 22_594_P06 Rev B, Dated 30/11/22);
Cross Section through Burn – Appendix 2 of Flood Risk Response (Drawing No. 22_594_P07, Dated 30/11/22);
Details of Existing Ditch – Appendix 3 of Flood Risk Response (Drawing No. 22_594_P06, Dated/ 30/11/22);
Site Plan as Proposed with Contours and Finished Floor Levels - Appendix 4 of Flood Risk Response ((Drawing No. 22_594_P04 Rev B, Dated 30/11/22); and
Site Photographs of Watercourse - Appendix 5 of Flood Risk Response (Dated 30/11/22).

Reason for Decision:

The siting and design of the proposed extended caravan park development is considered to accord with the provisions of the statutory development plan and there is no significant adverse impact on the amenity of neighbouring land or the surrounding environment and landscape that would warrant refusal of the application.

At this point, the Panel adjourned for a comfort break.

Upon reconvening, Councillors Bell, Clark, Kilpatrick, Mackay and Townson re-joined the meeting. Councillor Bell took the Chair.

4. Applications for Planning Permission

There was submitted reports (issued) of May 2023 by the Housing, Operations and Development Directorate on planning applications for determination.

The Panel considered the following applications:-

- (1) [22/00950/APP](#) – COYLTON – Land at Barclaugh, Private Road From C116 Woodhead Road to Milncraig Farm – Erection of three dwellinghouses.

The Panel heard from an interested party.

The Panel

Decided: to refuse the application for the following reasons:-

- (a) that the development proposal is contrary to National Planning Framework 4 policy 9, due to constituting greenfield development, and in relation to rural housing (policy 17 criteria i. – viii.) and due to not being suitably scaled, sited, and designed so as to be in keeping with the character of the rural area;
- (b) that the development proposal is contrary to National Planning Framework 4 policies 14, 15, and 16 due to being detrimental to the visual amenity of the locale, and given the rural location of the site outwith a settlement, there a lack of services at the site, which is accessible by a shared single track access road which does not contribute towards a sustainable liveable place. Additionally, the development makes no provision for affordable housing, and the proposals do not provide for safe sustainable travel of all types;
- (c) that the development proposal is contrary to the South Ayrshire Local Development Plan Policies in relation to Sustainable Development, Development Management, Rural Housing and Affordable Housing, by virtue of the proposals not being in being located within a cluster of residential properties, which results in the urbanisation of the countryside and the design of the development not being in keeping of sympathetic with the character of the locale. Additionally, the proposals make no provision for affordable housing and have an adverse impact on road safety at the locale and no justification has been provided for a departure from the aforementioned policies;

- (d) that the development proposal is contrary to the South Ayrshire Local Development Plan policy in relation to natural heritage due to the potential for protected species to inhabit the site, and no information or justification has been provided for a departure from this policy;
- (e) that the development proposal is contrary to the Council's planning guidance entitled Rural Housing, in that the development; is not sympathetic to the character and landscape setting of the locale, does not represent the sensitive in-filling of any available gap sites which consolidating existing dwellings, is physically, visually and functionally separate from the nearby development, is of a design which is not in keeping with the character, and built form of the nearby development, and does not accord with the Council's design guidance, and exceeds 50% of the existing building grouping as at the date of adoption of the policy (20th November 2014), and no justification has been provided for a departure from this policy guidance; and
- (f) that the development proposal shall be prejudicial to road and pedestrian safety at this location due to the existing shared single track access arrangement not meeting the requirements of the National Roads Development Guide as specified by the Ayrshire Roads Alliance.

List of Determined Plans:

Drawing - Reference No (or Description): AL(00)001;
Drawing - Reference No (or Description): AL(00)002;
Drawing - Reference No (or Description): AL(00)003;
Drawing - Reference No (or Description): AL(00)100;
Drawing - Reference No (or Description): AL(00)101;
Drawing - Reference No (or Description): AL(00)102;
Drawing - Reference No (or Description): AL(00)103;
Drawing - Reference No (or Description): AL(00)104;
Drawing - Reference No (or Description): AL(00)105;
Drawing - Reference No (or Description): AL(00)200;
Drawing - Reference No (or Description): AL(00)201;
Drawing - Reference No (or Description): AL(00)202;
Drawing - Reference No (or Description): AL(00)203;
Drawing - Reference No (or Description): AL(00)204; and
Drawing - Reference No (or Description): AL(00)205.

- (2) [22/00975/APP](#) – AYR – 116 – 122 High Street – Alterations and change of use of first and second floors from offices/retail storage to form six dwellingflats.

The Panel heard from various interested parties.

The Panel adjourned for ten minutes to allow Members to seek clarification from officers on the position of bin storage and arrangements for collection at this location.

Upon re-convening and in terms of Standing Order No. 19.9, there was no general agreement to the unopposed motion, therefore, the Council moved to a vote for or against the Motion.

Decided: by a majority, to approve the application, subject to the following conditions and delegated powers being given to planning officers to add an additional condition regarding a management agreement detailing the operation of bin storage (as detailed at (f) below):-

- (a) that the development hereby permitted must be begun within three years of the date of this permission;
- (b) that the development hereby granted shall be implemented in accordance with the approved plan(s) as listed below and as forming part of this permission unless a variation required by a condition of the permission or a non-material variation has been agreed in writing by the Planning Authority;
- (c) that precise details and specifications, including typical 1:1 cross-sectional plans of the astragals and frames and a sample of the proposed window shall be submitted for the prior written approval of the Planning Authority prior to the commencement of work on site. Thereafter, the windows as agreed shall be installed to the satisfaction of the Planning Authority.
- (d) that, prior to the commencement of development, an acoustic consultant's report or manufacturer's specifications demonstrating that the ventilation extraction system/air sourced heat pump complies with noise rating criteria 25 when measured within a habitable room of the nearest noise sensitive dwelling with windows open sufficiently for ventilation shall be submitted for the formal prior written approval of the Council as Planning Authority. The unit shall be installed using anti-vibration mounts where it attaches to a building, the ground or other hard surface;
- (e) in the event that the air source heat pumps/ PV panels become obsolete or redundant they shall be removed and the site reinstated to a standard acceptable by and to the satisfaction of the Planning Authority within one month of the removal of the equipment; and
- (f) that before development commences on site, a Waste Management Strategy, shall be submitted for the formal prior written approval of the Council as Planning Authority (in consultation with the Council's Waste Management Service). The Waste Management Strategy shall identify the measures proposed for the storage and collection of waste associated with the development hereby approved. Thereafter the Waste Management Strategy shall be implemented as approved.

Reasons:-

- (a) to be in compliance with Section 58 of The Town and Country Planning (Scotland) Act 1997 as amended by Section 32 of The Planning (Scotland) Act 2019;
- (b) to ensure that the development is carried out in accordance with the approved plans unless otherwise agreed;
- (c) to safeguard the character and appearance of the conservation area;
- (d) in order to prevent additional noise caused by vibration;
- (e) to minimise the level of visual intrusion, and ensure the reinstatement of the site to a satisfactory standard; and
- (f) to encourage suitable waste management arrangements.

Advisory Notes:-

The Council as Roads Authority advises that the residents will qualify for Residents Parking Permits in accordance with the Council's Controlled Parking Zone TRO.

List of Determined Plans:-

Drawing - Reference No (or Description): L(00)001;
Drawing - Reference No (or Description): L(01)001;
Drawing - Reference No (or Description): L(01)002;
Drawing - Reference No (or Description): L(01)003;
Drawing - Reference No (or Description): L(01)004 Rev A;
Drawing - Reference No (or Description): L(01)005 Rev B;
Drawing - Reference No (or Description): L(01)006;
Drawing - Reference No (or Description): L(02)001;
Drawing - Reference No (or Description): L(02)002;
Drawing - Reference No (or Description): L(02)004;
Drawing - Reference No (or Description): L(02)005;
Drawing - Reference No (or Description): L(02)006;
Drawing - Reference No (or Description): L(02)006; and
Drawing - Reference No (or Description): L(02)003.

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.

- (3) **23/00065/APP** – AYR – 15D Wellington Square – Change of use of existing dwellingflat for use as short-term let/holiday accommodation.

The Panel

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

- (a) that the development hereby permitted must be begun within three years of the date of this permission;
- (b) that the development hereby granted shall be implemented in accordance with the approved plan(s) as listed below and as forming part of this permission unless a variation required by a condition of the permission or a non-material variation has been agreed in writing by the Planning Authority; and
- (c) that the accommodation hereby approved shall not be promoted, advertised, let, or used for any purpose other than as holiday accommodation, to the satisfaction of the Planning Authority.

Reasons:

- (a) to be in compliance with Section 58 of The Town and Country Planning (Scotland) Act 1997 as amended by Section 32 of The Planning (Scotland) Act 2019;
- (b) to ensure that the development is carried out in accordance with the approved plans unless otherwise agreed; and
- (c) to define the terms of this planning permission, and to retain proper planning control over the development.

List of Determined Plans:

Drawing - Reference No (or Description): Location Plan; and
Drawing - Reference No (or Description): Floor Plan (No change).

Reason for Decision:

The proposed change of use proposal is supported by the framework of planning policy including National Planning Framework 4 and Local Development Plan 2 in that it could bring economic benefits to the area and is not expected to have a detrimental impact on residential amenity or the character of the surrounding area. Should any residential amenity issues arise in the future, it would be for Police Scotland, the Council's Environmental Health Service or Licensing Team to pursue through their regulatory powers. The proposal would also have no adverse impact on the character of the Listed Building.

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

- (4) **[23/00067/APP](#)** – AYR – **15C Wellington Square** – Change of use of existing dwellingflat for use as short-term let/holiday accommodation.

The Panel

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

- (a) that the development hereby permitted must be begun within three years of the date of this permission;
- (b) that the development hereby granted shall be implemented in accordance with the approved plan(s) as listed below and as forming part of this permission unless a variation required by a condition of the permission or a non-material variation has been agreed in writing by the Planning Authority; and
- (c) that the accommodation hereby approved shall not be promoted, advertised, let, or used for any purpose other than as holiday accommodation, to the satisfaction of the Planning Authority.

Reasons:

- (a) to be in compliance with Section 58 of The Town and Country Planning (Scotland) Act 1997 as amended by Section 32 of The Planning (Scotland) Act 2019;
- (b) to ensure that the development is carried out in accordance with the approved plans unless otherwise agreed; and
- (c) to define the terms of this planning permission, and to retain proper planning control over the development.

List of Determined Plans:

Drawing - Reference No (or Description): Location Plan; and
Drawing - Reference No (or Description): Floor Plan (No change).

Reason for Decision:

The proposed change of use proposal is supported by the framework of planning policy including National Planning Framework 4 and Local Development Plan 2 in that it could bring economic benefits to the area and is not expected to have a detrimental impact on residential amenity or the character of the surrounding area. Should any residential amenity issues arise in the future, it would be for Police Scotland, the Council's Environmental Health Service or Licensing Team to pursue through their regulatory powers. The proposal would also have no adverse impact on the character of the Listed Building.

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

- (5) **23/00068/APP** – AYR – **15G Wellington Square** – Change of use of existing dwellingflat for use as short-term let/holiday accommodation.

The Panel

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

- (a) that the development hereby permitted must be begun within three years of the date of this permission;
- (b) that the development hereby granted shall be implemented in accordance with the approved plan(s) as listed below and as forming part of this permission unless a variation required by a condition of the permission or a non-material variation has been agreed in writing by the Planning Authority; and
- (c) that the accommodation hereby approved shall not be promoted, advertised, let, or used for any purpose other than as holiday accommodation, to the satisfaction of the Planning Authority.

Reasons:

- (a) to be in compliance with Section 58 of The Town and Country Planning (Scotland) Act 1997 as amended by Section 32 of The Planning (Scotland) Act 2019;
- (b) to ensure that the development is carried out in accordance with the approved plans unless otherwise agreed; and
- (c) to define the terms of this planning permission, and to retain proper planning control over the development.

List of Determined Plans:

Drawing - Reference No (or Description): Location Plan; and
Drawing - Reference No (or Description): Floor Plan (No change).

Reason for Decision:

The proposed change of use proposal is supported by the framework of planning policy including National Planning Framework 4 and Local Development Plan 2 in that it could bring economic benefits to the area and is not expected to have a detrimental impact on residential amenity or the character of the surrounding area. Should any residential amenity issues arise in the future, it would be for Police Scotland, the Council's Environmental Health Service or Licensing Team to pursue through their regulatory powers. The proposal would also have no adverse impact on the character of the Listed Building.

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

- (6) [23/00117/APP](#) – AYR – The Bothy, B743 from A77T At Whitletts roundabout to Mauchline Road, Mossblown - Erection of garden room and workshop.

The Panel heard from an interested party.

The Panel

Decided:

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

Reasons:

- (a) to be in compliance with Section 58 of The Town and Country Planning (Scotland) Act 1997 as amended by Section 32 of The Planning (Scotland) Act 2019; and
- (b) to ensure that the development is carried out in accordance with the approved plans unless otherwise agreed.

List of Determined Plans:

Drawing - Reference No (or Description): 577-G1-G2-XX-DR-A-LP01;
Drawing - Reference No (or Description): 577-G1-G2-XX-DR-A-SP01;
Drawing - Reference No (or Description): 577-G1-G2-XX-DR-A-SP02;
Drawing - Reference No (or Description): 577-G1-G2-XX-DR-A-AE01;
Drawing - Reference No (or Description): 577-G1-G2-XX-DR-A-AP02; and
Drawing - Reference No (or Description): 577-G1-G2-XX-DR-A-AS01.

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.

- (7) **22/01021/APPM** – **MONKTON** – **Land Adjacent to 1 Dow Avenue** – Erection of facility for the manufacturing, testing and operations of electronic and telecommunication equipment and associated works.

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

- (a) that the development hereby permitted must be begun within three years of the date of this permission;
- (b) that the development hereby granted shall be implemented in accordance with the approved plan(s) as listed below and as forming part of this permission unless a variation required by a condition of the permission or a non-material variation has been agreed in writing by the Planning Authority;
- (c) that 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;
- (d) prior to the occupation of any part of the development, a comprehensive Travel Plan that sets out proposals for reducing dependency on the private car shall be submitted and approved in writing by the Planning Authority, after consultation with the Ayrshire Roads Alliance and Transport Scotland, as the trunk roads authority. The Travel Plan shall identify measures to be implemented in order to encourage modes of travel to and from the development other than by single occupancy private car trips, the system of management, monitoring, review, reporting and the duration of the plan. The Travel Plan shall be implemented as approved;
- (e) that the proposed access points to the staff car park from Dow Avenue shall be constructed in accordance with the specifications in the SCOTS National Roads Development Guide and be a minimum of 5.5 metres wide over its initial 10.0 metres, as measured from the rear of the public roadway. The access shall be constructed, as approved, prior to completion of the development;

- (f) that the proposed access points to the visitor car park area from Station Road shall be constructed in accordance with the specifications in the SCOTS National Roads Development Guide and be a minimum of 5.5 metres wide over its initial 10.0 metres, as measured from the rear of the public roadway. The access shall be constructed, as approved, prior to completion of the development;
- (g) that the proposed service yard access and egress points onto Dow Avenue shall be constructed in accordance with the specifications in the SCOTS National Roads Development Guide, with precise details and specifications to be submitted for the approval of the Planning Authority in consultation with the Ayrshire Roads Alliance and thereafter implemented as approved;
- (h) that junction access visibility sightline splays of 2.5 metres by 43 metres shall be maintained in both directions at the junction with the public road. There shall be no obstacle greater than 1.05 metre in height within the visibility sightline splays;
- (i) that prior to occupation of the development, any gates located on the staff car park accesses shall be set back a minimum distance of 10 metres from the rear of the public footway/roadway. Details of the proposed sliding gates at the service yard access/egress points shall be submitted for the approval of the Planning Authority, in consultation with the Ayrshire Roads Alliance prior to any works commencing on site and shall thereafter be implemented as approved;
- (j) that prior to occupation of the development, any gates shall require to be designed in such a manner as to avoid opening outwards towards the public roadway;
- (k) unless as may otherwise be agreed in writing by the Planning Authority, the applicant shall make provision of a new footway connection along the northern side of Station Road, from the point where the existing footway provision ends at the Station Road/Dow Avenue roundabout linking into the site via the proposed visitor car park access. The footway shall be a continuous 2 metres in width, with the precise details and specifications to be submitted for the approval of the Planning Authority, in consultation with the Ayrshire Roads Alliance. Thereafter, the footway shall be implemented as approved;
- (l) 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 approval of the Planning Authority, in consultation with the Ayrshire Roads Alliance prior to any works commencing on site. Thereafter, details approved under the terms of this condition shall be implemented on site;

- (m) that a maximum of 250 off road car parking spaces shall be provided within the existing site boundary to satisfy provision levels as defined within the SCOTS National Roads Development Guide. This provision shall include the following:
- a. 208 general parking spaces;
 - b. 13 disabled parking spaces;
 - c. 29 visitor spaces; and
 - d. 13 Powered Two Wheeler (Motorbike) spaces shall also be provided in addition to the 250 off road car parking spaces.

Details of parking layouts designed to comply with the guidance set out in the Council's National Roads Development Guide shall be submitted for the approval of the Planning Authority, in consultation with the Ayrshire Roads Alliance and implemented as approved;

- (n) that defined parking bays and associated aisle widths shall accord with the dimensions as set out within paragraphs 3.6.2 and 3.6.3 of the National Roads Development Guide publication, adopted for use by the Council;
- (o) that cycle parking accommodating a minimum of 61 staff cycles and 31 visitor cycles shall be provided within the site boundary. Precise details of the siting and specifications of the cycle stand(s) shall be submitted for the approval of the Planning Authority, in consultation with the Ayrshire Roads Alliance, prior to any works commencing on site and shall be implemented as approved;
- (p) prior to occupation of the site, the applicant/developer shall submit a Service Management Plan for the approval of the Planning Authority, in consultation with the Ayrshire Roads Alliance. The plan shall describe the methodology for the servicing of the development, including anticipated service vehicle numbers and any measures required to safely manage the exiting from, and entry onto the adjacent public road on Dow Avenue. Thereafter, the operation of the service yard within the development shall be carried out in full accordance with the approved Service Management Plan, unless otherwise approved in writing by the Council as Planning Authority, in consultation with the Ayrshire Roads Alliance;
- (q) that plans, supplemented by swept path analysis of the largest vehicle type reasonably expected to be serving the development, shall be submitted for the approval of the Planning Authority, in consultation with the Ayrshire Roads Alliance. The turning areas shall be constructed, as approved, prior to completion of the development;

(r) no development shall commence unless and until a Construction Traffic Management Plan (CTMP) has been submitted to, and approved by, the Council as Planning Authority, in consultation with the Ayrshire Roads Alliance. The CTMP shall be required to include:

- Full conformation of the approved/agreed routes for use by construction traffic movements;
- A full breakdown of all vehicle numbers anticipated to be generated by the development over the construction period, broken down by vehicle classification. The detail provided shall require to be sufficient to highlight periods of peak development traffic generation, and provide both estimated daily and weekly trip number estimates;
- Full details of any mitigation and/or control measures required on the public road network to facilitate construction traffic. Where this requires public road layout or alignment mitigation this requires to include full detailed design/construction details;
- Full details of all arrangements for emergency vehicle access;
- Full details of measures to minimise traffic impacts on existing road users where practicable, including consideration of avoiding busy road periods and requirements for all drivers to drive in a safe and defensible manner at all times;
- Measures to accommodate pedestrians and cyclists where appropriate and details of a nominated road safety person;
- All materials delivery lorries (dry materials) to be sheeted to reduce dust and spillage onto the public roads; and
- Details of wheel wash facilities to be established at the site entrance or an alternative suitable location to ensure no tracking of mud onto the public highway.

Thereafter, the development shall be carried out in full accordance with the approved CTMP, unless otherwise approved in writing by the Planning Authority, in consultation with the Ayrshire Roads Alliance;

- (s) that prior to operation of the development, the recommendations in the Drainage Assessment Reference SAT-ARUP-ZZ-RP-CD-001 shall be implemented for the development;
- (t) that prior to the commencement of work on site, the additional information required to demonstrate that the development is not at risk of flooding from the Dow's Burn (as detailed in Appendix D of the Flood Risk Assessment) shall be submitted for the approval of the Planning Authority, in consultation with the Ayrshire Roads Alliance (as Flood Authority); and
- (u) That the submitted Bird Hazard Management Plan should be strictly adhered to during all phases of preparation, construction and operation of the site.

Reasons:-

- (a) to be in compliance with Section 58 of The Town and Country Planning (Scotland) Act 1997 as amended by Section 32 of The Planning (Scotland) Act 2019;
- (b) to ensure that the development is carried out in accordance with the approved plans unless otherwise agreed;
- (c) in the interests of visual amenity;
- (d) to encourage sustainable means of travel;
- (e) in the interest of road safety and to ensure an acceptable standard of construction;
- (f) in the interest of road safety and to ensure an acceptable standard of construction;
- (g) in the interest of road safety and to ensure an acceptable standard of construction;
- (h) in the interest of road safety, to ensure an acceptable standard of construction and to avoid the possibility of unnecessary reversing of vehicles onto the public road;
- (i) in the interest of road safety;
- (j) in the interest of road safety;
- (k) for the purposes of road safety and the functional operation of the local road network;
- (l) In the interest of road safety and avoid the discharge of water on to the public road;
- (m) in the interest of road safety and to ensure adequate off-street parking provision;
- (n) in the interest of road safety and to ensure that there is adequate space for manoeuvring and turning;
- (o) to ensure adequate provision of cycle parking on site and to encourage sustainable means of travel;
- (p) in the interest of road safety;
- (q) to reasonably avert the reversing of vehicles onto the main road and in the interest of road safety.
- (r) In the interest of road safety;
- (s) to ensure that the site is drained in an acceptable and sustainable manner;
- (t) in order to ensure that the development is protected against flooding in an acceptable manner; and
- (u) in the interest of aviation safety.

Advisory Notes:-

Ayrshire Roads Alliance

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

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

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

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

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

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.

Glasgow Prestwick Airport

Cranes

Construction Crane permits in the vicinity of the aerodrome will require to be applied for and approved by Glasgow Prestwick Airport's Air Traffic Control Unit.

Notification of the use of cranes and associated equipment during the construction phase would have to be granted permission in advance by the Airport if the crane height exceeds 10m or that of the surrounding structures or trees.

For guidance to crane users on the crane notification process and obstacle lighting and marking, please refer to CAA CAP document 1096 which is available at <http://www.caa.co.uk>

Please be aware that any crane erected without notification may be considered a hazard to air navigation and that such a crane would operate at the crane user's risk of endangering the safety of an aircraft.

The developer must contact Glasgow Prestwick Airport, contact details below:

Glasgow Prestwick Airport
Aviation House
Prestwick
South Ayrshire
KA9 2PL
Tel: 01292 511012
www.glasgowprestwick.com

Obstacle Limitation Surfaces (Landscaping)

Any shrubbery/trees planted around the development should be managed in height to ensure no penetration of the OLS surfaces surrounding the Airport and maintained throughout the life of the development.

Renewable Energy

The Airport would request to be further consulted on any additional renewable energy sources such as battery storage or wind generators that may have an impact on the safe provision of an air traffic service.

South Ayrshire Council Environmental Health Service

That all mechanical ventilation and air conditioning plant shall be suitably isolated from the structure of the building and fan units positioned in a ducted system shall be isolated from the ducting by means of flexible connections.

In order to minimise nuisance in the surrounding area from noise and vibrations, during all demolition and construction works, the plant and machinery used should be in accordance with BS 5228; Noise Control on Construction and Open Sites and the Control of Pollution Act 1974.

In respect of the Lighting for the Car Park please take cognizance of the Advice on light pollution is contained within the Institution of Lighting Professionals "Guidance Note for the Reduction of Obtrusive Light".

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

List of Determined Plans:

Drawing - Reference No (or Description): MAN-NOR-XX-F00-DR-A-00001 Rev P08;
Drawing - Reference No (or Description): MAN-NOR-XX-F01-DR-A-00002 Rev P07;
Drawing - Reference No (or Description): MAN-NOR-XX-RF-DR-A-27001 Rev P06;
Drawing - Reference No (or Description): MAN-NOR-XX-ZZ-DR-A-00100 Rev P03;
Drawing - Reference No (or Description): MAN-NOR-XX-ZZ-DR-A-00200 Rev P02;
Drawing - Reference No (or Description): MAN-NOR-XX-ZZ-DR-A-90000 Rev P03;
Drawing - Reference No (or Description): MAN-NOR-XX-ZZ-DR-A-90001 Rev P03;
Drawing - Reference No (or Description): MAN-NOR-XX-ZZ-DR-A-90002 Rev P08;
Drawing - Reference No (or Description): MAN-NOR-XX-ZZ-DR-A-90210 Rev P05;
Drawing - Reference No (or Description): MAN-NOR-XX-ZZ-VS-A-00001 Rev P01;
Drawing - Reference No (or Description): MAN-NOR-XX-ZZ-VS-A-00002 Rev P01;
Drawing - Reference No (or Description): MAN-NOR-XX-ZZ-VS-A-00003 Rev P01;
Drawing - Reference No (or Description): SAT-ARUP-ZZ-ZZ-DR-E-0110 Rev P02;
Drawing - Reference No (or Description): SAT-ARUP-ZZ-ZZ-DR-E-1700 Rev P02;

Other - Reference No (or Description): PAC Report;
Other - Reference No (or Description): Planning Statement;
Other - Reference No (or Description): Planning Statement Addendum;
Other - Reference No (or Description): Design and Access Statement
Other - Reference No (or Description): Drainage Assessment;
Other - Reference No (or Description): Flood Risk Assessment;
Other - Reference No (or Description): Geotechnical and Geo-environmental Desk Study;
Other - Reference No (or Description): Transport Assessment;
Other - Reference No (or Description): Ecological Appraisal;
Other - Reference No (or Description): Noise Impact Assessment;
Other - Reference No (or Description): Glint and Glare Study;
Other - Reference No (or Description): Wind Shear and Turbulence Report;
Other - Reference No (or Description): Bird Hazard Management Plan; and
Other - Reference No (or Description): Mangata Satellite Facility Technical Assessment.

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.

- (8) **23/00071/LBC** – STRAITON – Blairquhan Castle, B741 From B7023 junction At Knockroon to Kirkmichael Road – Alterations to listed building.

The Panel

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

- (a) that the works hereby granted Listed Building Consent shall be commenced within three years of the date of this consent;
- (b) that the works hereby granted Listed Building Consent shall be implemented in full accordance with the approved plan(s) as listed below unless a variation required by a condition of the consent has been agreed in writing by the Planning Authority; and
- (c) that stonework from the down takings shall not be disposed of but rather retained and stored for the future reinstatement, re-use, repair or maintenance of the walled garden.

Reasons:

- (a) to be in compliance with section 16 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 as amended by section 20 of the Planning Etc. (Scotland) Act 2006;
- (b) to ensure that the development is carried out in accordance with the approved plans unless otherwise agreed; and
- (c) to ensure that any future repair and maintenance works are undertaken using the original stonework in the interests of the walled garden and its setting.

List of Determined Plans:

Drawing - Reference No (or Description): 500/01;
Drawing - Reference No (or Description): 500/02;
Drawing - Reference No (or Description): 500/03; and
Drawing - Reference No (or Description): 500/04.

Reason for Decision:

It is considered that the proposal does not detrimentally affect the traditional character or appearance of this statutorily listed building.

The meeting ended at 12.32 p.m.

DRAFT