

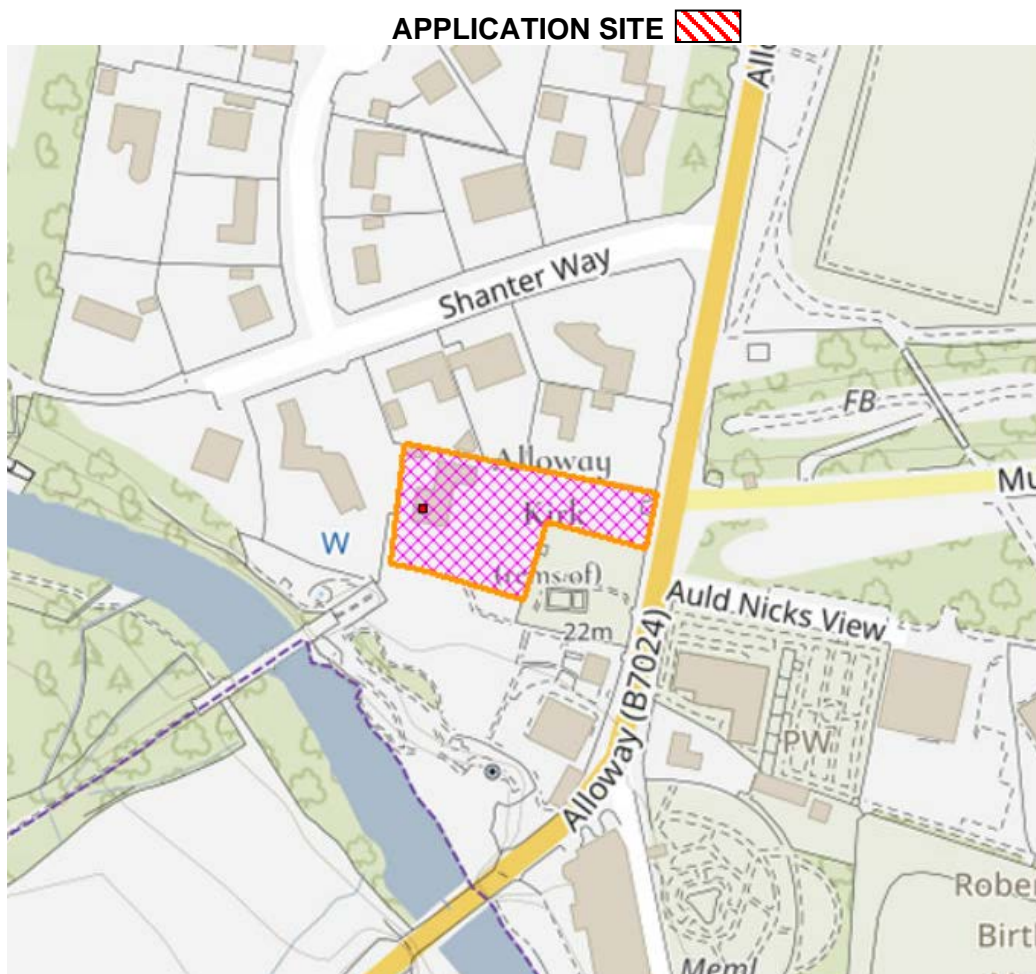
REGULATORY PANEL: 25 JUNE 2024

REPORT BY HOUSING, OPERATIONS AND DEVELOPMENT

23/00864/APP

36A ALLOWAY AYR SOUTH AYRSHIRE KA7 4PQ

Location Plan



This product includes mapping data licensed from Ordnance Survey with permission of the Controller of Her Majesty's Stationery Office. © Crown copyright and/or database right 2018. All rights reserved. Licenced number 100020765.

The drawings and other documents relating to this application, can be accessed on the Council's website via the link below:

[\(Application Summary\)](#)

Summary

The site of the proposed development is a dwellinghouse located at 36A Alloway, Ayr. The dwellinghouse is set within a substantial plot and is located within the Alloway Conservation Area. It is understood that the dwellinghouse has been purchased by the owner of the nearby Brig O' Doon Hotel with a view to utilising the property as ancillary hotel accommodation. The application site is bound by residential properties to the north, west and south; and by the category A listed Alloway Kirk to the east. It is also located within a residential area, as prescribed by the adopted South Ayrshire Local Development Plan 2, although there are other uses located in close proximity to the application site including Alloway Parish Church and the Brig O' Doon Hotel.

...//

Regulatory Panel (Planning): 25 June 2024

Report by Housing, Operations and Development Directorate (Ref: 23/00864/APP)

Planning permission is sought for the change of use of existing dwellinghouse to form ancillary hotel accommodation and additional car parking. The application submission is accompanied by a supporting statement/ operational statement which explains that the application site, which is known as 'Kirkgate', will be used as accommodation separate from that of the Brig O' Doon Hotel for wedding parties and guests. The application also proposes the formation of 14 car parking spaces within the curtilage of 'Kirkgate' which would be for the use of guests specifically linked to a wedding party.

21 representations have been received, 20 of which object to the proposed development. An objection has been submitted by the Alloway and Doonfoot Community Council. Following consideration, the points raised do not merit refusal of this application. Consultation responses have been received from consultees with no objections or issued being raised that would warrant a recommendation other than approval.

On balance, the proposed development subject to 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

REGULATORY PANEL: 25 JUNE 2024

SUBJECT:	PLANNING APPLICATION REPORT
APPLICATION REF:	23/00864/APP
SITE ADDRESS:	36A Alloway Ayr South Ayrshire KA7 4PQ
DESCRIPTION:	Change of use of existing dwellinghouse to form ancillary hotel accommodation and additional car parking
RECOMMENDATION:	Approval with Condition(s)

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 22 November 2023.
- The application was validated on 30 November 2023.
- The case officer visited the application site on 10th June 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 12 March 2024.
- A Site Notice was posted in the locality under Section 65 of Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 (as amended) by the Planning Authority on 19 March 2024.
- A Public Notice, under The Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 (as amended) was placed in the Local Press on 19 March 2024.

1. Proposal:

The site of the proposed development is a dwellinghouse located at 36A Alloway, Ayr. The dwellinghouse is set within a substantial plot and is located within the Alloway Conservation Area. It is understood that the dwellinghouse has been purchased by the owner of the nearby Brig O' Doon Hotel with a view to utilising the property as ancillary hotel accommodation. The application is bound by residential properties to the north, west and south; and by the category A listed Alloway Kirk to the east. The application site is located within a residential area, as prescribed by the adopted South Ayrshire Local Development Plan 2, although there are other uses located in close proximity to the application site including Alloway Parish Church and the Brig O' Doon Hotel.

Planning permission is sought for the change of use of existing dwellinghouse to form ancillary hotel accommodation and additional car parking. The application submission is accompanied by a supporting statement/ operational statement which explains that the application site, which is known as 'Kirkgate', will be used as accommodation separate from that of the Brig O' Doon Hotel for wedding parties and guests. The application also proposes the formation of 14 car parking spaces within the curtilage of 'Kirkgate' which would be for the use of guests specifically linked to a wedding party at the Brig O' Doon Hotel.

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 more than 10 competent written objections have been received from individuals. Furthermore, the Alloway and Doonfoot Community Council has expressed a contrary view to the recommendation that this for the planning application to be approved.

2. Consultations:

Council's Environmental Health Service offer no objections to this application.

Ayrshire Roads Alliance offer no objections to this application subject to conditions/ advisory notes.

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.

A Supporting Statement and an Operation Statement have been submitted with this application.

The Supporting Statement explains that the application proposals allow for a *'bridal party to have separate accommodation the evening before the wedding'*. The statement also indicates that the application proposals *'allow for increased wedding parking offering an additional 14 spaces for guests specifically linked to the wedding party'*.

The Operating Statement sets out the following: -

- “• The use of the Kirkgate will only be for bride or groom and associated guests on the night prior to the wedding.*
- The Kirkgate will not be used for any bookings other than in conjunction with a wedding.*
- Booking durations will most commonly be for one night and in some cases this may extend to two nights, this often depends on how far the bride and groom may have travelled.*
- The Kirkgate will be serviced by the Brig O Doon Hotel staff in terms of housekeeping and only an option to serve a light breakfast to the Kirkgate is being offered with all other services requiring guests to use the hotel facilities.*
- The Brig O Doon, as do all the RAD Group venues, operate a strict noise and disturbance policy and the Kirkgate will be monitored in the same manner. After the venue closes following a function the hotels night porter will be responsible for monitoring and addressing any noise issues from guests within the hotel or the Kirkgate. The booking information and house rules clearly highlight the Kirkgate has neighbouring residential properties in close proximity and any noise disturbance will not be tolerated.”*

While the terms of the statements and the reasons for the application are noted, if granted, the property will effectively be a remote extension of the Brig O' Doon Hotel and it is therefore recognised by the Planning Service that it may be occupied at times by guests who are not part of a wedding party.

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:

21 representations have been received, 20 of which object to the proposed development and 1 of which is in support. As set out elsewhere in the report, the Alloway and Doonfoot Community Council has objected to the application proposals. All representations can be viewed at <https://publicaccess.south-ayrshire.gov.uk/online-applications/applicationDetails.do?keyVal=S4I137BDHNM00&activeTab=summary>.

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), planning history, 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 LDP2, 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):

- Policy 7: Historic assets and places;
- Policy 26: Business and industry; and
- Policy 30: Tourism.

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.

As assessment of the proposals against the provisions of NPF4 is set out below.

(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):

- Strategic Policy 1: Sustainable Development;
- Strategic Policy 2: Development Management;
- LDP Policy: Business and Industry;
- LDP Policy: Tourism;
- LDP Policy: Historic Environment; and
- 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 below.

(iii) Other Policy Considerations (including Government Guidance)

Policy HEP2 of the Historic Environment Policy for Scotland (HEPS) states that decisions affecting the historic environment should ensure that its understanding and enjoyment as well as its benefits are secured for present and future generations, whilst Policy HEP4 states that changes to specific assets and their context should be managed in a way that protects the historic environment.

The provisions of the Historic Environment Policy for Scotland are supplemented by Historic Environment Scotland's Managing Change in the Historic Environment series. The Managing Change documents on Setting, is material to the assessment of the current application.

The Managing Change document on Setting requires planning authorities to take into account the setting of historic assets in the determination of applications for planning permission. Where development is proposed it is important to identify the historic assets that might be affected, define the setting of each historic asset, and assess the impact of any new development on this. Setting often extends beyond the property boundary or 'curtilage' of an individual historic asset into a broader landscape context. Both tangible and less tangible elements can be important in understanding the setting. Less tangible elements may include function, sensory perceptions or the historical, artistic, literary and scenic associations of places or landscapes.

Guidance Policy 1 of South Ayrshire Council's Guidance on the Historic Environment refers to design quality, and states that development proposals will be considered in terms of compliance with the 'General Criteria for New Development', which applies to both new development and extensions to existing development / buildings. Guidance Policy 3 refers specifically to development proposals within conservation areas, and states that all new development within, or affecting the setting of, a conservation area shall be required to preserve or enhance its character or appearance. To ensure a consistent high standard of development within conservation areas, proposals will be considered in terms of compliance with the design principles for all proposed development within a conservation area.

An assessment of the proposals in terms of their historic environment impact is set out below.

(iv) Planning History

02/01148/FUL – erection of dwellinghouse and double garage – permitted. The dwellinghouse which exists at the application site was approved by planning permission 02/01148/FUL.

21/00171/APP – alterations and extension to dwellinghouse – permitted. This application was approved on 7 April 2021 and required to be implemented within 3 years of that date. A notification of intention to develop was submitted on 1st February 2024; however, at the time of writing this report development had not commenced on site. Consequently, this permission is considered to have lapsed. For the avoidance of doubt, the proposed floor plans associated with this lapsed permission (submitted alongside the application submission) do not have the benefit of planning permission. The assessment of this application relates solely to the works described above i.e. change of use of existing dwellinghouse to form ancillary hotel accommodation and additional car parking. Any future extension/ alterations proposed at the property would likely require the benefit of planning permission.

(v) Objector Concerns

21 representations have been received, 20 of which object to the proposed development and 1 of which is in support. As set out elsewhere in the report, the Alloway and Doonfoot Community Council has objected to the application proposals. The points of objection are summarised in the sub-sections below and responded to (in bold) below as follows:

- **Noise and residential amenity concerns.**

It is considered that appropriate usage of the proposal should not adversely affect residential amenity. An assessment of the proposal's amenity impact is set out elsewhere in this report. Furthermore, the Council's Environmental Health Service offer no objection to the application on the basis that the proposal must not result in the existing background levels for the surrounding area being increased when measured at the nearest noise sensitive building. The Environmental Health Service has statutory powers to investigate noise complaints should they occur and take action as necessary. The matter of noise is considered further elsewhere in this report.

- **Parking concerns.**

The Ayrshire Roads Alliance offer no objection to the application proposals, from an access/ road safety and parking perspective. The proposals are therefore considered to be acceptable on access, road safety and parking grounds.

- **The proposal will change the character of the area.**

An assessment of the proposals impact on the character of the area is set out elsewhere in this report.

- **Adverse impact on the character and appearance of the conservation area.**

An assessment on the proposals impact on the character and appearance of the conservation area is set out elsewhere in this report.

- **The property has already been advertised by the applicant despite planning permission not being in place.**

This is a matter which is outwith the control of the Council; however, the case officer has contacted the applicant's agent to advise that the property cannot be used as ancillary office accommodation until such time that the necessary planning permission(s) are in place.

- **Concerns relating to how the hotel will manage noise complaints.**

The potential for noise and disturbance to neighbouring properties is a primary consideration to the assessment of this application, and this is considered elsewhere in this report.

- **The planning application submission does not apply for multi-occupancy.**

Noted. The planning application seeks permission for the Change of use of existing dwellinghouse to form ancillary hotel accommodation and additional car parking.

- **Adverse impact on the setting of Alloway Kirk.**

An assessment of the application proposal impact on the setting of Alloway Kirk is set out elsewhere in this report.

- **Car park could be extended at a later date which could impact on the trees within the application site.**

The Council are required to consider and assess the planning application as submitted. However, the formation of additional hardstanding within the curtilage of the application site would require planning permission.

- **Anti-social behaviour and littering concerns.**

Anti-social behaviour/ littering concerns, should they occur, are matters for the police/ anti-social behaviour/ the Council's Litter wardens.

- **Concerns relating to the structural stability of the tunnel which runs underneath the application site.**

This matter has been raised with both the applicant and the ARA and is considered in more detail elsewhere in this report.

- **Applicant has undertaken works without planning permission.**

The case officer has contacted the applicant's agent to advise that the property should not be used as ancillary hotel accommodation until such time that the necessary planning permission(s) are in place.

(vi) Impact on the Locality

Sections 25 and 37 (2) of the Town and Country Planning (Scotland) Act 1997 require that planning decisions be made in accordance with the development plan unless material considerations indicate otherwise. The Development Plan comprises NPF4 and the South Ayrshire Local Development Plan 2. The relevant policy considerations are outlined in the policy section above and are considered in more detail below.

In this instance, section 14(2) of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 places a duty on planning authorities in determining such an application as this to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Section 64(1) of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 is relevant and requires planning authorities to pay special attention to the desirability of preserving or enhancing the character or appearance of the designated conservation area.

The determining issue in this case are whether the proposal complies with the development plan. So, having regard to the provisions of the development plan, and any other material considerations, the main issues in this application are:

- The impact of the proposal on the amenity of the occupiers of adjacent residential properties;
- The provision of car parking proposed by the development and the effect of the proposal on road safety;
- The effect of the proposal on the setting of the adjoining listed buildings, along with impact on the character and appearance of the designated conservation area; and
- The tourism/ business impacts associated with the development proposals.

In terms of the residential amenity impact, South Ayrshire Local Development Plan 2, LDP policy: Residential policy within settlements, release sites and windfall sites and Strategic Policy 2 indicates that development proposals should not affect the privacy and amenity of existing and proposed properties. An issue to consider in the assessment of this application is whether changing the dwelling's primary and lawful use from residential to ancillary hotel accommodation would be acceptable in principle. A key policy test for the acceptability or otherwise of the proposal should principally be based on whether the use would be materially detrimental to the amenity of other residents within the locale.

The potential for noise and disturbance to neighbouring properties is a primary consideration to the assessment of this application. The proposed development will be used by mainly wedding guests of the Brig O' Doon hotel, which introduces an element of irregular use associated with event schedules. There is a possibility that the arrival of guests and their activities could generate noise, particularly during wedding events. However, the applicant has committed to implementing measures to manage and control noise levels. These measures include ensuring that wedding guests are informed of noise restrictions and expected behaviour; and on-site supervision where hotel staff will monitor the accommodation to manage any disturbances promptly. It is also noted that the application site is located in close proximity to non-residential uses i.e. Alloway Church/ Cambusdoon Cricket Club and the Brig O' Doon Hotel and the use of the application site for the purposes of ancillary hotel use (class 7), assuming that the ancillary hotel accommodation is managed appropriately, is not considered to compromise the residential amenity of the residential properties within the locale to such an extent which would merit refusal of the application.

If it were the case that persistent and/or unreasonable noise and disturbance were to result from the future occupiers, such anti-social behaviour would be dealt with by either Police Scotland, the Council's Environmental Health Service or an appropriate licencing service of the Council. Furthermore, given the property would no longer be considered as a residential dwelling, it would not benefit from householder permitted development rights. Should future owners therefore seek to undertake any external alterations or development, which could be capable of generating noise nuisance, a further application would require to be submitted.

With regard to the car parking proposed and the effect of the proposal on road safety, it is noted that the ARA offer no objection, subject to conditions, from road safety perspective. The proposed formation of 14 x parking bays is considered to offset some of the parking pressures that the Brig O' Doon Hotel experiences, particularly during weddings. The proposal is therefore considered to comply with the Land Use and Transport policy of LDP2.

The ARA has been made aware of the objections/ concerns relating to the structural stability of the tunnel which runs underneath the application site. The ARA has advised that when the house was built the tunnel was strengthened by the developer because they wanted to have a drive into the house which was also suitable for emergency vehicles. The assessed load carrying capacity of the un-strengthened section of tunnel which is located at the south-western portion of the application site is 7.5 tonnes in accordance with BD 21/01. The strengthened section of the tunnel over the drive of this house has a capacity of 26 tonnes in accordance with BD 21/01. The Tunnel is a SAC asset and as such a SAC responsibility as land owner to ensure its maintenance/upkeep and safety. From a planning perspective and to adequately address this matter, it is considered appropriate to attach an advisory note which stipulates that no vehicle in excess of the assessment live load level classification of 26 tonnes (maximum gross vehicle) as described in BD 21/01 Assessment of Highway Bridges and Structures should cross the tunnel. The applicant's agent has been made aware of the load carrying capacity of the tunnel and it is for the applicant, in consultation with the Council as Landowner, to manage this matter appropriately.

The impact of the proposed change of use in regard to the character and appearance of the built environment would be minimal as the external changes relate solely to the formation of the parking area for 14 x cars (bays are 2.5 x 5m). The application site is defined by fairly substantial boundary enclosures which would mitigate the visual impact of parked vehicles when viewed outwith the application site. As such, it is considered that the development proposals are in compliance with the historic environment policies of the Development Plan in that they will not have an adverse impact on the setting of nearby listed buildings or that of the wider character and appearance of the conservation area.

Under LDP Policy: Tourism, the Council will allow new sites and accommodation to be developed provided that:

- a) All new accommodation is for holiday use only; and
- b) The development has suitable screening and is appropriate in terms of the landscape setting, scale and design.

In this instance, the proposal does not fit specifically with any criteria above which is in part due to the current LDP2 being adopted, prior to the publication of NPF4. Despite the dwelling continuing to be utilised for residential purposes, it would be occupied by different parties on a short-term, as opposed to a permanent basis i.e. it would no longer be the sole or main residence of any of the occupants and it would be utilised on a commercial basis to provide ancillary accommodation to the Brig O' Doon, as opposed to its historic private use.

Given its siting within the settlement boundary of Ayr, it is considered the application proposals would be well related to an existing settlement thus avoiding any potential dispersed pattern of development. Furthermore, as minimal external alterations are proposed, it is determined that the proposal would respect the character, amenity and scale of the built and natural environment in the surrounding area and bring about no detriment to either the neighbouring listed buildings or conservation area. Furthermore, it is considered that the application proposals represent a logical expansion of an existing business without significantly negatively affecting the residential amenity of the locale. All of the preceding being the case, it is considered that the proposal can be supported under LDP Policy: Tourism.

In conclusion, the proposal which would in essence retain a residential use despite the commercial aspect, is considered to be compliant with the provisions of the stated Development Plan Policies and as there are no material considerations which override the presumption in favour of a determination in accordance with the terms of the development plan, it is recommended that this proposal be approved subject to condition listed below.

8. Conclusion:

The application has been assessed against the various material planning considerations which include the provisions of NPF4, LDP2, consultations 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 over-riding concern that cannot be addressed by condition. Overall, it is considered that the proposal will not have an adverse impact on the amenity of the locality.

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.

9. Recommendation:

It is recommended that the application is approved subject to condition(s).

- (1) That the development hereby permitted must be begun within three years of the date of this permission.
- (2) 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.
- (3) 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.
- (4) That 14 off-road parking spaces shall be provided within the existing site boundary. Details of parking layouts designed to comply with the guidance set out in the Council's National Roads Development Guide shall be submitted for the prior written approval of the Council as Planning Authority (in consultation with the Council as Roads Authority).
- (5) That defined parking bays and associated aisle widths shall accord with the dimensions as set out within paragraphs 3.6.2 and 3.6.3 of the National Roads Development Guide publication, adopted for use by the Council.
- (6) 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). The turning areas shall be constructed, as approved, prior to completion of the development.

9.1 Reasons:

- (1) 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.
- (2) To ensure that the development is carried out in accordance with the approved plans unless otherwise agreed.
- (3) In the interest of road safety and to avoid the discharge of water onto the public road.
- (4) In the interest of road safety and to ensure adequate off-street parking provision.
- (5) In the interest of road safety and to ensure that there is adequate space for manoeuvring and turning.
- (6) To reasonably avert the reversing of vehicles onto the main road, and in the interests of road safety.

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.
- (5) 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.
- (6) 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.
- (7) The Council as Roads Authority advises that no vehicle in excess of the assessment live load level classification of 26 tonnes (maximum gross vehicle) as described in BD 21/01 Assessment of Highway Bridges and Structures should cross the tunnel.

9.3 List of Determined Plans:

- Drawing - Reference No (or Description): KG-PLA-001
- Drawing - Reference No (or Description): KG-PLA-002
- Drawing - Reference No (or Description): KG-PLA-003
- Supporting Information - Reference No (or Description): Supporting Statement
- Supporting Information - Reference No (or Description): Operational Statement

Background Papers:

1. Planning application form, plans, design statement and flood risk assessment (available online)
2. National Planning Framework 4 (available online)
3. Adopted South Ayrshire Local Development Plan 2 (available online)
4. South Ayrshire Council Guidance - Historic Environment (available online)
5. Historic Environment Policy for Scotland (available online)
6. Historic Environment Scotland Managing Change in the Historic Environment - Setting (available online)
7. Representations (available online)

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 David Clark, Supervisor Planner – Place Planning - Telephone 01292 616 118