

County Buildings  
Wellington Square  
AYR KA7 1DR  
Telephone No.01292 612436



19 January 2023

**To: Councillors Bell (Chair), Cavana, Clark, Connolly, Dixon, Kilbride, Kilpatrick, Mackay and Townson**

**All other Members for Information Only**

Dear Councillor

**REGULATORY PANEL (PLANNING)**

You are requested to participate in the above Panel to be held on **Thursday, 2 February 2023 at 10.00 a.m.** for the purpose of considering the undernoted business.

**Please note that a briefing meeting will take place for all Panel Members at 9.15 a.m., online and in the Prestwick Room.**

This meeting will be held on a hybrid basis for Elected Members, will be live-streamed and available to view at <https://south-ayrshire.public-i.tv/>

Yours sincerely

**CATRIONA CAVES**  
Head of Legal and Regulatory Services

**B U S I N E S S**

1. Declarations of Interest.
2. Minutes of previous meetings of:-
  - (a) 13 December 2022 (Site Visit); and
  - (b) 14 December 2022(copies herewith).
3. Hearing relating to Application for Planning Permission - Submit report by the Housing, Operations and Development Directorate (copy herewith).

For more information on any of the items on this agenda, please telephone Andrew Gibson, Committee Services on at 01292 612436, at Wellington Square, Ayr or e-mail: [andrew.gibson@south-ayrshire.gov.uk](mailto:andrew.gibson@south-ayrshire.gov.uk)  
[www.south-ayrshire.gov.uk](http://www.south-ayrshire.gov.uk)

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**REGULATORY PANEL (SITE VISIT)**

Minutes of meeting to undertake a site visit on 13 December 2022 at 2.35 p.m.

Present: Councillors Kenneth Bell (Chair); Ian Cavana, Alec Clark, Brian Connolly, Mark Dixon, Martin Kilbride, Craig Mackay and Duncan Townson.

Apology: Councillor Mary Kilpatrick.

Attending: L. McChristie, Solicitor; C. Iles, Service Lead – Planning and Building Standards; D. Clark, Supervisory Planner; and A. Gibson, Committee Services Officer.

**1. Declarations of Interest**

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. Continued Planning Application – Recreation Ground, Winehouse Yett, Dundonald  
Ref: [21/00998/APP](#)**

Reference was made to the Minutes of 17 November 2022 when it had been agreed to continue consideration of a planning application at Recreation Ground, Winehouse Yett, Dundonald to allow a site visit to be conducted.

Having viewed the site, the Panel

**Decided:** to continue determination of the application to the next meeting of this Panel, scheduled to take place on 14 December 2022.

The meeting ended at 3.00 p.m.

**REGULATORY PANEL (PLANNING)**

Minutes of a hybrid webcast meeting  
on 14 December 2022 at 10.30 a.m.

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

Attending  
Remotely: Councillor Craig Mackay.

Apology: Councillor Mary Kilpatrick.

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. McGibbon, Supervisory Planner; F. Sharp, Supervisory Planner;  
D. Hearton, Lead Conservation Planner; D. Lewis, Planner; S. Groves,  
Planner; D. Delury, Planning Assistant; K. Braidwood, Ayrshire Roads  
Alliance; A. Gibson, Committee Administrative Officer, and C. McCallum,  
Committee Services Assistant.

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

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

In terms of Council Standing Order No. 17 and the Councillor's Code of Conduct, Councillor Cavana advised that he would declare an interest in item 4(7) below, as he had spoken with the applicant and would withdraw from the meeting during consideration thereof.

**2. Minutes of Previous Meeting.**

The minutes of 17 November 2022 ([issued](#)) were submitted and approved subject to the inclusion of Councillor Brian Connolly as being present at the meeting.

**3. Application for Planning Permission continued form a site visit – Recreation Ground, Winehouse Yett, Dundonald (Ref: [21/00998/APP](#)).**

Following consideration of an application for planning permission and subsequent site visit in relation to Recreation Ground, Winehouse Yett, Dundonald, the Panel considered the determination thereof.

In terms of Standing Order No. 19.9, there was no general agreement to the motion, therefore, the Panel moved to a vote for or against the Motion and Panel accordingly

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

- (1) 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;
- (2) that notwithstanding the terms of condition 1 above, the applicant shall undertake a conditional survey of the existing outflow pipe located at the north-west perimeter of the application site, within 1 month of the date of this decision, so as to demonstrate that the existing outflow pipe is capable of accommodating the calculated greenfield run off rates set out in the Drainage Strategy Report dated July 2022. Should the conditional survey determine that the outflow pipe is in an unsuitable condition to accommodate the calculated greenfield run off rates set out in the Drainage Strategy Report dated July 2022, then an alternative proposal(s) for surface water run-off collection shall be submitted within 2 months of the date of this decision for the prior written approval of the Planning Authority, in consultation with the Ayrshire Roads Alliance. Thereafter, the agreed alternative proposal for surface water run-off collection shall be implemented within 3 months of the date of this decision, to the satisfaction of the Planning Authority; and
- (3) that notwithstanding the terms of condition 2 above, the requirements and recommendations set out in the Drainage Strategy Report, dated July 2022, shall be fully incorporated into the final design solution of the development hereby approved and shall be fully undertaken and completed within 2 months of the date of this decision, to the satisfaction of the Planning Authority.

**Reasons:**

- (1) to ensure that the development is carried out in accordance with the approved plans unless otherwise agreed;
- (2) to ensure the site is drained in an acceptable manner and the drainage infrastructure is properly maintained; and
- (3) to ensure the site is drained in an acceptable manner and the drainage infrastructure is properly maintained.

**List of Determined Plans:**

Drawing - Reference No (or Description): Location Plan;  
Drawing - Reference No (or Description): Pitch Details;  
Drawing - Reference No (or Description): 2022-001-100;  
Drawing - Reference No (or Description): 2022-001-200; and  
Other – Drainage Strategy Report dated July 2022.

**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.

#### 4. Applications for Planning Permission

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

##### Variation in Order of Business.

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

The Panel considered the following applications:-

- (1) [22/00783/APP](#) – TROON – Land adjacent to 130 Bentinck Drive – Erection of boundary wall and formation of vehicular access.

The Panel noted that this application had been withdrawn.

- (2) [22/00395/APP](#) – MINISHANT - Site to the rear of 1-10 Mure Place – Part change of use of agricultural land to form commercial dog walking field.

The Panel heard from an interested party.

The Panel adjourned to allow a Member of the Panel to discuss the wording of a possible Motion with the relevant officers. Upon reconvening, the Panel

**Decided:** to refuse the application on the grounds that the proposed dog walking facility would generate an increased demand for parking and servicing in the area which would have an unacceptable impact on existing residents and the road network.

**At this point, Councillor Mackay left the meeting.**

- (3) [22/00692/APP](#) – AYR – land adjacent to 19 Roman Road – Erection of dwellinghouse.

The Panel heard the Service Lead – Legal and Licensing read a statement from an interested party who could not connect remotely to this meeting today.

**Decided:** to refuse the application on the following grounds:

- (a) that the development proposal is contrary to Scottish Planning Policy objectives in relation to Sustainability and Placemaking in so far as the proposal will erode the landscape buffer and natural appearance, and landscape setting of the site to the detriment of the visual and residential amenity, character, setting, distinctiveness of the site the overall sense of place in the locale, and no justification has been provided for a departure from this policy;

- (b) that the development proposal is contrary to the Adopted South Ayrshire Local Development Plan (2022) policies in relation to Sustainable Development, Development Management, Open Space, Preserving Trees, Woodland and Forestry, Natural Heritage, Residential Policy within settlements, release sites and windfall sites by virtue of the loss of open space, erosion of and adverse impact on landscape character and setting of site, loss of natural visual and physical buffer, being an incongruous development in an area characterised by planned residential estates, the loss of protected trees, potential harm to trees adjacent to the site and in the wider woodland area, to the detriment of the visual and residential amenity of the locale, and potential harm to the natural environment should protected species be found to be present within the site, and no justification has been provided for a departure from this policy; and
- (c) that the development proposal would result in the loss of protected trees within the site which are protected under Tree Preservation Order (TPO) No.30, 1988 (Castlehill Estate, Ayr) and recognised as being ancient long-established woodland of plantation origin, and also could potentially undermine and threaten further protected trees adjacent to the site, and no justification has been provided for a departure from this policy.

**List of Determined Plans:**

Drawing - Reference No (or Description): L01;  
Drawing - Reference No (or Description): L02;  
Drawing - Reference No (or Description): P01;  
Drawing - Reference No (or Description): P02;  
Drawing - Reference No (or Description): P03;  
Drawing - Reference No (or Description): P04;  
Drawing - Reference No (or Description): P05;  
Drawing - Reference No (or Description): P06; and  
Drawing - Reference No (or Description): P07.

- (4) [22/00820/APP](#) - **GIRVAN – Multi User Games Area, Linden Avenue** – Installation of 2 No. 8m high floodlight columns at existing MUGA.

**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 proposed floodlights shall not be switched on or be in use before 9:00am and after 9:00pm, to the satisfaction of the Council as 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.

**Advisory Notes:**

Please ensure the advice on light pollution contained within the Institution of Lighting Professionals "Guidance Note for the Reduction of Obtrusive Light" is followed. [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): SAC/GLEND/MUGA/101;  
Drawing - Reference No (or Description): SAC/GLEND/MUGA/102;  
Drawing - Reference No (or Description): SAC/GLEND/MUGA/103; and  
Other - Reference No (or Description): LIGHTING ASSESSMENT.

- (5) **22/00698/APP** - AYR – 2 Burns Wicket – Alterations and extension to existing sports club and upgrade works to existing grounds and car park.

The Panel heard from applicant's agent.

**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) Travel Plan: That before occupation of the development a Travel Plan shall be submitted for the prior written approval of the Council as Planning Authority (in consultation with the Council as Roads Authority). The Travel Plan shall identify the measures and initiatives to be implemented in order to encourage modes of travel to and from the development other than by single occupancy private car trips. The Travel Plan shall clearly define the system of management, monitoring, review, reporting and the duration of the plan. Thereafter the Travel Plan shall be implemented in accordance with the details approved under the terms of this condition;



- (d) Event Management Plan: The applicant/ developer shall, prior to the completion of the works, submit an Event Traffic Management Plan for the written approval of the Council as Roads Authority. The plan shall describe the arrangements for the management of trip generation associated with events to the development of varying sizes and frequencies, including any proposed traffic management measures, parking management, coach pick-up and drop-off arrangements, etc. Thereafter, the Event Management Plan shall be implemented as approved;
- (e) Access Construction: That the proposed access shall be constructed in accordance with the specifications in the Council's National Roads Development Guide. The access shall be constructed, as approved, prior to completion of the development;
- (f) Private Access Surfacing: That the private access shall be surfaced for a minimum of 5 metres as measured from the rear of the public roadway, prior to operation. Precise detail and specifications of the required surfacing 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;
- (g) Discharge of Water: 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 shall thereafter be implemented as approved;
- (h) that notwithstanding the plans hereby approved, precise details of the proposed depth of the upper floor balcony area to be sited on the rear (northern) elevation of the existing building shall be submitted for the prior written approval of the Planning Authority prior to the commencement of work on site. Thereafter, the agreed details of the balcony area shall be implemented to the satisfaction of the Planning Authority;
- (i) that notwithstanding the plans hereby approved, no permission is granted for a fence to be erected along the south and eastern boundary of the application site; and
- (j) that notwithstanding the plans hereby approved, no permission is granted for additional lighting within the car park of the application 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) to encourage sustainable means of travel;
- (d) in the interest of road safety;
- (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 avoid the discharge of water onto the public road;
- (h) in the interests of residential amenity;
- (i) in the interests of visual amenity and as per the agreement of the applicant's agent in correspondence with South Ayrshire Council Planning Service dated 16 November 2022; and
- (j) in the interests of residential amenity and as per the agreement of the applicant's agent in correspondence with South Ayrshire's Planning Service dated 16 November 2022.

**Advisory Notes:**

Road Opening Permit: 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.

Roads (Scotland) Act: 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.

New Roads and Street Works Act 1991: In order to comply with the requirements of the New Roads and Street Works Act 1991, all works carried out in association with the development on the public road network, including those involving the connection of any utility to the site, 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.

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

Costs of TROs: The Council as Roads Authority advises that promotion of Traffic Regulation Orders resulting from this development shall require to be fully funded by the applicant – including any relevant road signs and markings. In this instance the ARA will require that the applicant meets the costs for the promotion of no waiting, no loading at any time “junction clearance” restrictions at both the existing and proposed site access and egress junctions.

Signage to TSRGD 2016: 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.

**List of Determined Plans:**

- Drawing - Reference No (or Description): (00)000;
- Drawing - Reference No (or Description): (01)006;
- Drawing - Reference No (or Description): 2337\_00\_002 P3;
- Drawing - Reference No (or Description): 2337\_00\_004 P5;
- Drawing - Reference No (or Description): 2337\_01\_001;
- Drawing - Reference No (or Description): 2337\_01\_002;
- Drawing - Reference No (or Description): 82337\_01\_003;
- Drawing - Reference No (or Description): 2337\_01\_004 P4;

Drawing - Reference No (or Description): 2337\_01\_005 P4;  
Drawing - Reference No (or Description): 2337\_02\_001;  
Drawing - Reference No (or Description): 2337\_02\_002 P3;  
Drawing - Reference No (or Description): 2337\_03\_001;  
Drawing - Reference No (or Description): 2337\_03\_002;  
Drawing - Reference No (or Description): 2337\_04\_001 P1;  
Drawing - Reference No (or Description): (90) 001; and  
Other - Reference No (or Description): Design and Access Statement.

- (6) [22/00391/FURM](#) – **MOSSBLOWN** – **Scottish Agricultural College** – Further planning permission to alter the wording in the Planning Condition 19 relating to the timing of infrastructure (roundabout provision).

The Panel heard from the applicant.

**Decided:**

- to approve the application with the same conditions as those within application 09/01416/PPPM, together with a change to condition 19 (length of time of consent) and the addition of a further condition in respect of junction upgrade (condition 78) as below:-

**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 201<sup>st</sup> 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.

**Reasons:**

19. in the interest of road safety and to ensure an acceptable standard of construction. To encourage sustainable means of transport.

### 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.

#### **Reason:**

78 in the interest of road safety and to ensure an acceptable standard of construction.

- to note that a Section 75 obligation/agreement would require to be updated by all landowners before the decision notice could be issued.

**Having previously declared an interest, Councillor Cavana left the meeting at this point.**

- (7) [22/00747/APP](#) – AYR – 111 Craigie Way – Change of use of garden ground and erection of a dog grooming unit.

The Panel heard from the applicant.

**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) the outbuilding and associated dog grooming business hereby approved shall operate in strict accordance with the operational statement dated 13 September 2022. Specifically, the dog grooming business shall:
- Be operated solely from the outbuilding hereby approved;
  - Be operated by the applicant that resides at 111 Craigie Way, Ayr and without any employees;
  - only operate between the hours of 9am-5pm Monday-Saturday; and
  - Not exceed one dog at any one time or appointment;
- (d) that prior to the dog grooming business operating from the outbuilding hereby approved, a minimum of 2 off-road parking spaces shall be provided within the existing application site curtilage to satisfy provision levels as defined within the Council's adopted National Roads Development Guide. Details of parking layouts designed to comply with the guidance set out in the Council's National Roads Development Guide, and Designing Streets as National Policy, shall first be submitted for the prior written approval of the Council as Planning Authority (in consultation with the Council as Roads Authority) and thereafter implemented as approved;
- (e) that parking within the existing application site curtilage shall have dimensions of a minimum of 6m x 3m, per vehicle space;
- (f) that no permission is granted for the display of any advertisement, either within the curtilage of the property at 111 Craigie Way or on or attached to the outbuilding hereby approved or the residential dwellinghouse at 111 Craigie Way;
- (g) that prior to the dog grooming business operating from the outbuilding hereby approved, a screen fence measuring 1.8 metres in height when measured from ground level shall be erected along the northern boundary of the application site with No.10 Beech Grove (parallel with the gable of No.10. Beech Grove).

**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 interest of residential amenity;
- (d) In the interest of road safety and to ensure adequate off-street parking provision;
- (e) in the interest of road safety and to ensure adequate off-street parking provision;
- (f) in the interests of the residential amenity and character of the area; and
- (g) in the interests of neighbouring amenity.

### **Advisory Notes**

- (1) Road Opening Permit:  
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.
- (2) Roads (Scotland) Act:  
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.
- (3) New Roads and Street Works Act 1991:  
In order to comply with the requirements of the New Roads and Street Works Act 1991, all works carried out in association with the development on the public road network, including those involving the connection of any utility to the site, 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.
- (4) Costs of Street Furniture:  
The Council as Roads Authority advises that any costs associated with the relocation of any street furniture shall require to be borne by the applicant / developer.

### **List of Determined Plans/ documents:**

Drawing - Reference No (or Description): 2022/70/1;  
Drawing - Reference No (or Description): 2022-70-3;  
Drawing - Reference No (or Description): 2022-70-3;  
Drawing - Reference No (or Description): 2022-7-2(REV.A);  
Drawing - Reference No (or Description): 2022-70-5; and  
operational statement dated 13 September 2022.

The meeting ended at 12.35 p.m.

## **South Ayrshire Council**

### **List of Planning Applications for Regulatory Panel (Planning) Consideration on 2nd February 2023**

<b>List No.</b>	<b>Reference Number</b>	<b>Location</b>	<b>Development</b>	<b>Applicant</b>	<b>Recommendation</b>
1.	22/00853/MSCM Mr Alan Edgar  (Objections)	Land To The North East Of Barassie Farm Kilmarnock Road Troon South Ayrshire  <a href="#">Application Summary</a>	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 & landscaping	Lynch Homes Ltd	Approval with Condition(s)

## REGULATORY PANEL: 02 FEBRUARY 2023

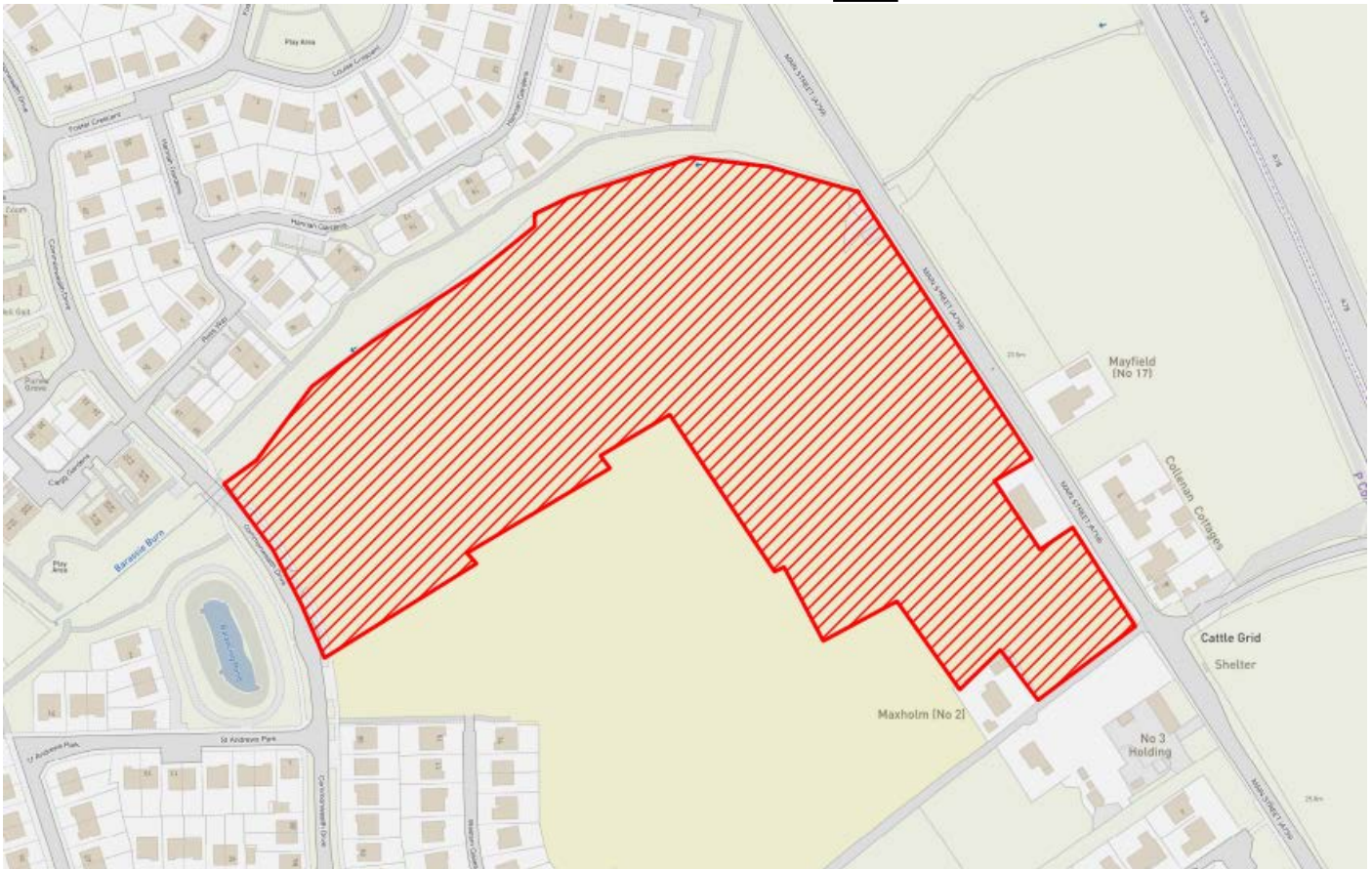
REPORT BY HOUSING, OPERATIONS AND DEVELOPMENT DIRECTORATE

22/00853/MSCM

LAND TO THE NORTH EAST OF BARASSIE FARM KILMARNOCK ROAD TROON SOUTH AYRSHIRE

### Location Plan

APPLICATION SITE 



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### Summary

Approval of Matters Specified in Conditions is sought for 49 houses and associated plot and road layout and landscaping within the Northeast Troon housing development. The application site has extant planning permission for this number of houses and the application is for revised house types and minor revisions to the plot and road layouts approved previously. Five objections have been received. The objections do not raise issues which merit refusal of planning permission having regard to the impact on the amenity of the existing adjoining housing and the planning history. The application in all aspects complies with the Development Plan and the Northeast Troon Masterplan which were approved under the original planning permission in principle. There are no contrary material considerations which indicate that the application should not be approved.



## REPORT BY HOUSING, OPERATIONS AND DEVELOPMENT DIRECTORATE

### REGULATORY PANEL: 02 FEBRUARY 2023

<b>SUBJECT:</b>	<b>PLANNING APPLICATION REPORT</b>
<b>APPLICATION REF:</b>	<b>22/00853/MSCM</b>
<b>SITE ADDRESS:</b>	<b>Land To The North East Of Barassie Farm Kilmarnock Road Troon South Ayrshire</b>
<b>DESCRIPTION:</b>	<b>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 &amp; landscaping</b>
<b>RECOMMENDATION:</b>	<b>Approval, Subject to Conditions</b>

#### 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:

The proposal comprises the erection of 49 detached dwelling-houses, laying out of roads and footpaths and landscaping. The landscaping proposals include landscaping on the southern side of the Barassie Burn to form a riparian biodiversity corridor and footpath connections to the A759 (Main Street) to the north and south of the site. The principal conditions that need to be considered in respect to this AMSC application are 3, 5 and 9 which require that each phase of the development conforms to the approved masterplan and the design principles set out in the approved Design and Access Statement relative to permission 17/00814/FURM.

Planning Permission in Principle (ref 11/00540/PPPM) was issued for the entire Northeast Troon site on 1 March 2012. Approvals of Matters Specified in conditions have subsequently been issued for the majority of the site. The current application site is located within the Southern half of North East Troon, which is being developed jointly by the current applicant and Taylor Wimpey. Approval of Matters Specified in Conditions was granted on 23 June 2017 for 290 residential units covering the majority of the southern half of Northeast Troon, including 49 units within the area covered by the current application. The 2017 permission was subsequently amended through the approval of application 19/00701/MSCM on 7 January 2020. This permission included an additional 20 market units within the southern half of North East Troon and 52 affordable houses (NB the original Planning Permission in Principle had separately been amended through permission reference 17/00814/FURM which permitted the additional housing). The current application proposes a further amendment to the layout approved under 19/00701/MSCM but will not result in a change in the number of dwellings within the southern half of North East Troon development.

The landscaped areas, footpaths and road layout are unaltered from the previous approved layout. The same range of house types are proposed with only the mix of house types being altered. Some minor revisions are proposed to the plot boundaries to accommodate changed house types on some plots and to regularise the shape of rear gardens. The majority (42 out of 49) of the proposed house types are two storey detached villas, however, 5 bungalow style houses are proposed. The style of houses proposed are typical of the houses that have been erected elsewhere within North East Troon to date and incorporate rectangular or L-shaped floor plans with moderately steep dual pitched roofs and a vertically emphasised fenestration. The exterior finishes are also typical of the wider development, utilising a combination of dry dash render and split face stone blockwork to the walls and concrete tile to the roofs. "Feature" house types are proposed on plots 79, 75, 74, 59, 39 & 36. These incorporate weather boarding to match the feature house types erected elsewhere within the Northeast Troon development and provide a unifying feature across the entire Northeast Troon development.

#### Procedural Issues

The application requires to be determined by the Regulatory Panel as more than four public objections have been received. Whilst the amended Scheme of Delegation has extended delegated powers to included applications with up to ten objections, the current application was submitted prior to the revision to the Scheme of Delegation and is being processed in accordance with the previous Scheme of Delegation.

#### 2. Consultations:

**Ayrshire Roads Alliance** - were consulted but had not responded at the time of writing.

#### 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. **None.**

#### 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 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. **The outstanding development contributions for the site are subject to a Minute of Agreement in terms of Section 69 of the Local Government (Scotland) act 1973 (as amended) covering education, community facilities, Barassie Station, Struthers access and public transport.**

#### 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:

5 representation(s) has/have been received, 5 of which object to the proposed development. All representations can be viewed online at [www.south-ayrshire.gov.uk/planning](http://www.south-ayrshire.gov.uk/planning)

The issues raised by Representees can be summarised as follows.

- The houses proposed on the plots nearest to the existing houses at Collennan are two storey and will overwhelm the existing single storey houses at Collennan
- The two storey houses proposed will overlook the existing houses surrounding the site
- The houses proposed on the plots nearest the existing houses should be single storey to reduce the impact and fit better with the scale and massing of the original houses

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 these representations is included within the assessment section of this report.

## **7. Assessment:**

The material considerations in the assessment of this planning application are the Planning Permission in Principle granted for the wider Northeast Troon housing allocation, the provisions of the development plan, other policy considerations (including government guidance), the consultation responses, objector concerns and the impact of the proposal on the amenity of the locality.

### **(i) Planning History**

The principle of residential development on the current application site has been established through the planning permissions previously granted for Northeast Troon, which are listed below.

- 11/00540/PPPM: planning permission in principle for erection of 680 residential properties and associated works at Northeast Troon, granted 1 March 2012
- 12/00163/MSCM: Approval of Matters Specified in Conditions for roads infrastructure, SUDS and structural landscaping, granted 17 April 2012. This permission has been implemented.
- 17/00121/MSCM: Approval of Matters Specified in Conditions for full details of the house types, plot layout, local roads, parking areas and landscaping for the southern half of NET, with the exception of the affordable housing pod. This permission has been commenced.
- 17/00814/FURM: Permission to vary condition 3 of permission 11/00540/PPPM to permit the total number of dwellings constructed within the NET development to be increased from 680 to 720 was approved on 23 November 2018.
- 19/00701/MSCM: approval of matters specified in conditions for 63 market houses (including 20 additional units), erection of shop, and erection of 52 affordable houses, granted 14 November 2019

### **(ii) Assessment Against Planning Permission in Principle (ref 17/00814/FURM):**

The principle of residential development within the Northeast Troon development area has been established under planning permission 17/00814/FURM. The current application seeks approval to change the house types for 49 plots and to make minor, consequential, revisions to the plot boundaries and detail of the road layout previously approved. The principal conditions relating to the layout and design of the development are conditions; 3, 5 & 9 which require that each phase conforms to the approved Masterplan and the design principles set out in the approved Design and Access Statement. The Approval of Matters Specified in Conditions (AMSC) granted previously were found to be in compliance with the conditions attached to the PPP. The submitted proposals are assessed against these and the requirements of other relevant conditions in the following paragraphs.

#### **Total Number of Dwellings**

Condition 3(a) of 17/00814/FURM requires that the total number of residential units to be developed throughout the entire site shall not exceed 720 units (inclusive of affordable housing units). This proposal is for the final phase of development and the total number of units approved will not exceed 720.

#### **Layout of Development Along Spine Road (Condition 5)**

Four of the proposed units front the spine road (Commonwealth Drive). In accordance with the Design & Access Statement, the proposed layout includes houses fronting the Spine Road and following the curve of this road. Dual frontage house types are required at junctions between the side roads and the spine road, however, this requirement has not been met and a condition is proposed requiring amended elevations, incorporating windows in the southern and northern gable elevations of plots 39 and 37. There are no garages projecting beyond the building line.

#### **Maximum Storey Heights Along Boundaries (condition 5)**

The Design & Access Statement requires that all houses adjacent to the western boundary of the site shall be a maximum of two storeys in height, and on the northern, eastern and southern boundaries shall be two storeys in height unless otherwise agreed with the Planning Authority. All houses proposed are two storeys.

Passive Surveillance of Main Pedestrian Routes & Play Areas (conditions 5 and 9)

The Design & Access Statement requires that wherever possible, houses adjacent to the pedestrian /vehicular spine and the two strategic footpaths running south-east to north-west as identified in the approved Indicative Masterplan and figure 7.11 'Vehicular and Pedestrian Network' in the approved Design and Access Statement shall front onto the main pedestrian routes, or where this is not possible the houses shall be dual fronted with some living accommodation windows facing onto these strategic footpaths. All children's play areas should be overlooked by principal elevations. The footpath along the Barassie Burn is overlooked by houses which have their principal elevation orientated towards the open space.

Scale, Density and External Finishes (conditions 5 and 9)

Condition 5 requires that the character areas as set out in the approved Design and Access Statement in the Guidelines for density, scale and housing mix (section 8.3), streetscape (section 8.4), frontages/edges boundaries (section 8.5) and housing design, building materials and surfacing (section 8.6) shall be adhered to. The densities and size/massing of the housing proposed are similar to those approved throughout the development and are acceptable. Whilst some details of the finishes have been provided, a condition is required requiring the submission of further details and samples.

Wildlife Corridors & Structural Landscaping (Condition 5 and 17)

Condition 5 requires that landscaping and wildlife corridors as shown in the approved Indicative Masterplan, figure 7.14 and figure 7.13 'Landscape, Open Space and Play Space Strategy' of the approved Design and Access Statement linking to each other to create a green network across the site. Condition 17 requires the approval of a management plan for all landscaped areas within the development for five years. As per the previous approvals, open space is provided along the southern side of the Barassie Burn to provide a wildlife corridor. A condition is proposed to ensure that this landscaping is implemented at an appropriate time prior to the completion of the phase and a management plan is submitted.

Landscaping and Play Area Bonds (Condition 9)

Condition 9 requires bonds to be provided by the developer to ensure that the landscaping and equipped play areas are provided in the event that the developer is unable to complete the development. A condition is proposed requiring that a bond(s) or other financial guarantee mechanism is provided prior to the commencement of development to ensure that the structural landscaping along the Barassie Burn and within the buffer between the development and the existing houses at Collennan are completed. As there are no play areas within this part of the site, there is no requirement for a play area bond.

Private Open Space (Condition 9)

Condition 9 requires that the layout of the development complies with the Council's guidance on private open space. The majority (70%) of the proposed units comply with the guidance. The garden sizes for the remaining units which do not fully comply with the guidance, do however all meet the minimum garden depth requirements and are considered to be of adequate size for the type of property proposed.

Permeable Road Layout, Street Hierarchy and Passive Traffic Calming (Condition 5, 9 & 37)

Condition 5 requires that the road layout shall follow the street hierarchy as defined in section 8.2 and indicated in Figure 7.11 'Vehicular and Pedestrian Network' of the approved Design and Access Statement and the roads layout shall maximise the potential for shared surface areas and the design of streets should include passive measures to reduce driver speeds. The road layout and street design for the market housing areas were previously approved under permission 17/00121/MSCM, through consultation with the Ayrshire Roads Alliance (ARA). The current application requires only minor variations to the geometry of the road, and while ARA has not responded to the consultation for the current application, the minor nature of the variations can be deemed acceptable in principle. Condition 14 below requires details of all road infrastructure to be submitted for approval through consultation with ARA.

Parking Standards (Condition 2)

The proposed layout plans show the detail of the proposed private parking provision. In-curtilage parking will be provided for all the proposed houses. Condition 17 below will ensure that parking is provided in accordance with the Council's Roads Development Guide. The majority of parking spaces will be provided to the side of the houses providing opportunity for soft landscaping within the front curtilage adding to the quality of the streetscape.

Pedestrian Links (Condition 19)

Condition 19 requires that the pedestrian access links shown on the approved Masterplan are provided in each phase. As stated previously, a footpath will be provided along the southern side of the Barassie Burn linking to the A735. A second footpath link to the main road will be provided at the southern corner of the site.

Boundary Treatments (Condition 9)

Condition 9 requires that the boundary treatment for individual plots is in accordance with the frontage/edges Boundaries (Section 8.5) of the Design & Access Statement. The layout of the development avoids rear gardens fronting onto the spine road and secondary access roads. There are a limited number of corner plots with side garden boundaries fronting the road. The information submitted in respect of boundary treatment is limited and a condition is proposed requiring further details to be submitted to ensure a higher standard of boundary treatment in locations where fences front onto a road.

Habitat Management Plan (condition 16)

Condition 16 requires an ecological habitat management plan for each phase of the development. An 'Ecological Management Plan' ("Barassie Housing Site, Northeast Troon Ecological Management Plan", March 2012, prepared by MacKenzie Bradshaw Environmental Consulting) has been approved for the entire NET area under planning permission 12/00163/MSCM.

Noise Nuisance (condition 45)

Condition 45 requires that details of measures to be put in place to ensure appropriate noise insulation in new houses shall be submitted to and approved by the Planning Authority in consultation with Prestwick Airport. Due to the location of the site in relation to the A759 and A78 and the airport it is important for the residential amenity of the future residents of these dwellings to be protected. It is proposed to reattach the previous planning condition relating to noise.

(iii) 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 provisions of the Adopted South Ayrshire Local Plan must be read and applied as a whole, and as such, no single policy should be read in isolation. The application has been considered in this context.

The application site forms part of a wider consented residential development which has previously been assessed as being consistent with the relevant policies of the previous local development plan. The proposed amendments to the house types and minor variations to plot boundaries have limited implications in terms of the Core Principles, Strategic Policies and the detailed policies contained within the replacement Local Development Plan 2. Accordingly, the assessment under LDP2 is limited to those policies which are relevant to the amendments being applied for under the current application. The following policies of LDP2 are, therefore relevant to consideration of the current application:-

LDP Policy: residential policy within settlements, release sites and windfall sites

The LDP seeks to protect the character and amenity of areas that are mainly residential. The application site is adjacent to existing houses at Collennan. The Northeast Troon housing allocation surrounds these existing properties on three sides and has significantly altered their landscape setting and semi-rural context. The Planning Permission in Principle sought to reduce the degree of impact on the existing houses through the requirement for a 10-metre-wide landscape buffer. The current proposal includes a 10-metre-wide landscaped area planted with trees between the nearest proposed houses and the nearest existing house. Furthermore, the two proposed houses closest to the nearest existing house are set back 21 and 25 metres respectively and the elevations orientated towards the nearest existing house do not contain windows. An adequate level of privacy will therefore be maintained for the existing properties located closest to the application site.

LDP Policy: low and zero-carbon buildings

The LDP expects all new buildings to be designed to ensure that at least 15% of the CO2 emissions reduction standard set by the Scottish Building Standards is met through the installation and operation of low and zero-carbon generating technologies. The proposed house designs include solar photo-voltaic panels mounted on the roofs.

LDP Policy: land use and transport

The LDP requires that vehicle parking is provided which reflects the role of the development and the location in which it is situated. In-curtilage parking is proposed to serve each of the proposed dwellings.

The principle of residential development within the application site complies with the relevant policies of the LDP and has been established through the earlier planning permissions. The current application is to amend the house types on certain plots and make minor modifications to the detail of the plot boundaries and the geometry of the roadways. The amendments are in keeping with the Masterplan and Design and Access Statement for Northeast Troon and the conditions attached to the Planning Permission in Principle. The proposal does not raise any issues regarding privacy, residential amenity or road safety. Adequate "in-curtilage" car parking provision is proposed with the majority being laid out as parking to the side of the house, thus creating a "greener" street frontage that is not dominated by hard landscaping. The landscaping proposals along the Barassie Burn are as previously approved. Additional landscaping is proposed around the vacant bungalow that fronts the A759 and it is no longer proposed to erect a house immediately to the rear of this existing property.

(ii) Other Policy Considerations (including Government Guidance & Policy)

The **National Planning Framework 4 Revised Draft** was approved by the Scottish Parliament on Wednesday 11 January 2023. Whilst NPF4 and the accompanying regulations have not yet been published, NPF4 is a material consideration and has been taken into consideration in the assessment of this application.

The current application relates to a change in the house types and minor amendments to plot boundaries and the geometry of the road layout. The proposal has therefore only been assessed against those policies in NPF4 that are relevant to the changes between the approved development and the proposed development.

**Policy 1: when considering all development proposals significant weight will be given to the global climate and nature crises.**

It is noted that all proposals require to be assessed against policy 1. The change in house types will have no significant additional impact on climate change or biodiversity loss. It is noted that the design of the houses incorporates solar photovoltaic panels which will provide some of the electrical energy demand for the houses and that (as with the previous approved layout) a biodiversity corridor is to be provided along the side of the Barassie Burn. It is considered that the proposal is consistent with Policy 1.

**Policy 2: a) Development proposals will be sited and designed to minimise lifecycle greenhouse gas emissions as far as possible; b) development proposals will be sited and designed to adapt to current and future risks from climate change; c) development proposals to retrofit measures to existing developments that reduce emissions or support adaptation to climate change will be supported.**

No supporting information has been provided quantifying the amount of embedded carbon contained within the materials to be used in the construction of the houses or supporting infrastructure or the emissions associated with the occupation of the houses and their eventual demolition at the end of their useful lives. This type of information was not required to be submitted for the previous planning application. It is unlikely that there will be a significant difference between the approved housing development and the proposed as the latter proposes to erect the same range of house types (but on different plots) and to form the same road layout. Consequently, the revisions proposed are unlikely to result in a significant increase in the lifecycle greenhouse gas emissions and are acceptable in this regard. It is important to note that the design of the buildings will require to comply with the energy performance standards set out in the current Scottish Building Standards Regulations. In regard to point b) of the policy, the Northeast Troon development has been designed to ensure that neither the site nor the surrounding houses and land are subject to increased flood-risk as a result of the development and a strategic SUDS has been installed. The SUDS scheme includes an allowance for climate change.

**Policy 3: a) Development proposals will contribute to the enhancement of biodiversity, including where relevant, restoring degraded habitats and building and strengthening nature networks and the connections between them. Proposals should also integrate nature-based solutions, where possible.**

**b) Development proposals for national or major development, or for development that requires an Environmental Impact Assessment will only be supported where it can be demonstrated that the proposal will conserve, restore and enhance biodiversity, including nature networks so they are in a demonstrably better state than without intervention. This will include future management. To inform this, best practice assessment methods should be used. Proposals within these categories will demonstrate how they have met all of the criteria i. to v. listed in the policy;**

**c) – not applicable to this proposal**

**d) Any potential adverse impacts, including cumulative impacts, of development proposals on biodiversity, nature networks and the natural environment will be minimised through careful planning and design. This will take into account the need to reverse biodiversity loss, safeguard the ecosystem services that the natural environment provides, and build resilience by enhancing nature networks and maximising the potential for restoration.**

The proposed amendment to the mix of house types and minor adjustments to the road layout have no significant implications for biodiversity. It is noted, however, that the proposals include the creation of a wildlife corridor along the side of the Barassie Burn which will increase the biodiversity value of this area of land and enhance connectivity within the broader landscape within this riparian corridor. The proposal is considered to be consistent with Policy 3.

**Policy 5 - a) Development proposals will only be supported if they are designed and constructed:**

**i. In accordance with the mitigation hierarchy by first avoiding and then minimising the amount of disturbance to soils on undeveloped land; and**

**ii. In a manner that protects soil from damage including from compaction and erosion, and that minimises soil sealing.**

The proposed amendment to the mix of house types and minor adjustments to the road layout have no significant implications for soil management. It is noted that site wide land re-profiling was undertaken at the commencement of Northeast Troon development and the current proposal do not include any additional land re-profiling.

**Policy 14a) Development proposals will be designed to improve the quality of an area whether in urban or rural locations and regardless of scale. b) development proposals will be supported where they are consistent with the six qualities of successful places: healthy, pleasant, connected, distinctive, sustainable and adaptable. c) development proposals that are poorly designed, detrimental to the amenity of the surrounding area or inconsistent with the six qualities of successful places will not be supported.**

The location and layout of the proposed houses have previously been approved through the earlier planning permissions approved at the site. The house types have also previously been approved and the current application only seeks to alter the mix of house types across the plots. The design of the Northeast Troon residential expansion area is guided by a Masterplan layout and Design and Access Statement approved under the Planning Permission in principle which seeks to ensure that the area is developed in accordance with the six qualities for successful places. Some minor adjustments are required to ensure compliance with the Design and Access Statement and appropriate conditions are proposed in this regard.

**Policy 20 b) Development proposals for or incorporating new or enhanced blue and/or green infrastructure will be supported. Where appropriate this will be an integral element of the design that responded to local circumstances.**

The design and layout of the Northeast Troon housing area has been approved through the previous planning permission granted for the area. The approved Masterplan and Design & Access Statement include provision for habitat network connections through the site following the Barassie Burn and Struthers Burn watercourses to enhance biodiversity and connectivity for species.

**Policy 21 d) Development proposals likely to be occupied or used by children and young people will be supported where they incorporate well-design, good quality provision for play, recreation and relaxation that is proportionate to the scale and nature of the development and existing provision in the area.**

The design and layout of the Northeast Troon housing area has been approved through the previous planning permission granted for the area. The approved Masterplan and Design & Access Statement include provision for childrens' play areas and open spaces that meet the requirements of NPF4 policy 21 (d).

Having regard to the foregoing assessment it is considered that the proposal to remix the house types and make minor revisions to the plot boundaries and detail of the road layout is consistent with NPF4 Revised Draft (as approved by Scottish Parliament 11 January 2023).

(iii) Objector Concerns

The letters of objection relate to the effect on the privacy and amenity of the existing housing at Collennan. Protection of the privacy of the existing properties is considered in the assessment above. It is not considered that the concerns raised by the objectors are sufficient to merit refusal of the application.

(iv) Impact on the Locality

The amendments proposed to the existing consented residential development have limited effect on the environment surrounding the application site and it is considered that there will be no adverse impact on the amenity of the surrounding residential areas.

**8. Conclusion:**

The current application is to amend the house types previously approved and to make minor modifications to the detail of the plot boundaries and the geometry of the roadways. The amendments are in keeping with the Masterplan and Design and Access Statement for Northeast Troon and the conditions attached to the Planning Permission in Principle. The principle of residential development within the application site complies with the relevant policies of the LDP and detail is consistent with the relevant LDP policies and the recently approved National Planning Framework 4. The proposal does not raise any issues regarding privacy, residential amenity or road safety.



**9. Recommendation:**

It is recommended that the application is approved subject to the following conditions:

- (1) 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.
- (2) That the internal noise level (L<sub>Aeq</sub> 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<sub>Aeq</sub> 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.
- (3) 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.
- (4) 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.
- (5) 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.
- (6) 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 m<sup>2</sup>. 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.

**Regulatory Panel (Planning): 02 February 2023**

Report by Housing, Operations and Development Directorate (Ref: 22/00853/MSCM)

- (7) 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:-
- a. Structural landscaping for the landscape buffers and wildlife corridors of Barassie and all internal landscaping;
  - b. 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 m<sup>2</sup> 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.

- (8) 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.
- (9) 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.
- (10) That all landscaping works and open space provision shall be retained as open space.
- (11) 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.
- (12) 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.
- (13) 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.
- (14) 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.
- (15) 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.

## Regulatory Panel (Planning): 02 February 2023

Report by Housing, Operations and Development Directorate (Ref: 22/00853/MSCM)

- (16) 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.
- (17) 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).
- (18) 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.
- (19) 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.
- (20) 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.
- (21) 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.
- (22) 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.
- (23) 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.

### 9.1 Reasons:

- (1) To ensure that the development is carried out in accordance with the approved plans unless otherwise agreed.
- (2) In the interest of residential amenity.
- (3) To ensure that all contamination within the site is dealt with.
- (4) To comply with the terms of the first formal application for matters specified in conditions 12/00163/MSCM for the site.
- (5) 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
- (6) In the interest of biodiversity and amenity
- (8) To encourage sustainable means of transport and in the interest of amenity
- (9) In the interest of biodiversity
- (10) in the interest of biodiversity and amenity
- (11) in the interest of visual amenity

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- (12) in the interest of visual amenity and to ensure compliance with 17/00814/FURM
- (13) To encourage sustainable means of travel
- (14) In the interest of road safety and to ensure an adequate standard of construction
- (15) in the interest of road safety
- (16) in the interest of road safety and to ensure an adequate standard of design
- (17) In the interest of road safety and in order to ensure adequate off-street parking
- (18) to ensure adequate provision for cycle parking and to encourage sustainable means of travel
- (19) in the interest of road safety and to ensure adequate storage arrangements for refuse bins
- (20) Road Safety
- (21) in the interest of road safety
- (22) To ensure that the site is drained in an acceptable manner
- (23) In the interest of good urban design and to comply with the approved Design & Access Statement covering the Northeast Troon development.

### 9.2 Advisory Notes:

**None**

### 9.3 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

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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

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

**9.4 Reason for Decision (where approved):**

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.

**Background Papers:**

Planning application form and drawings  
South Ayrshire Local Development Plan  
National Planning Framework 4  
Letters of objection

**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:**

Mr Alan Edgar, Supervisory Planner - Place Planning - Telephone 01292 616 683