

REGULATORY PANEL:

REPORT BY HOUSING, OPERATIONS AND DEVELOPMENT DIRECTORATE

23/00761/PPP

KNOCKENDALE FARM C93 FROM B730 JUNCTION NORTH WEST OF BOGEND SOUTH WEST TO BREWLANDS ROAD SYMINGTON SYMINGTON SOUTH AYRSHIRE KA1 5PN

Location Plan



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Summary

Planning permission in principle is sought for the conversion of agricultural buildings to form two dwellinghouses and erection of a new build dwellinghouse at Knockendale Farm, north-east of Symington. The application site is located in a rural area as prescribed by the Adopted South Ayrshire Local Development Plan 2. The application site is located within the farmsteading known at Knockendale Farm. Given the nature of the application, details for the siting and design of the dwellinghouses would require to be established by the submission of further applications for matters specified in conditions, if planning permission in principle is granted. The application has generated 3 objections, including an objection from the Symington Community Council. Consultation responses have been received with no objections being raised.

On balance, the proposed development subject of this planning application has been assessed against the relevant policies of National Planning Framework 4 (NPF4) alongside South Ayrshire Local Development Plan 2 and it is considered that the proposal is capable of positive consideration against the terms, criteria and requirements of all of applicable statutory planning policy framework. Other material planning considerations have been assessed and it is not considered that any of these matters would warrant a recommendation other than approval noting the developments compliance with the statutory development plan framework.

REPORT BY HOUSING, OPERATIONS AND DEVELOPMENT DIRECTORATE

REGULATORY PANEL: 9 MAY 2024

SUBJECT:	PLANNING APPLICATION REPORT
APPLICATION REF:	23/00761/PPP
SITE ADDRESS:	Knockendale Farm C93 From B730 Junction North West Of Bogend South West To Brewlands Road Symington Symington South Ayrshire KA1 5PN
DESCRIPTION:	Planning permission in principle for conversion of agricultural buildings to form two dwellinghouses and erection of dwellinghouse
RECOMMENDATION:	Approval with conditions

APPLICATION REPORT

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

Key Information:

- The application was received on 9 October 2023.
- The application was validated on 9 October 2023.
- The case officer visited the application site on 8 January 2024.
- Neighbour Notification, under Regulation 18 of The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013, was carried out by the Planning Authority on 28 November 2023.
- No Site Notice was required.
- A Public Notice, under Regulation 20 of The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013 was placed in the Local Press on 24 October 2023.

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1. Proposal:

Planning permission in principle is sought for the conversion of agricultural buildings to form two dwellinghouses and the erection of a dwellinghouse at Knockendale Farm, north east of Symington.

The application site lies within a rural area to the north-east of the village of Symington. More specifically, the site comprises of a portion of land, occupied by various buildings, which is associated with, and located in the northern portion of Knockendale Farm steading. The site is accessed from the C93 in the north-western corner of the application site. Located on the southern boundary of the site is a traditional, L-shaped, one and a half storey, stone built, slate roofed building with traditional wall-head dormers on the existing front, side and rear elevations, with attached lean-to shed on the front. The buildings within the site comprise of two interlinked agricultural storage sheds, a stone-built building with a slated roof which was previously used as a byre and a stone/ brick-built building which has fallen into a state of disrepair.

Planning permission in principle is sought for the conversion of agricultural buildings to form two dwellinghouses and the erection of a dwellinghouse at Knockendale Farm. Given the nature of this application, details for the siting and design of the dwellings would require to be established by the submission of further applications for matters specified in conditions. Whilst permission is being sought in principle, the applicant has provided an indicative layout which suggests that the site would accommodate 3 separate residential plots. The stone-built building with slated timber roof and the interlinked agricultural storage sheds are both proposed for conversion to form 2 x dwellinghouses; while the deteriorated stone/ brick-built building is to be demolished to accommodate the erection of a new dwellinghouse. The 3 x plots would occupy areas of approximately 1080 sq.m, 950 sq.m and 983 sq.m. All three plots would be served off the existing access from the C93 road at the north-west corner of the site.

Neighbouring development at Knockendale Farm steading, which sits outside the application site, including the original farmhouse and development approved under planning permission ref.22/00376/APP (see planning history below) is served from a separate access from the C93 road, approximately 162 metres to the south of the access to the application site. While the farmhouse also appears to have another, separate access from the C93 road (between the other two access points) this does not appear to be in use as a vehicular access.

Planning History

Planning permission (Ref. 22/00376/APP) was approved for the change of use, alteration, and extension of an out-building to form a dwellinghouse at Knockendale Farm on the 5th August 2022. The permission relates to the conversion of an existing traditional out-building to be re-used, altered and extended to accommodate a new residential dwellinghouse. The outbuilding, which was the subject of planning permission Ref.22/00376/APP, is located within the southern portion of Knockendale Farm steading and outwith the current application site. It is also served by a separate access to the south of the application site together with the original farmhouse.

The application requires to be reported to the Council's Regulatory Panel, in accordance with the Council's approved procedures for handling planning applications and Scheme of Delegation, as the Symington Community Council has expressed a contrary view to the recommendation that this for the planning application to be approved.

2. Consultations:

Ayrshire Roads Alliance - no objection, objection to condition(s) including improved access construction, private access surfacing, the discharge of water and the provision of off-road parking and associated advisory notes. A traffic survey was undertaken over 7 days and demonstrates that 85% of vehicles were travelling at or below the speed limit for the road and therefore the ARA has accepted that the proposed improvement to visibility splays (2.4 x 120m) at the access to the site, is acceptable.

Scottish Water - offer no objection.

AECOM - considers that no further ecological assessment is required at this stage but indicates that the proposed development should seek to deliver enhancements for biodiversity. A condition can be attached which requires for the biodiversity enhancements to be provided by the application proposals.

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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.

Ecological Statement (September 2023) – The statement presents the results of a survey and assessment of protected species in relation to the proposed development. The Survey was required to determine the likely ecological constraints/European Protected Species (EPS) licence requirements for protected species. Suitable habitat and field signs within the survey area were noted in order to make recommendations for further survey effort, retention, avoidance and/or mitigation, as appropriate.

Ecological Statement (Addendum November 2023) – Following receipt of the consultation response from AECOM, further clarification was sought regarding bat hibernation surveys, whether a non-native species survey was carried out, the extent to which bat roost surveys were undertaken, the findings from a dust emergence survey and the start time of the dusk survey. The Addendum to the Ecological Statement clarified the above-mentioned matters and was forwarded to AECOM for consideration. As set out above, AECOM considers that no further ecological assessment is required at this state but indicates that the proposed development should seek to deliver enhancements for biodiversity.

Supporting Statement – The Supporting Statement provides background information, an explanation of the development proposals and sets out the considerations pertinent to the planning assessment. The statement concludes that the proposed development is in accordance with the guidance contained within LDP2 and NPF4.

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.

None.

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:

3 representations, including representation from the Symington Community Council, have been received which object to the proposed development. All representations can be viewed online at www.south-ayrshire.gov.uk/planning

The grounds of the objection alongside a response to each objection by the Planning Service is set out in detail in the 'Objector Concerns' of the Assessment section below.

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 provisions of the development plan, other policy considerations (including government guidance), objector concerns and the impact of the proposal on the amenity of the locality.

On 13 February 2023, Scottish Ministers published and adopted National Planning Framework 4 (NPF4). NPF4 sets out the Scottish Ministers position in relation to land use planning matters and now forms part of the statutory development plan, along with the South Ayrshire Local Development Plan 2 (LDP2) (adopted August 2022).

Sections 25(1) and 37(2) 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 application is determined on this basis.

Legislation states that in the event of any incompatibility between a provision of NPF4 and a provision of an LDP, whichever of them is the later in date is to prevail (Town and Country Planning (Scotland) Act 1997 ("the 1997 Act"); Section 24(3)). NPF4 was adopted after the adoption of LDP 2, therefore NPF4 will prevail in the event of any incompatibility.

(i) National Planning Framework 4 (NPF4)

The following policies of NPF4 are relevant in the assessment of the application and can be viewed in full online at [National Planning Framework 4 - gov.scot \(www.gov.scot\)](https://www.gov.scot/national-planning-framework-4):

- National Policies 1 and 2 - Tackling the climate and nature crises, and Climate Mitigation and Adaptation;
- National Policies 3 and 4 - Biodiversity and Natural Places;
- National Policy 9: Brownfield, vacant and derelict land and empty buildings;
- National Policy 14: Design, quality and place;
- National Policy 16: Quality homes;
- National Policy 17: Rural homes;
- National Policy 29: Rural Development;

Policy 1 gives significant weight to the global climate emergency in order to ensure that it is recognised as a priority in all plans and decisions. Policy 2 seeks to ensure that emissions from new development are minimised as far as possible. A healthy natural environment is recognised as a key to reducing emissions. Policies 3 and 4 protect, and seek to positively enhance biodiversity and natural assets, which in turn play a crucial role in carbon reduction. Further consideration of the potential impact of the development on the natural environment is set out below.

Policy 9 a) directs development to the right place, maximising the use of existing assets, (such as brownfield, vacant and derelict land and empty buildings), and minimising additional land take (such as greenfield developments). The current application is for residential development, including the re-use of existing buildings in a rural location. Specifically, Policy 9 (b) states that "proposals on greenfield sites will not be supported unless the site has been allocated for development, or the proposal is explicitly supported by policies in the LDP". Notwithstanding the policy provisions of NPF4, the policy provisions of the LDP and related policy guidance allow for the re-use and conversion of traditional rural buildings to form habitable accommodation and also proposals for new housing where they comprise a limited extension to an existing clearly defined and nucleated housing cluster; the proposals have been considered in this context. Policy 14 seeks to encourage, promote and facilitate well designed development that makes successful places by taking a design-led approach to ensure that development proposals do not result in a detrimental impact on the quality of an area, regardless of scale.

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National Policy 17 a) iii. seeks to encourage proposals for new homes in rural areas, where the development is suitably scaled, sited and designed to be in keeping with the character of the area, and where proposals involve the re-use of a redundant or unused building. National policy 29 vi. also applies in terms of the proposals reusing a redundant or unused building; while National policy 29 vii relates to the reuse of brownfield land where a return to a natural state has not or will not happen without intervention. In this instance, the development proposals are noted to involve the reuse and redevelopment of existing buildings, do not involve greenfield development, they do reuse brownfield land and involve the creation of 3 x dwellings within an already developed area of the site.

In addition to the above provisions of Policy 16, NPF4 states that Local Development plans should set out a tailored approach to rural housing, and reflect locally appropriate delivery approaches. The Council's SALDP2 Policy: 'Rural Housing' is supportive of the development of rural housing where the proposals involve the rehabilitation of vacant rural buildings, and limited extensions to housing clusters, subject to criteria. Further consideration of the proposals against the provisions of the SALDP2, and the related provisions of the Rural Housing Policy Guidance are set out below.

The provisions of NPF4 must, however, be read and applied as a whole, and as such, no policies should be read in isolation. The application has been considered in this context.

(ii) South Ayrshire Local Development Plan 2

The following policies of the South Ayrshire Local Development Plan 2 are relevant in the assessment of the application and can be viewed in full online at [Local development plan 2 - South Ayrshire Council \(south-ayrshire.gov.uk\)](https://www.south-ayrshire.gov.uk/local-development-plan-2):

- Core Principle B8;
- Strategic Policy 1: Sustainable Development;
- Strategic Policy 2: Development Management;
- LDP Policy: Rural Housing;
- LDP Policy: Natural Heritage;
- LDP Policy: Land Use and Transport

The Core Principle B8 states that we will support proposals for new housing in the countryside that accord with LDP policy: Rural Housing and Guidance: Rural Housing, and that we will not otherwise support housing outwith defined settlement boundaries. LDP2 Rural Housing Policy allows for housing to be built within rural areas, in accordance with the provisions of that policy, and the related provisions of the Council's planning guidance entitled Rural Housing.

The Strategic Policy 1: Sustainable Development seeks to support the principle of sustainable development by making sure that development respects, protects and where possible, enhances natural, built and cultural heritage resources. Strategic Policy 2: Development Management ensures development is in accordance with the site's land use and will be appropriate in terms of layout, scale, massing, design and materials in relation to their surroundings and surrounding land use, that the proposals do not have an unacceptable impact on the amenity of nearby land uses, and are appropriate to the local area in terms of road safety, parking provision and effects on the transport network.

The LDP2 Rural Housing policy is supportive of the development of rural housing where the proposals involve the conversion and re-use of a genuinely redundant building of traditional or local character, and domestic scale for residential use, if the building is largely intact, structurally sound or can be repaired or restored, subject to compliance with the policy guidance and criteria set out in the Council's policy guidance also entitled Rural Housing. LDP2 Rural Housing is also supportive of the development of rural housing where they comprise a limited extension to an existing clearly defined and nucleated housing cluster. NPF4 states that Local Development plans should set out a tailored approach to rural housing, and reflect locally appropriate delivery approaches. LDP2 policy: Rural Housing is compliant with NPF4, with the exception of circumstances where the proposed development would be on a site defined as prime quality agricultural land (Policy 5) and as indicated on the Land Capability Classification at Scale 1:50,000. The proposed development site does not comprise of agricultural land, the application has been considered in this context.

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An assessment of the proposals against the Council's Policy Guidance entitled Rural Housing is set out further in section iii. below, along with a consideration of relevant site-specific factors.

With regard to protected species, LDP Policy: Natural Heritage outlines that planning permission will not be granted for a development that would be likely to have an adverse effect on protected species unless it can be justified in accordance with the relevant protected species legislation. In terms of the current application, the applicant/agent has identified, through the provision of a Bat Survey, that the development would adversely affect existing bat roosts. As such, Regulation 44 of the Conservation (Natural Habitats, &c.) Regulations 1994 requires all three of the following tests to be satisfied:

1. That the purpose of the licence is to preserve public health or public safety or for other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment.
2. That there is no satisfactory alternative.
3. That the proposed action will not be detrimental to the maintenance of the population of the species at a favourable conservation states in their natural range.

Test 1 is considered to be satisfied by the fact that the development proposals shall bring derelict buildings/ land back into use. The information provided in all the supporting documentation (surveys, including a bat protection plan, which sets out measures to protect bats within and adjacent to the site) regarding the proposed works it is considered that there is no satisfactory alternative in this instance and the terms of test 2 are considered to be met. Lastly, it is considered that the mitigation and compensatory measures outlined within the submitted surveys and protection report, shall satisfy the terms of test 3. It is proposed to attach appropriate condition to ensure that the mitigation and compensatory measures are adequately addressed. Given the above, it is considered that, subject to suitable conditions being attached to any permission, the proposals accord with the LDP policy in relation to the Natural Environment. Overall, it is considered that there will be no significant loss of biodiversity from the development, and that there are opportunities to retain and enhance the wildlife value of the site so as to obtain a biodiversity gain.

No objection has been offered to the proposals from the Ayrshire Roads Alliance subject to conditions on widening of the access road to the site, surfacing materials and achieving suitable visibility splays and as such, the proposals are considered to be acceptable for a road safety, traffic and transport perspective. The proposal can be considered to accord with LDP policy: Land use and transport.

The provisions of the Adopted South Ayrshire Local Development Plan 2 must, however, 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.

An assessment of the proposals against the provisions of Local Development Plan 2 is set out in this report. The development proposal has been assessed against the above policies and is considered to be in accordance with the development plan.

Overall, for the reasons noted above, and elsewhere in this report, the proposals are considered to accord with the above noted policies of the development plan comprising of the combined provisions of NPF4 and the SALDP.

(iii) Other Policy Considerations (including Government Guidance)

Scottish Government Planning Advice Note 72 - Housing in the Countryside;

The advice note recognises the significance of the scale and shape of Scotland's domestic rural architecture, which is derived largely from the simplicity of the form and proportion. Page 16 advises that the main objective should be to adapt the best from the local elements and to interpret traditional shapes and sizes into a modern context.

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- Developing with Nature Guidance (NatureScot);

Provides guidance on securing positive effects for biodiversity from local development to support NPF4 policy 3(c). This guidance has been published in support of policy 3(c) of National Planning Framework 4 in relation to planning applications. As noted above, the submitted bat reports which accompany the submission considers any potential impacts on protected species and will be subject to Nature Scot statutory advice/ guidance. However, the precise enhancement measures for biodiversity at the application site will require to be submitted in writing to the Planning Service, at a matters specified in conditions stage, to ensure that the proposed measures are proportionate, implemented, maintained and retained at the site. This can be conditioned accordingly.

- South Ayrshire Council Planning Guidance - Rural Housing;

The Council's policy guidance in relation to Rural Housing allows for the conversion of traditional and non-traditional vacant rural buildings to form dwellings. Specifically, the conversion and re-use of a genuinely redundant building of traditional or local character and domestic scale, for residential use may be acceptable where the building is largely intact, structurally sound or can be repaired or restored. While the policy guidance generally favours a traditional design approach to rural house, it does not preclude against innovative design which takes cognisance of the surrounding environment.

The Council's Rural Housing policy guidance also supports proposals for new housing in the countryside, where it is an extension to an existing cluster, subject to the following criteria;

Additions to clusters will be acceptable where:

- a) the proposal is sympathetic to the character and landscape setting of the existing cluster.
- b) the development represents the sensitive in-filling of any available gap sites consolidating existing dwellings within the cluster.
- c) the development has a clear relationship with the existing cluster by being physically connected with the cluster.
- d) the proposed design solution is in keeping with the character and built form of the existing cluster and otherwise complies with design guidance in the supplementary guidance.
- e) The proposal does not expand the cluster by more than 50% of the number of houses within that group (rounded up to nearest single dwellinghouse) as at date of adoption of this supplementary guidance - 20th November 2014.

For the purposes of applying the above policy guidance, a 'cluster' is defined as a building group consisting of 2 or more houses forming a clearly identifiable 'group', with strong visual cohesion and sense of place. While it is noted that there are existing properties in the wider locality it does not automatically follow that the application site is located within a cluster as defined by the above terms, or that any further development within any existing cluster can be accommodated in line with the provisions of the rural guidance, and therefore individual site-specific factors, along with any other materially significant issues require to be carefully considered.

In terms of applying the above provisions of the Council's cluster guidance to the current proposals, it is necessary to consider the physical characteristics of the application site and its surroundings. In this instance, the application site is located within a farmsteading which already has the benefit of planning permission to be partially converted to residential accommodation under a previous application (22/00376/APP). In addition to the existing original dwellinghouse located centrally within the farmsteading, the application proposes 2 x dwellings contained within some of the traditional out-buildings along with the erection of a dwellinghouse on brownfield land. While the existing, original dwellinghouse and the residential accommodation approved under Ref.22/00376/APP is noted to have its own vehicular access, the site of the proposed development is to be accessed via an existing but separate access located to the north-west of the application site. The site of the proposed dwellinghouse is located on an area currently occupied by a dilapidated outbuilding which forms part of the overall farmsteading at Knockendale. Therefore the application site, and in particular the site of the proposed new build dwellinghouse, is considered to be within the visual and physical envelope associated with the extent of built development at the steading of Knockendale; the application has been considered in this context. Given the aforementioned, and the shared access arrangements of the site subject to the current application and the steading development, there is a degree of inter-relationship between the aforementioned properties. Therefore, the positioning of the site of the proposed new build dwelling offers an opportunity to consolidate the building grouping under criteria b. and c. It is recognised that the application site is sited adjacent to Knockendale Farm which currently comprises one dwellinghouse within the farmsteading. Although Knockendale Farm does not meet the quantifiable definition of a 'cluster', it is considered that the application proposals offer an opportunity to re-develop a brownfield site without compromising the visual cohesion of the rural area. Specifically, the proposed erection of a new dwellinghouse, sited in amongst the proposed buildings to be converted for residential purposes, is considered to be sympathetic the character and landscape setting of Knockendale Farm as the proposals represent the development of a brownfield site. Furthermore, the site of the proposed new build dwellinghouse is considered to represent an available gap site which would be sensitively in-filled by the development proposals. While Knockendale is not deemed to be a 'cluster' as defined by the Rural Housing PG, the proposal to erect a new build dwellinghouse is considered to represent an opportunity to accommodate an appropriately designed rural dwelling which will not comprise the landscaping setting of the rural area.

In this instance the rural housing provisions of NPF4, are considered to prevail and take precedence over the above policy guidance, particularly in relation to its stance regarding the potential for appropriate rural brownfield sites to accommodate residential uses. The provisions of NPF4 now form part of the development plan in the consideration of the current application, and due to NPF4 post-dating the provisions of the LDP, the policy provisions of NPF4 are considered to prevail. The application has been considered in this context. With regards to d., the current application is for planning permission in principle, and as such, it would be for future applications to establish the precise details of any dwellinghouse approved under this application. However, suitable conditions will be required so as to provide parameters for the siting, design and appearance of the dwellinghouse, and its associated details such as; precise access arrangements and garden ground. Overall, the proposals are therefore considered to accord with the above provisions of the Council's policy guidance.

- South Ayrshire Council's Guidance on Open Space and Designing New Residential Developments;

The Council's Open Space Guidance indicates that detached properties should be provided with rear gardens in proportion to their size. Rear gardens will be expected to be 1.5 times the size of the ground floor area of the dwellinghouse and no less than 100 square metres - this will generally include rear and side gardens enclosed by fence/wall/hedge. It is considered that the proposal accords with the provisions of the Guidance on Open Space and Designing New Residential Developments on the basis that the quantitative figures outlined above are met.

(iv) Objector Concerns

- Road safety concerns;

The ARA has recommended that various conditions be attached in relation to the permission including requirements for improved access construction, private access surfacing, the discharge of water and the provision of off-road parking. During the assessment of the planning application, the ARA raised concerns about the sightlines proposed from the access; however, the applicant has provided evidence in the form of a 7-day speed survey that an 85th percentile speed is less than the speed limit of the road. This means that 85% of vehicles were travelling at or below the speed limit for the road. For that reason, the ARA are therefore able to accept the improved 2.4m x 120m visibility splays that are proposed for the vehicular access to the site.

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It is noted that there have been concerns raised previously through the processing of separate applications regarding development served off the C93 access road, however the ARA has reviewed the current application carefully and has no adverse comments in terms of road safety concerns, traffic, access or water runoff and consider the current application to be acceptable subject to these conditions.

- Concerns over information contained within documentation submitted in support of the application p

In terms of the accuracy (or otherwise) of the supporting information submitted, this is a matter which the applicant/ agent is responsible for, and not the Planning Authority. It is considered that the submitted plans, along with the site visit undertaken, allows for a robust assessment of the application proposals.

- Concerns over the time afforded to the Community Council to make representation on the application p

The Council, as Planning Authority, has fulfilled the notification requirements set out in the Town and Country Planning (Development Management Procedure) (Scotland) Regulations. There was a delay in issuing the neighbour notification due to an administration error but notwithstanding, the Symington Community Council has been able to make comment on the application proposals which are considered as part of the application assessment.

(v) Impact on the Locality

Planning permission in principle is sought for the conversion of agricultural buildings to form two dwellinghouses and erection of dwellinghouse at Knockendale Farm, northeast of Symington. Having considered the characteristics of the immediate area around the application site, it is considered that the proposals afford an opportunity to provide a suitable residential environment within a rural setting. Accordingly, the proposals are not considered contrary to the policy provisions of the development plan, including the provisions of NPF4, and in particular, there is support in terms of the SALDP2 policy and associated guidance in relation to Rural Housing, and the proposal is considered to generally accord with these policy guidelines.

While the application is for planning permission in principle, it is considered that the site is sufficiently large enough to accommodate the 3 x dwellinghouses which do not impact on the amenity of the neighbouring property at Knockendale Farmhouse, and that all of the dwellinghouses can be sited sufficiently far enough away so as not to cause any overlooking, overshadowing or general amenity concerns. Appropriate planning conditions can be attached so as to ensure the any future dwellinghouse can meet with the Council's design guidance. Suitable conditions will also be required to meet with the requirements of consultees including the Ayrshire Roads Alliance, and AECOM.

It is noted that there have been concerns raised previously through the processing of applications 21/00037/PPP, 22/00198/APP and 22/00619/APP regarding development served off the C93 access road, the ARA consider the current application to be acceptable subject to conditions.

Subject to appropriate planning conditions regarding siting, design, external materials, boundary treatment, landscaping, access, visibility splays, drainage and biodiversity enhancement measures, there are no policy objections and following the above assessment, it is considered that the proposal will not have a significant adverse impact on the rural setting, character and appearance of the area, or on the residential amenity of the neighbouring properties. Given the above assessment of the proposal and having balanced the applicant's rights against the general interest, it is recommended that the application be approved subject to conditions.

8. Conclusion:

The application has been assessed against the various material planning considerations which include the provisions of the development plan, consultations, representations received and the impact of the proposed development on the locality. The assessment concludes that the proposed development complies with the development plan. The consultation responses do not raise any issues of overriding concerns that cannot be addressed by condition. Equally, the points raised in the letters of objection have been fully considered, but do not raise any issues that would merit a recommendation of refusal of the application. Overall, there are no policy objections, and following the above assessment, it is considered that the proposal will not have an adverse impact on the rural character or amenity of the locality.

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Given the above assessment of the proposal, and having balanced the applicant's rights against the general interest, it is recommended that the application for planning permission in principle be approved subject to conditions.

9. Recommendation:

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

- (1) The development to which this permission relates must be commenced no later than 5 years from the date of this permission.

Reason: 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) A further application(s) for the full details of the proposed development including the siting, design, external appearance, means of access, landscaping measures and biodiversity enhancements and any other matters specified in conditions below shall be submitted for the approval of the Planning Authority. No works shall commence on site until the written permission of the Planning Authority has been obtained for the specific matter to which the works relate.

Reason: To be in compliance with Section 59 of The Town and Country Planning (Scotland) Act 1997, as amended by 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.

Reason: 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 20 of the Planning etc. (Scotland) Act 2006.

- (4) That at the Approval of Matters Specified in Conditions stage a design statement shall be submitted, for approval, which demonstrates how the design, siting and appearance of the development takes cognisance of the character of the surrounding area. The siting, design and appearance of the dwellinghouse and design statement shall have cognisance of the provisions of Planning Advice Note 72 and the Council's policy guidance in relation to Rural Housing and/ or any subsequent document prepared by the Council in relation to rural housing. The proposed dwelling shall not exceed one and a half storeys in height, the details of which shall be agreed with the Council, as planning authority, within an Approval of Matters Specified in Conditions application.

Reason: In order to retain the rural character and amenity of the area, and to accord with the Council planning guidance.

- (5) That at the Approval of Matters Specified in Conditions stage details shall be submitted, for approval, of private garden ground in accordance with the Council's planning policy guidance in relation to 'Open Space and Designing New Residential Developments' and/ or any subsequent document prepared by the Council in relation to the provision of open space for residential areas.

Reason: To comply with the Council's planning policy guidance in relation to open space.

- (6) That at the Approval of Matters Specified in Conditions stage, details of the location, height and materials of all new boundary fences, gates or other means of enclosure shall be submitted to the Planning Authority for written approval, and shall comprise the use of native planting rather than the use of high boundary walls and fences, and that with the exception of any new access to serve the dwelling, the existing hedgerows around the site shall be retained and maintained.

Reason: In the interests of visual and residential amenity.

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- (7) That at the Approval of Matters Specified in Conditions stage, details shall be submitted of any additional landscaping, using native species, along with details of biodiversity enhancement measures to be implemented within the site, for the written approval of the Council as the planning authority.

Reason: In the interest of visual amenity and biodiversity enhancement.

- (8) That at the Approval of Matters Specified in Conditions stage, details shall be submitted, for the written approval of the planning authority of the access arrangements. The proposed access shall be widened in accordance with the specifications in the Council's National Roads Development Guide and be a minimum of 5.5 metres wide over the initial 10 metres as measured from the rear of the public roadway. The access shall be constructed, as approved, prior to the completion of the development.

Reason: In the interests of road safety and to ensure an acceptable standard of construction.

- (9) That at the Approval of Matters Specified in Conditions stage, details shall be submitted, for the written approval of the planning authority of the surfacing, off-road parking, and means of surface water run off which shall be prevented from discharging to the public road. The aforementioned details shall accord with the provisions of the National Roads Development Guide.

Reason: In the interest of road safety.

- (10) That at the Approval of Matters Specified in Conditions stage, details shall be submitted of the proposed drainage arrangements for the for the written approval of the Council as the planning authority, with any private waste arrangements being designed in accordance with BS6297 Code of Practice for Design and Installation of drainage fields for use in wastewater treatment (as amended).

Reason: To ensure the development can be adequately serviced.

9.2 Advisory Notes:

- (1) 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) 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) 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) 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.

9.3 List of Determined Plans:

Drawing - Reference No (or Description): EX(0)001

Drawing - Reference No (or Description): L(00)003 Rev A

Drawing - Reference No (or Description): L(00)004

Regulatory Panel (Planning):

Report by Housing, Operations and Development Directorate (Ref: 23/00761/PPP)

9.4 Reason for Decision (where approved):

The principle of the development hereby approved is considered to accord with the provisions of the development plan, and subject to appropriate conditions and the submission of application(s) for the Approval of Matters Specified in Conditions, 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:

1. Planning application form, plans and supporting information.
2. National Planning Framework 4.
3. Adopted Local Development Plan 2.
4. South Ayrshire Council Planning Guidance – Open Space and Designing New Residential Developments
5. South Ayrshire Council Planning Guidance – Rural Housing
6. PAN 72 – Housing in the Countryside
7. Developing with Nature Guidance (NatureScot)
8. Consultation Responses.
9. Representations.

Equalities Impact Assessment:

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

Person to Contact:

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