

SOUTH AYRSHIRE COUNCIL

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997 (AS AMENDED)
TOWN AND COUNTRY PLANNING (GENERAL DEVELOPMENT) (SCOTLAND) ORDERS

To: Oberdarn Property And Land Development
per Axiom Design Services
65 High Street
Sanquhar
DG4 6DT

With reference to your **Application for Planning Permission in Principle** dated **28th August 2023**, under the aforementioned Regulations, for the following development, viz:-

Planning permission in principle for erection of Class 1A units

at: **Land To The Rear Of 97/99 Main Street Prestwick South Ayrshire**

South Ayrshire Council in exercise of their powers under the aforementioned Regulations hereby **approve** the Application for Planning Permission in Principle for the said development in accordance with the following conditions as relative hereto and the particulars given in the application. The approved drawings and other documents, where relevant, can be accessed from the [Council's website](#) by using the application reference number noted above and these represent the approved scheme.

The following condition(s) which relates to this permission are:

- (1) That formal application(s) for the Approval of Matters Specified in Conditions shall be submitted to, and approved by, the Council before commencement of development. Such application(s) shall be made not later than three years from the date of this permission or, if later, within six months from when an earlier approval for the same matters was refused or dismissed on appeal.
- (2) That full details of the proposed development, including the siting, design, external appearance, access arrangements, landscaping measures, and any other matters specified in conditions below, shall be submitted for the approval of the Planning Authority as outlined in condition 1 of this planning permission.
- (3) That the planning permission in principle, subject to the specified planning conditions, relates to the plan(s) as listed below.
- (4) That at the approval of matters specified in conditions stage a landscaping scheme indicating the siting, numbers, species and heights (at time of planting) of all trees, shrubs and hedges to be planted. This shall be submitted for the prior written approval of the planning authority. The scheme as approved shall be implemented within the first planting season following the completion or occupation of unit one of the developments, whichever is the sooner. The open space/landscaped area shall be retained as open space and to this approved standard.
- (5) That at the approval of matters specified in conditions stage, a comprehensive acoustic consultants report shall be submitted. This shall be carried out by a suitably qualified acoustic consultant or competent person.
- (6) That notwithstanding the plans hereby approved, no form of amplified noise or sound systems shall be used within the application site, to the satisfaction of the Planning Authority.

- (7) That the presence of any previously unsuspected or unencountered contamination that becomes evident during the development of the site shall be brought to the attention of the Planning Authority within one week. At this stage, a comprehensive contaminated land investigation shall be carried out if requested by the Planning Authority., and which shall be submitted to for the formal prior written approval of the Council as Planning Authority.
- (8) Further to condition 7 should any previously unsuspected or unencountered contamination land become evident and that prior to commencement of any site works, a comprehensive contaminated land investigation shall be submitted of the prior written approval of the Council as planning authority. The investigation shall be completed in accordance with a recognised code of practice such as British standards Institution 'The investigation of potentially contaminated sites-code of practice' (BS 10175:2001), or as may be amended) The report shall include a site-specific risk assessment of all relevant pollutant linkages, as required in Scottish Government Planning Advice Note 33(or as amended)
- (9) That where the risk assessment identified any unacceptable risk as defined under Part 11A of the Environmental Protection Act 1990, a detailed remediation strategy shall be submitted for the formal prior written approval of the Council as Planning Authority. No works, other than investigative works, shall be carried out on the site prior to receipt of written approval of the remediation strategy by the Planning Authority.
- (10) That the remediation of the site shall be carried out in accordance with the approved remediation plan. Any amendments to the approved remediation plan shall not be implemented unless approved in writing by the Planning Authority.
- (11) That at a matters specified in condition application stage, 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 of the Travel Plan.
- (12) That the private access shall be surfaced for a minimum of 10 metres as measured from the rear of the public roadway, prior to opening of the first unit. That at a matters specified at condition application state the 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).
- (13) That the discharge of water onto the public road carriage way shall be prevented by drainage or other means. That at a matters specified at condition application state, 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).
- (14) That off-road parking spaces shall be provided within the existing site boundary to satisfy provision levels as defined within the Council's adopted National Roads Development Guide, with parking layouts designed to comply with the guidance set out in the National Roads Development Guide, within the designing streets publication as National Policy.
- (15) That at a matters specified at condition application state, the applicant shall submit a swept path analysis accommodating the largest size of vehicle expected to be used by or serve the development for the formal prior written approval of the Council as Planning Authority.
- (16) That at a matters specified at condition application state, submit a construction Traffic Management Plan for the written approval of the Council as Planning Authority in consultation with the Roads Authority. The plan shall describe the methodology for the movement of construction traffic to and from the site, including agreement on suitable routes to and from the site, and shall require the agreement of the Council as Roads Authority prior to any movement of construction traffic associated with the site.

- (17) That at a matters specified at condition application state, the applicant/developer shall, submit a Service Management Plan (SMP) for the written approval of the Council as Planning Authority in consultation with the Council's Roads Authority. The plan shall describe the best practice methodology for the movement of delivery traffic associated with the development including delivery timing, routing, banksmen requirements and other related matters. The SMP shall require the agreement of the Council as Roads Authority prior to occupation of the development.
- (18) That notwithstanding the plans hereby approved, no permission is hereby granted for any detail, indicative or otherwise, presented therein. Such detail shall instead be the preserve of the fulfilment of the various conditions of this planning permission in principle, as warranting that detail within the requisite future formal application(s) for the Approval of Matters Specified in Conditions.

Reasons:

- (1) To be in compliance with Section 59 of The Town and Country Planning (Scotland) Act 1997 as amended by Section 32 of The Planning (Scotland) Act 2019.
- (2) To be in compliance with Section 59 of The Town and Country Planning (Scotland) Act 1997 as amended by section 21 of the Planning Etc. (Scotland) Act 2006.
- (3) That this planning permission in principle, subject to the specified planning conditions, relates to the plan(s) as listed below
- (4) In order to retain the amenity and character of the area.
- (5) In order to prevent noise nuisance.
- (6) In order to prevent noise nuisance.
- (7) To ensure potential risks arising from previous site uses have been fully assessed
- (8) To ensure potential risks arising from previous site uses have been fully assessed.
- (9) To ensure the proposed remediation plan is suitable
- (10) To ensure the proposed remediation plan is suitable.
- (11) To encourage sustainable means of travel.
- (12) In the interest of road safety and to ensure an acceptable standard of construction.
- (13) In the interest of road safety and to avoid the discharge of water on to the public road.
- (14) In the interest of road safety.
- (15) In the interest of road safety
- (16) In the interest of road safety.
- (17) In the interest of road safety.
- (18) To clarify the extent of the planning permission and to be in compliance with Section 59 of The Town and Country Planning (Scotland) Act 1997 as amended by section 21 of the Planning etc. (Scotland) Act 2006.

List of Approved Plans:

Drawing - Reference No (or Description): SPP/A3/100 REV A

Drawing - Reference No (or Description): SPP/A3/101 REV A Site Plan

Reason for Decision:

It should be understood that this permission does not carry with it any necessary consent or approval to the proposed development under other statutory enactments.

Dated: 13th October 2023

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Craig Iles
Service Lead - Planning and Building Standards

PLANNING SERVICE, COUNTY BUILDINGS, WELLINGTON SQUARE, AYR, KA7 1DR

Note:
In addition to this approval and before proceeding with the development the applicant may require a Building Warrant under The Building (Scotland) Act 2003 as amended or a Road Opening Permit or Construction Consent under The Roads (Scotland) Act 1984 Legislation.