

County Buildings
Wellington Square
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January 2025

To:- Councillors Lamont (Chair), Cavana, Clark, Dixon, Kilbride, Kilpatrick, Lyons, Mackay and Townson.

All other Members for Information Only

Dear Councillor

SOUTH AYRSHIRE LOCAL REVIEW BODY

You are requested to participate in the above Panel to be held in County Hall, County Buildings, Ayr on **Tuesday, 28 January 2025 at 2.00 p.m.** for the purpose of considering the undernoted business.

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/>

Please note that a briefing meeting will take place for all Local Review Body Members at 1.15 p.m., online and in the Prestwick Committee Room.

Yours sincerely

Catriona Caves
Chief Governance Officer

B U S I N E S S

1. Declarations of Interest.
2. Minute of previous meeting of 3 December 2024.
3. Continued Case for Review – 24/00127/APP - Application for Planning Permission for the Erection of a Dwellinghouse And Replacement Of Animal Isolation Unit At Laigh Kyleston Farm, A719 From Dunure Road, Ayr to Ayr Road, Fisherton, Ayr, South Ayrshire, KA7 4LD.

[Application Summary](#)

4. New Case for Review – 24/00431/APP – Application for Formation of Access, Replacement of wall, railings, and gate at 38 Park Circus, Ayr, South Ayrshire, KA7 2DL.

[Application Summary](#)

For more information on any of the items on this agenda, please telephone Committee Services on 01292 612189, at Wellington Square, Ayr or e-mail: localreviewbody@south-ayrshire.gov.uk www.south-ayrshire.gov.uk

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SOUTH AYRSHIRE LOCAL REVIEW BODY.

Minutes of a hybrid webcast meeting held on
3 December 2024 at 2.00 p.m.

Present: Councillors Alan Lamont (Chair), Ian Cavana, Alec Clark, Mark Dixon, Martin Kilbride and Mary Kilpatrick.

Remote: Councillor Lee Lyons and Councillor Duncan Townson.

Apology: Councillor Craig Mackay.

Attending: M. Vance, Solicitor, Legal and Licensing (Legal Adviser); J. Hall, Planning Strategy Co-ordinator (Planning Adviser); R. Anderson, Committee Services Assistant and C. McCallum, Committee Services Assistant.

Opening Remarks.

The Chair confirmed to Members the procedures to conduct this meeting and advised that the meeting was being broadcast live.

1. Declarations of Interest.

The Legal Adviser called the sederunt and, having called the roll, confirmed that there were no declarations of interest by Members of the Body in terms of Council Standing Order No. 17 and the Councillors' Code of Conduct.

2. Minutes of Previous Meetings.

The [minutes](#) of 5 November 2024 (issued) were submitted and approved.

3. Continued Case for Review – 24/00298/APP - Application for Planning Permission for Alterations and Extension to Dwellinghouse at 3 Cunningham Street, Tarbolton, South Ayrshire, KA5 5QF.

There were submitted the relevant [papers](#) (issued) relating to a request to review the decision to refuse Planning Permission for Alterations and Extension to Dwellinghouse at 3 Cunningham Street, Tarbolton, South Ayrshire, KA5 5QF.

Having heard the Chair, the Legal Adviser to the Body and the Planning Adviser to the Body, the Body considered the papers relating to the Review.

The Body

Decided:

To overturn the Appointed Officer's decision and grant planning permission for Alterations and Extension to Dwellinghouse at 3 Cunningham Street, Tarbolton, South Ayrshire, KA5 5QF subject to the following conditions:-

Conditions

- (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) The developer shall secure the implementation of an archaeological watching brief, to be carried out by an archaeological organisation acceptable to the Planning Authority, during all ground disturbance. The retained archaeological organisation shall be afforded access at all reasonable times and allowed to record, recover and report items of interest and finds. A method statement for the watching brief will be submitted by the applicant, agreed by the West of Scotland Archaeology Service, and approved by the Planning Authority prior to commencement of the watching brief. The name of the archaeological organisation retained by the developer shall be given to the Planning Authority and to the West of Scotland Archaeology Service in writing not less than 14 days before development commences.

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 order to allow reasonable access to a nominated archaeologist for the purposes of archaeological investigation and/or recording.

List of Approved Plans

Plan Type	Reference	Version No.	Received Date
Drawing	0871 E 01	Rev. C	23.04.2024
Drawing	0871 PP 01	Rev. A	23.04.2024

Reason for Decision

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.

4. **New Case for Review – 24/00127/APP - Application for Planning Permission for Erection of Dwellinghouse and Replacement of Animal Isolation Unit at Laigh Kyleston Farm, A719 from Dunure Road to Ayr Road, Fisherton, Ayr, South Ayrshire, KA7 4LD.**

There were submitted the relevant [papers](#) (issued) relating to a request to review the decision to refuse Planning Permission for Erection of Dwellinghouse and Replacement of Animal Isolation Unit at Laigh Kyleston Farm, A719 from Dunure Road to Ayr Road, Fisherton, Ayr, South Ayrshire, KA7 4LD.

Having heard the Chair, the Legal Adviser to the Body and the Planning Adviser to the Body, the Body considered the papers relating to the Review.

The Body

Decided:

1. To hold an accompanied site visit, to assess the application site in its setting and the surrounding area; and
2. that, thereafter, the review be continued to a future meeting of the Local Review Body for further consideration and decision.

The meeting ended at 2:30 p.m.

SOUTH AYRSHIRE COUNCIL

LOCAL REVIEW BODY

NOTE OF CURRENT POSITION

Site Address:	LAIGH KYLESTON FARM A719 FROM DUNURE ROAD AYR TO AYR ROAD FISHERTON AYR SOUTH AYRSHIRE KA7 4LD
Application:	ERECTION OF DWELLINGHOUSE AND REPLACEMENT OF ANIMAL ISOLATION UNIT

Appointed Officer's Decision:	Refused
Date Notice of Review Received:	28 August 2024

Current Position:	Continued Case for Review
Documentation:	<p>The following documents in relation to the review are attached:</p> <p>Pages 1 to 12 - Report of Handling</p> <p>Pages 13 to 17 - Notice of Review - August 2024</p> <p>Pages 18 to 65 - Review Statement in Support - August 2024</p> <p>Pages 66 to 87 - Supporting Information – Review Statement in Support- Volume 2- Appendix - August 2024</p> <p>Pages 88 to 96 - Original Planning Application - February 2024</p> <p>Pages 97 to 167 – Planning, Design and Access Statement - February 2024</p> <p>Pages 168 to 180 - Supporting Information – Appendix to Planning, Design and Access Statement - February 2024</p>

	<p>Pages 181 to 202 – Supporting Information - Ecology Survey – October 2023</p> <p>Pages 203 to 207 - Planning Application Plans – February 2022</p> <p>Pages 208 to 209 - Decision Notice</p> <p>Pages 210 to 220 - Consultation responses</p> <ul style="list-style-type: none"> • Ecological Review by AECOM (Pages 210 to 213) • ARA (Page 214) • Scottish Water (Pages 215 to 218) • West of Scotland Archaeology Service (Pages 219 to 220) <p>Page 221 - Case Officer Comments.</p> <p>Page 222 - Further response from Interested Party following Case Officer Comments.</p> <ul style="list-style-type: none"> • AECOM (Page 222) <p>Pages 223 to 230 - Further representations from Agent following Case Officer Comments.</p> <p>Pages 231 to 236 – Case Officer Photographs.</p> <p>Page 237 - Further Response from Interested Party following Case Officer Photographs</p> <ul style="list-style-type: none"> • Environmental Health (Page 237) <p>Pages 238 to 247 – Further Representations from Agent following Case Officer Photographs.</p> <p>Pages 248 to 250 - Draft Conditions</p>
New Material:	No
Additional Material Any other Comments:	N/A
Dated:	January 2025

Report of Handling of Planning Application

The Council's Scheme of Delegation can be viewed at <https://www.south-ayrshire.gov.uk/planning-application-process>

Reference No:	24/00127/APP
Site Address:	Laigh Kyleston Farm A719 From Dunure Road Ayr To Ayr Road Fisherton Ayr South Ayrshire KA7 4LD
Proposal:	Erection of dwellinghouse and replacement of animal isolation unit
Recommendation:	Refusal

REASON FOR 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 has been determined 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 February 2024.
- The application was validated on 22 February 2024.
- No Neighbour Notification was required.
- The site has been the subject of a site visit on 27 July 2023 in conjunction with the earlier application at the site (23/00527/APP).
- 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 5 March 2024.

1. Site Description:

The application site is located within a rural area to the south-west of Ayr, and to the north of the A719 coastal road, and west of the Heads of Ayr Nursery, and the existing Heads of Ayr farmpark which lies to further to the east, and east of the aforementioned nursery. More specifically, the site comprises of part of a larger agricultural field characterised as grazing land. A field gate exists to the south of the site which connects with an existing access to/ from the nearby nursery to the east. The site is defined by a low post and wire fence to the west, and by a disused and re-naturalised railway line containing natural landscape planting to the north. The remaining boundaries of the site to the north-east south-east, and east are undefined by natural features, and integrate into the existing field. The site extends to approximately 0.6 ha in area, with the main portion of the site being positioned to the north of the proposed access. In terms of topography, the proposed access is broadly flat, with the site sloping gradually northwards towards the main northern portion of the site.

In broader landscape terms, the wider landscape of the area comprises of an elevated, attractive and sensitive coastal landscape, with extensive and prominent views. The sensitivity and importance of the coastal landscape is recognised in the following designations affecting the coastal landscape to the north of the site; Maidens to Doonfoot Site of Special Scientific Interest, and two provisional wildlife sites Goatsgreen to Katie Gray's Rocks/ Dunure to Drumbane Burn.

2. Planning History:

An earlier application reference 23/00527/APP for the erection of dwellinghouse and replacement of animal isolation unit on land which is the subject of the current application was withdrawn.

3. Description of Proposal:

Planning permission is sought for the erection of a dwellinghouse and replacement of animal isolation/welfare unit. The proposed site plan shows the northern portion as the main area to be developed, with an L-shaped building centrally positioned within the site. A large building containing a dwellinghouse, integrated three car garage, and attached animal isolation unit is proposed. The proposed accommodation is single storey, with the dwellinghouse having three bedrooms, office accommodation, and associated living accommodation. The proposed garage is accessible through the dwelling to the south. The proposed animal welfare building is located to the east and attached to the dwelling via a covered walkway. The overall design of the dwelling is modern, with a series of asymmetric and off-set mono-pitched roofs, with rounded and curved walls also being a feature. To the west and north, the roof arrangement overhangs to create a covered partially outdoor area. The proposed external materials comprise of; reconstituted slate roof, artificial slate roof above the connected walkway, a combination of external wall materials including, buff stone cladding, white rendered walls, timber cladding, along with timber cladding for the upstand areas of the wall-head, solar PV panels, and grey framed windows and doors. The submission shows the garden area for the dwelling as being formed to the west, with additional planting proposed in the north-western corner and along the western boundary.

Given the sloping topography of the site, groundworks will be required to accommodate the proposals, with the plans showing a retaining wall forming the majority of the western boundary of the site. A new access formed using a permeable surface is also proposed to serve the development which is shown to extend along the western field boundary and to connect with the existing access serving the nursery. The submitted plans show the intervening agricultural land in between the application site and nursery to the east to remain undeveloped, with the main operational area associated with the farmpark and its associated buildings and activities being located further to the east, and east of the existing nursery.

The submission indicates that the proposed dwellinghouse is to provide additional on-site accommodation intended for the primary manager(s) of the farmpark, and also the replacement of an existing animal isolation/welfare unit so as to support the on-going operation of the nearby farmpark, which as noted above, lies to the east of the site.

4. Consultations:

Scottish Water – no objection.

AECOM – suggests clarification is required regarding the ecological/ habitat survey approach which is not described in the method section, and the ground level tree assessment for bat roost suitability was carried out as per Bat Conservation Trust best practice guidance.

Council's Environmental Health Service– offered no objection to the earlier application proposals, subject to conditions and/or advisory notes.

Ayrshire Roads Alliance – no objection.

West of Scotland Archaeology Service – has commented on the application proposals, and has identified a need for archaeological works to be carried out should any permission be granted in respect of the development proposals.

5. 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.

The applicant/ agent has submitted the following information in support of the development proposals, and which are summarised below as follows;

Planning, Design and Access Statement:

- The proposals are considered to accord with the relevant policies of the development plan i.e National Planning Policy 4, and the Adopted South Ayrshire Local Development Plan 2, and also align with the Council's policy guidance;
- The location of the proposals are largely dictated by the requirements of the isolation unit, which requires to be isolated;
- The current isolation facility is no longer fit for purpose and needs to be located close to the on-site residential accommodation;
- Current isolation facility is not adjacent to existing on-site accommodation/ need for proposals to be sited next to one another;
- Proposals allow for the redevelopment and refurbishment of the disused buildings to provide accommodation for managers and employees.
- The proposals are considered to embrace the principles of good design as set out in design guidance;
- Alternative locations have been considered but rejected as unsuitable;
- Proposals will contribute to the on-going operation of the farmpark;
- Dwellinghouse will be occupied by the overall farmpark manager;
- Comments and general disagreement with the earlier advice provided by the Planning Service in terms of the location of the dwellinghouse;

In terms of design and access issues, the statement considers the siting and design approach and rationale of the development proposals to be acceptable with low single storey buildings proposed, which are not considered to adversely impact on the rural setting of the site. While acknowledging the contemporary design of the development, the proposals utilise traditional materials. The proposed planting is considered to improve the biodiversity of the site, and provide additional screening.

Development Context Statement:

Provides a history and overview of the farmpark enterprise, its contribution to the local economy, with an accompanying map indicating the location of existing development, including the existing managers accommodation which is centrally positioned within the farmpark and its operational buildings, and the location of the existing isolation/ welfare building which is sited to the north of the farmpark, and adjacent to, and parallel to the former disused railway line. With regards to animal welfare, the supporting information notes this to be a 24/7 requirement. The animal isolation/ welfare accommodation is expected to provide the following functions and services, including;

- Isolation for new animal arrivals to the park, including exotic species;
- Isolation and out of hours care of sick and/ or diseased animals;
- Provision of out of hours birthing facilities;
- Accommodation for orphaned animals;

Ecological Survey:

Notes the proximity of the site to the nearby Site of Special Scientific Interest, and the two nearby provisional local wildlife sites to the north, and concludes that the aforementioned designations are very unlikely to be impacted by the proposed development due to weak linkages. No notable or priority habitats are noted to be present within the site, with the grassland site also considered to have limited potential for biodiversity. Adjacent areas of trees and scrub along the former railway line are considered to offer potential for nesting and foraging opportunities for birds, invertebrates and bats. Various mitigation and good practice measures are identified as being necessary during the construction process, should permission be granted for the development.

6. 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.

7. 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.

8. Representations:

No representations were received.

9. Development Plan:

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 (The 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.

- 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). NPF4 confirms that the purpose of planning is to manage the development and use of land in the long-term public interest. NPF4 also maintains a plan-led system and provides a long-term spatial strategy to 2045 based around enabling the transition to net zero emissions and environmental sustainability; driving inclusive economic growth; and building resilient and sustainable places, which adapt to the impacts of climate change, whilst protecting, recovering and restoring our environment. 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. An assessment of the proposals against the provisions of NPF4 is set out below.

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 - (www.gov.scot):

- 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 5 - Soils;
- National Policy 13 - Sustainable Transport;
- National Policies 14 and 15 - Design, Quality and Place and Local Living and 20 minute neighbourhoods;
- National Policy 17 - Rural Homes;

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 5 in relation to soils, seeks to protect carbon-rich and valued soils such as prime quality agricultural land, with proposals only being supported where it is for i. Essential infrastructure and there is a specific locational need and no other suitable site; ii. Small-scale development directly linked to a rural business, farm or croft or for essential workers for the rural business to be able to live onsite. The application site is categorised as being class 3.1, and therefore is considered to be prime quality agricultural land.

Policy 13 considers the issue of sustainable transport and active travel and is supportive of development in locations which support safe sustainable travel, and travel by means other than private vehicle. Policy 14 seeks to encourage and promote the 'Place Principle' and the six qualities of successful places (i.e. healthy, pleasant, connected, distinctive, sustainable, and adaptable). Proposals which are poorly designed, detrimental to the amenity of the surrounding area, or inconsistent with the qualities of successful places will not be supported. Policy 15 encourages and promotes the Place Principle as a means to create connected and compact neighbourhoods where people can meet the majority of their needs within a reasonable distance of their home. In this instance, the proposed location of the dwellinghouse being remote from the existing farmpark due to its location at the opposite and western periphery of the land holding have the potential to result in the occurrence of vehicle trips to and from the proposed accommodation to operate and manage the daily operations of the farm business. While it is acknowledged that trips would also be possible by other means, the occurrence of trips by vehicle to and from the proposed development to the farmpark cannot be ruled out, particularly where an animal might need emergency care and therefore require urgent transfer to the isolation/ welfare facility. The occurrence of daily and potentially numerous trips to, and from the farm park and its associated buildings from the proposed application site, would not otherwise occur if a dwellinghouse, and new animal isolation/welfare buildings are sited at or closer to the existing farm park and its associated operational buildings. Greater weight is given to the fact that the application site is undeveloped greenfield land within a rural location that is remote from the farmstead to which it would be serving. The proposal would introduce development into the landscape where there is none at present, is sited in an isolated position and disconnected physically and visually from the farmstead and existing group of buildings, and is not sited adjacent to or in close proximity of any other buildings. For these reasons, the proposal is not considered to be aligned with the spirit and intention of policies 13 and 14.

With specific regard to new rural homes (policy 17), development proposals will be supported where the development is suitably scaled, sited and designed to be in keeping with the character of the area, and the development involves;

- i. land allocated for housing within the LDP;
- ii. reuse of brownfield land;
- iii. reuse of redundant or unused buildings;
- iv. use of a historic environment asset or enabling development to secure the future of historic environment assets;
- v. supporting the sustainable management of a viable rural business or croft, and there is an essential need for a worker (including those taking majority control of a farm business) to live permanently at or near their place of work;
- vi. a single home for the retirement succession of a viable farm holding;
- vii. subdivision of an existing residential dwelling; and
- viii. reinstatement of a former dwelling house or a one-for-one replacement of an existing permanent

house.

It is considered that the proposal does not align with the opening requirements of the above policy 17 which is for development to be suitably sited and designed to be in keeping with the character of the area. Notwithstanding the provisions of policies 5 and 17 of the NPF, the proposals nonetheless require to be considered against the provisions of the Adopted South Ayrshire Local Plan 2, and the related policy guidance as part of the recognition by the Scottish Government in the NPF Local Development plans should set out a tailored approach to rural housing, and reflect locally appropriate delivery approaches. Further consideration of relevant planning issues are set out below. For the reasons set out in this report, there are policy concerns in relation to the proposals.

- 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):

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

Core Principle B8 supports the development of rural housing in appropriate locations in line with the policies of the Local Development Plan, and the related planning guidance regarding Rural Housing. The policy also confirms that proposals for rural housing outwith the aforementioned parameters, or outwith defined settlement boundaries shall not be supported. Further consideration of the proposed development against the Rural Housing policies and guidance is set out below.

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.

Of particular relevance in the consideration of the proposal are the terms of the LDP Rural Housing Policy. Criterion d. of this policy requires that where a home is essential to a rural business, the developer, must satisfy (the Council) through the submission of a sound business plan, that the business is economically viable and could not be run without residential accommodation. The accompanying text relating to limited extensions to existing and clearly defined nucleated housing clusters is also considered to be relevant in the assessment of the current application. In all instances, the LDP policy confirms that proposals for rural housing must comply with the policy guidance as set out in the associated Rural Housing Planning Guidance note in terms of being appropriately sited and designed. Further consideration of the proposals against the rural housing policies is set out below.

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. The submission is accompanied by a preliminary ecological report which does not identify any ecological matters which require further attention. In addition, the Natural Heritage Policy seeks to protect national and local designations; as noted above, the site lies close to Maidens to Doonfoot Site of Special Scientific Interest, and two provisional wildlife sites Goatsgreen to Katie Gray's Rocks/ Dunure to Drumbane Burn. As the site lies outwith the aforementioned natural heritage designates sites it is not considered that the proposals would adversely impact on those designations, notwithstanding, for the reasons noted within this report, there are other concerns regarding the proposals.

The Landscape Quality Policy seeks to maintain and improve the quality of South Ayrshire's landscape and its distinctive local characteristics. Developments must conserve features that contribute to local distinctiveness, including historic/cultural landscape, patterns of woodland, fields, hedgerows and tree, special qualities of river, estuaries and coasts, skylines and hill features. For proposals within or affecting

Local Landscape Areas (LLA), guidance contained in the 'statement of importance' and management recommendations of the South Ayrshire Local Landscape Designations Review (2018) applies. In the first instance, it is relevant to note that the application site lies within the Brown Carrick Hills and Coast Local Landscape Area (LLA), with it also situated in close proximity to the Heads of Ayr and the well-used beach and coastal path which include the 'Raised Beach Coast and Cliffs' and the 'Coastal Headlands Landscape Character Types'. Further consideration of the impact of the proposals on the landscape of the locale are considered elsewhere in this report.

With regard to the coastal strategy of the LDP, development proposals within the wider coastal area require to be in accordance with the coastal strategy map, so as to protect or improve the scenic and environmental quality of the area. The coastal strategy defines the stretch of coastline from Craig Tara to the Heads of Ayr (which includes the proposed site) as being a partly developed stretch which is characterised by unobtrusive formal visitor facilities and informal recreation. In recognition of the partly developed nature of the coastal area at this location, the coastal strategy encourages only, very small developments which integrate well with existing land uses and which complement the surrounding environment. 'Very small scale' is defined as facilities that would not require any substantial building works. As noted above, the site is relatively large in size, and extends to approximately 0.6 ha (6,100 sq metres). The proposal, as a whole, is for the development of buildings in the north-western corner, and the formation of an elongated access road at the western periphery of the applicant's land holding and in a location where currently no buildings exist. Given the size of the site, and characteristics of the development, it is not considered that the proposals can be suitably described as being of a very small scale. Accordingly, the proposal is not considered to align with the provisions of the LDP Coast Policy; the application has been considered in this context.

Finally, the development proposal requires to be considered against the provisions of LDP2 policy in relation to land use and transport which recognises the inter-relationship between land use planning and transport. The policy requires for development to provide parking which reflects the role of the development, and which keeps any negative effects of road traffic on the environment to a minimum. A new 170-metre-long access track is proposed from the existing access shared with the nursery which leads to and from the A719 coastal road to the south of the site, with off-road parking being accommodated within the application site. The Ayrshire Roads Alliance offers no objections to the proposal from a technical perspective and has recommended conditions and advisory notes, should the application be approved. Notwithstanding, there are concerns from a planning perspective that the proposed new access/ driveway which reaches a length of approximately 170 metres from the road to the application site, is excessive and uncharacteristic for the locale, and would contribute irreversibly to the suburbanisation of the countryside. Additionally, and as noted above, the proposals have the potential to result in the occurrence of vehicle trips to and from the proposed accommodation to operate and manage the daily operations of the farm business. While it is acknowledged that trips would also be possible by other means, the occurrence of trips by vehicle to and from the proposed development to the farm park cannot be ruled out, particularly where an animal might need emergency care and therefore require urgent transfer to the isolation/ welfare facility. The occurrence of daily and potentially numerous trips to, and from the farm park and its associated buildings from the proposed application site, would not otherwise occur if a dwellinghouse, and new animal isolation/welfare buildings are sited at or closer to the existing farm park and its associated operational buildings.

For the reasons noted elsewhere within this report there are policy concerns in relation to the development proposal, in so far as it is not considered that the proposal is in accordance with the provisions of the LDP and in particular the related policy in relation to Rural Housing. Further consideration of the proposal against the provisions of the Council's Rural Housing SPG, and also site specific aspects relating to the proposal are considered further below.

10. Other Relevant Policy Considerations (including Government Guidance):

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

PAN 72 sets out the key design principles which need to be taken into account by prospective applicants' and agents' responsible for the preparation of development proposals. PAN 72 provides advice in relation to the siting and design of rural housing and seeks to ensure that rural housing is of a good quality and which respects the Scottish landscape and building traditions. Therefore, PAN 72 is considered to be relevant in the consideration of this application.

In particular, PAN 72 (page 7) acknowledges that buildings in rural areas can often be seen over long distances, and that buildings are there for a long time. For these reasons, PAN 72 concludes that careful design is essential, and that single houses need to be planned, with the location carefully selected and designed so as to be appropriate to the locality. Even where sites are less visible, PAN 72 states that such sites will still require a significant level of skill to assimilate buildings into the landscape. The application has been considered in this context, and for the reasons noted elsewhere in this report, there are concerns in relation to the siting of the proposed dwellinghouse and associated animal isolation/welfare building.

- Developing with Nature Guidance (NatureScot):

The above 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. While the applicant has submitted a Preliminary Ecological Appraisal, there are other concerns in relation to the proposals, for the reasons noted within this report.

- South Ayrshire Council Planning Guidance - Rural Housing:

The Rural Housing policy guidance sets out the policy requirements which new houses serving rural based businesses are required to fulfil, and states that "The Council may give favourable consideration to the provision of on-site residential accommodation for a worker employed in an existing rural business, providing that;

- a) It is demonstrated to the satisfaction of the Council that the business cannot operate without continuous on site attendance and that there are no alternative means of operating the business; and
- b) There is no other existing accommodation that could be used to serve the business; and
- c) No existing dwelling serving or connected to the business or holding has been sold or in some other way separated or alienated from the holding in the previous five years; and
- d) Any proposed buildings or structures form or complement a coherent group of buildings and are not visually intrusive.

Note: the requirement for on-site accommodation may be either as a result of the continuous operation of the existing business, or due to proposed expansion or diversification of that business.

In all cases, proposals for new residential accommodation in rural areas, including those demonstrated as being required to operate a rural business, must accord with the Council's design guidance, contained in this supplementary guidance.

In considering the proposed development against the above policy of the policy guidance, the following is noted;

It is accepted that the farmpark enterprise might potentially benefit from an additional residential property, and therefore, in principle, the Service could be minded to support the applicant's case for an additional dwellinghouse to serve the farming operations, however, proposals for an additional residential dwelling require to be appropriately sited so as to consolidate and reinforce the farming operations, and to accord with the Council's Rural Housing related policy guidance. An assessment of the proposal against the provisions of the Council's Rural Housing guidance is set out further below.

Where a dwellinghouse is required in connection with the operation of an existing rural based business, then it is reasonable to expect that any new dwelling would be sited adjacent to the existing steading so as to form and/ or reinforce a compact operational base. In contrast, the proposed new house and associated isolation/ welfare building is not located within or adjacent to the existing operational base to the east, but is located to the west, and in a location where no agricultural buildings are currently present.

In terms of the proposed animal isolation/ welfare accommodation, it is unclear why this is sited remotely from the existing buildings and operational areas, such as enclosures where the animals are housed. The presence of an existing isolation/ welfare facility located to the north of the farm park, and parallel to the disused railway line, is considered to reinforce that there is no reason as to why a replacement or upgraded animal isolation/ welfare facility could not be provided in an alternative location in or around the existing farmpark buildings, and which could equally meet the applicant's needs in terms of providing a modern suitable premises, in close proximity to the animals requiring care and attention, without requiring a remote location at the western periphery of the farm holding.

It is noted that the applicant/ agent asserts that the proposed isolation facility requires an isolated location and that that location requires to be adjacent to the managers accommodation. In contrast, it is considered that the term 'isolation' relates to the intended purpose and function of the building and not to any locational requirement; this is clearly evidenced in that an isolation facility currently exists within the existing farmpark. Therefore, the presence of the existing isolation/ welfare facility is considered to undermine the applicant's case for alternative premises being located remotely. The applicant's supporting information (as noted above) also sets out a series of functions and services to be carried out at the isolation/ welfare facility. It is considered that the function and services to be carried out at the isolation/ welfare facility could be equally fulfilled by locating a new or renovated facility within, or closer to the building grouping associated with the farmpark, and therefore, the proposed isolation/ welfare facility need not be sited as remotely as the applicant/ agent suggest. In terms of the need for the managers accommodation to be site adjacent to the isolation/ welfare facility, it is noted that presently, the two are located a short distance apart, approximately 60 metres at their closest. Similarly, it is therefore feasible for the farmpark to operate with a short distance separating the managers accommodation, and the isolation/ welfare building. For the reasons noted within this report, the applicant/ agent has been encouraged to explore potential alternative locations for additional on-site accommodation, and the associated isolation/ welfare facility in a less remote location, and closer to the existing operational buildings of the farm park.

For the reason noted within this report, there are concerns in relation to the proposed siting of the dwellinghouse and operational building due to the proposed buildings not being located so as to consolidate and reinforce the existing building grouping at the farmpark which lies to the east, and which is the operational base of the enterprise. In contrast, the application site stands alone at the western periphery of the land holding, and is isolated and separated from the existing operations by intervening land, and a children's nursery. The existence of the children's nursery in terms of its building, outdoor space, and the associated parking area is considered to effectively separate and delineate in physical and visual terms, the land uses relating to the farmpark to the east, and the agricultural land to the west. The proposals, if approved, would result in operational buildings being provided at the western periphery of the land holding, and in a location where current no buildings exist.

Therefore, for the purposes of assessing this application, it is not considered that the proposal is justified on the basis of the need for a dwellinghouse and isolation/ welfare facility to be provided in the location proposed. In this regard, it is considered that there is sufficient land and buildings around the existing operational buildings at the farmpark so as to enable the applicant to provide for an additional dwelling and any new and/ or upgraded additional operational buildings, as required. The application has been considered in this context.

Additionally, it is considered that the existing building grouping located to the east is likely to be less visually obtrusive than the application site, which comprises of a portion of a larger field where there are currently no services or buildings, and therefore the positioning of additional buildings at, or in closer proximity of the farmpark, offers the best opportunity to consolidate and reinforce the existing building grouping at the steading as the operational locus of existing activities. In this context, a revised application with an alternatively sited dwellinghouse and operational building is considered to be preferential from a landscape setting perspective, and would not undermine the coastal policy of the LDP, or character of the area, in terms of avoiding substantial buildings and engineering works to form the development. While the proposed development is to be set down in the landscape, the general character of the area is of visually prominent open and undeveloped countryside, with extensive views to the east and west along the coastal road, and northwards towards the sea, and as such, there remains potential for the proposals to be viewed, if not fully, at least partially, outwith the confines of the application site.

For the reasons noted below, there are also concerns in relation to the contemporary design of the buildings. With regards to design, the Council's Rural Housing Policy provides advice on the siting and design of new housing, which is materially significant in the consideration of the applications. The aforementioned policy guidance acknowledges that planning policies controlling the siting and design of new housing development in the countryside play an important role in maintaining its character, and that when considering new housing in the countryside, it is important that cognisance is taken of the heritage of an area in order to preserve and enhance the countryside of South Ayrshire's countryside. Other rural residential properties within the immediate locale are noted to typically reflect the simplicity of scale and form of traditional rural domestic architecture. However, it is noted that the submitted drawings propose a dwellinghouse of a modern design and appearance, more akin to a suburban dwellinghouse, rather than being reflective of the more traditional scale, form and proportions of typical rural properties in the immediate locale. The rural vernacular of the houses in the immediate local is more typically formed by small to modest sized farmhouses, cottages and/or converted former out-buildings with a simple, traditional rectangular and elongated plan form. In contrast the proposed house and interconnected isolation/ welfare building is of a more elaborate and contemporary design, and in particular, the off-set

asymmetric mono-pitched roof arrangement, curved features, and extensive scale and form of the dwellinghouse and attached building are not typical of the immediate locale. The non-traditional design, along with the visual prominence of the locale give rise to concerns that the proposals are incongruous for the proposed location.

While the Council's Rural Housing Policy does allow for innovate design solutions, this primary consideration is that the design requires to have cognisance of the surrounding environment. As noted above, the overwhelming character and rural vernacular of the houses in the immediate local is more typically formed by small to modest sized farmhouses, cottages and/or converted former out-buildings with a simple, traditional rectangular and elongated plan form; the application is considered in this context.

For completeness, the proposals have also been considered against the Council's policies in relation to extensions to a cluster of existing residential properties. In this regard it is noted that, the application site stands in isolation, and is bound predominantly by agricultural land, and is separated from nearby properties and buildings by intervening agricultural land, and alternative uses not related to the farmpark. Given the afore-mentioned, the proposed development does not represent the sensitive in-filling of an existing cluster. Therefore, it is not considered that the proposed site could be considered to represent a cluster for the purposes of considering this application.

Given the above concerns, the applicant/ agent has been recommended to withdraw the current application so as to explore with the applicant, the potential to re-site an alternatively designed dwellinghouse and welfare building on land at or closer to the existing operational buildings associated with the existing farmpark, so as focus and reinforce the existing building grouping as the operational base of the farming enterprise. As the application has not been withdrawn, it requires to be determined as submitted.

- South Ayrshire Council Planning Guidance - Open Space and Designing New Residential Developments:

The Council's Planning Guidance (SPG) 'Open Space and Designing New Residential Developments' is relevant in the consideration of this application. This policy provides guidelines on plot spacing for new residential dwellings including minimum private garden sizes. This policy guidance also recommends a minimum of 9 metre depth for rear gardens. This policy also sets out expected private open space standards within new residential developments, which for detached properties extends to a minimum of 1.5 times the ground floor area and in any case, not less than, 100 square metres. While the development proposals might be capable of meeting with the above policy provisions, for the reasons noted elsewhere in this report, there are concerns in relation to the proposals.

11. Assessment (including other material considerations):

Planning permission is sought for the erection of dwellinghouse and replacement of animal isolation/welfare unit. For the reasons noted elsewhere in this report, there are over-riding concerns regarding the siting of a dwellinghouse and operational building in the location proposed, and in particular due to it being remote from the operational base of the farmpark, its associated buildings, and also from a landscape setting and non-traditional design perspective. The premise underpinning the strategy and policies of the adopted Local Plan accords with the objective to rural housing, is to curtail sporadic development within the countryside; thereby protecting the countryside for its own sake whilst also ensuring that an unsustainable increase in infrastructure and resource demands and costs are occasioned by reason of the unrestrained proliferation of development in the countryside.

While the submission is accompanied by various supplementary information, the application requires to be considered on its own merit, and none of the information contained therein is considered to out-weight the above noted policy provisions of National Planning Framework 4 and the Adopted South Ayrshire Local Development Plan 2, and also the related policy guidance. Each application requires to be considered on its own merit, and against the provisions of the development plan and any relevant material planning considerations; the application has been considered in this context.

The primacy of the development plan is noted above, and the application has been considered in this context. An assessment of the development proposal is set out in this report, and as already noted, there are policy objections to the proposal which lead to the conclusion that the development is contrary to the provisions the National Planning Framework 4, the Adopted South Ayrshire Local Development Plan, and

also the Council's Policy Guidance in relation to Rural Housing which supplements formal policy, and that there are no material planning considerations that would out-weigh these provisions. It should also be noted that, the purpose of planning (as set out in the Planning (Scotland) Act 2019) is to manage the development and use of land in the long term public interest. Given the above assessment and having balanced the applicants' rights against the general interest, it is recommended that the application be refused, for the reasons below.

12. **Recommendation:**

It is recommended that the application is refused.

Reasons for refusal:

- (1) That the development proposal is contrary to National Planning Framework 4 (NPF4), specifically National Policy 14 Design, Quality and Place; National Policy 17 Rural Homes; South Ayrshire Local Development Plan (LDP2) Core Principle B8, LDP policies Rural Housing and Landscape Quality; South Ayrshire Council's Rural Housing Guidance and the provisions of Scottish Planning Advice Note PAN 72 in relation to Housing in the Countryside, as the proposed dwellinghouse does not form or complement a coherent group of buildings so as to reinforce the existing operational base of the farmpark enterprise at Laigh Kyleston Farm, is visually prominent and uncharacteristic to the detriment of the rural landscape setting at the locality and no robust justification having been provided for a departure from these policies.
- (2) That the development proposal is contrary to the Adopted South Ayrshire Local Development Plan Rural Housing policy due to the proposed dwellinghouse and isolation facility not forming or complementing a coherent group of buildings so as to reinforce the existing operational base of the farmpark enterprise at Laigh Kyleston Farm, and not being visually intrusive, and no justification having been provided for a departure from this policy.
- (3) That the development proposal is contrary to the Planning Guidance in relation to Rural Housing due to not being sited so as to reinforce the existing operational base of the farmpark enterprise at Laigh Kyleston Farm, and due to not constituting development within an existing cluster or the sensitive infilling of an available gap site which consolidates existing properties within a cluster, and no justification having been provided for a departure from the Rural Housing planning guidance.

Advisory Notes:

None.

List of Plans Determined:

Plan Type	Reference	Version No.	Received Date
Drawing	P001	rev A	22.02.2024
Drawing	P002		22.02.2024
Drawing	SL001	rev A	22.02.2024
Drawing	SL002	rev A	22.02.2024
Drawing	SL003	rev A	22.02.2024
Supporting Information	Design & Access Statement + Appendix		22.02.2024
Supporting Information	Development Context Statement		22.02.2024
Supporting Information	Ecology Survey		22.02.2024

Reason for Decision (where approved):

N/A

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.

<i>Decision Agreed By:</i>	<i>Appointed Officer</i>
<i>Date:</i>	<i>28 May 2024</i>



County Buildings Wellington Square Ayr KA7 1DR Tel: [REDACTED] Email: [REDACTED]

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100634972-004

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

Applicant or Agent Details

Are you an applicant or an agent? * (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

Applicant Agent

Agent Details

Please enter Agent details

Company/Organisation:	<input type="text" value="Hobson Architects"/>		
Ref. Number:	<input type="text"/>	You must enter a Building Name or Number, or both: *	
First Name: *	<input type="text" value="nicholas john"/>	Building Name:	<input type="text" value="seacliff"/>
Last Name: *	<input type="text" value="hobson"/>	Building Number:	<input type="text"/>
Telephone Number: *	<input type="text" value=""/>	Address 1 (Street): *	<input type="text" value="eglinton terrace"/>
Extension Number:	<input type="text"/>	Address 2:	<input type="text"/>
Mobile Number:	<input type="text"/>	Town/City: *	<input type="text" value="skelmorlie"/>
Fax Number:	<input type="text"/>	Country: *	<input type="text" value="Scotland"/>
		Postcode: *	<input type="text" value="PA17 5EP"/>
Email Address: *	<input type="text" value=""/>		
Is the applicant an individual or an organisation/corporate entity? *			
<input checked="" type="checkbox"/> Individual <input type="checkbox"/> Organisation/Corporate entity			

Applicant Details

Please enter Applicant details

Title:	<input type="text" value="Mr"/>	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text"/>	Building Name:	<input type="text" value="Laigh Kyleston Farm"/>
First Name: *	<input type="text" value="Craig"/>	Building Number:	<input type="text"/>
Last Name: *	<input type="text" value="Rankin"/>	Address 1 (Street): *	<input type="text" value="Heads of Ayr Farm Park"/>
Company/Organisation	<input type="text" value="Heads of Ayr Farm Park (Scotland)"/>	Address 2:	<input type="text" value="Dunure Road"/>
Telephone Number: *	<input type="text"/>	Town/City: *	<input type="text" value="Alloway"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="Scotland"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="KA7 4LD"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text" value=""/>		

Site Address Details

Planning Authority:

South Ayrshire Council

Full postal address of the site (including postcode where available):

Address 1:

LAIGH KYLESTON FARM

Address 2:

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

AYR

Post Code:

KA7 4LD

Please identify/describe the location of the site or sites

Northing

618119

Easting

229778

Description of Proposal

Please provide a description of your proposal to which your review relates. The description should be the same as given in the application form, or as amended with the agreement of the planning authority: *
(Max 500 characters)

Erection of dwellinghouse and replacement of animal isolation unit

Type of Application

What type of application did you submit to the planning authority? *

- Application for planning permission (including householder application but excluding application to work minerals).
- Application for planning permission in principle.
- Further application.
- Application for approval of matters specified in conditions.

What does your review relate to? *

- Refusal Notice.
- Grant of permission with Conditions imposed.
- No decision reached within the prescribed period (two months after validation date or any agreed extension) – deemed refusal.

Statement of reasons for seeking review

You must state in full, why you are seeking a review of the planning authority's decision (or failure to make a decision). Your statement must set out all matters you consider require to be taken into account in determining your review. If necessary this can be provided as a separate document in the 'Supporting Documents' section: * (Max 500 characters)

Note: you are unlikely to have a further opportunity to add to your statement of appeal at a later date, so it is essential that you produce all of the information you want the decision-maker to take into account.

You should not however raise any new matter which was not before the planning authority at the time it decided your application (or at the time expiry of the period of determination), unless you can demonstrate that the new matter could not have been raised before that time or that it not being raised before that time is a consequence of exceptional circumstances.

Please refer to the Statement in Support of the Notice of Review Application which is included within the submission documents

Have you raised any matters which were not before the appointed officer at the time the Determination on your application was made? *

Yes No

If yes, you should explain in the box below, why you are raising the new matter, why it was not raised with the appointed officer before your application was determined and why you consider it should be considered in your review: * (Max 500 characters)

Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review and intend to rely on in support of your review. You can attach these documents electronically later in the process: * (Max 500 characters)

Location plan, Proposed site plan 1-500, Proposed site plan 1-1000, Proposed floor plans and section, Proposed elevations, Planning Design and Access Statement, Planning Design and Access Statement (appendix), Development Context Statement, Ecology Report, Report of Handling, Decision Notice. Statement in Support of the Notice of Review, Statement in Support of the Notice of Review-appendix, Extract Local Development Plan 2 Page 97 Appendix B: Coastal Strategy Diagram,

Application Details

Please provide the application reference no. given to you by your planning authority for your previous application.

24/00127/APP

What date was the application submitted to the planning authority? *

21/02/2024

What date was the decision issued by the planning authority? *

28/05/2024

Review Procedure

The Local Review Body will decide on the procedure to be used to determine your review and may at any time during the review process require that further information or representations be made to enable them to determine the review. Further information may be required by one or a combination of procedures, such as: written submissions; the holding of one or more hearing sessions and/or inspecting the land which is the subject of the review case.

Can this review continue to a conclusion, in your opinion, based on a review of the relevant information provided by yourself and other parties only, without any further procedures? For example, written submission, hearing session, site inspection. *

Yes No

In the event that the Local Review Body appointed to consider your application decides to inspect the site, in your opinion:

Can the site be clearly seen from a road or public land? *

Yes No

Is it possible for the site to be accessed safely and without barriers to entry? *

Yes No

Checklist – Application for Notice of Review

Please complete the following checklist to make sure you have provided all the necessary information in support of your appeal. Failure to submit all this information may result in your appeal being deemed invalid.

Have you provided the name and address of the applicant?. *

Yes No

Have you provided the date and reference number of the application which is the subject of this review? *

Yes No

If you are the agent, acting on behalf of the applicant, have you provided details of your name and address and indicated whether any notice or correspondence required in connection with the review should be sent to you or the applicant? *

Yes No N/A

Have you provided a statement setting out your reasons for requiring a review and by what procedure (or combination of procedures) you wish the review to be conducted? *

Yes No

Note: You must state, in full, why you are seeking a review on your application. Your statement must set out all matters you consider require to be taken into account in determining your review. You may not have a further opportunity to add to your statement of review at a later date. It is therefore essential that you submit with your notice of review, all necessary information and evidence that you rely on and wish the Local Review Body to consider as part of your review.

Please attach a copy of all documents, material and evidence which you intend to rely on (e.g. plans and Drawings) which are now the subject of this review *

Yes No

Note: Where the review relates to a further application e.g. renewal of planning permission or modification, variation or removal of a planning condition or where it relates to an application for approval of matters specified in conditions, it is advisable to provide the application reference number, approved plans and decision notice (if any) from the earlier consent.

Declare – Notice of Review

I/We the applicant/agent certify that this is an application for review on the grounds stated.

Declaration Name: Mr nicholas john hobson

Declaration Date: 22/08/2024

**NOTICE OF REVIEW
IN RELATION TO THE REFUSAL BY
SOUTH AYRSHIRE COUNCIL
FOR PLANNING PERMISSION FOR
THE ERECTION OF A DWELLINGHOUSE AND
REPLACEMENT OF ANIMAL ISOLATION UNIT
ON LAND AT HEADS OF AYR FARM PARK,
LAIGH KYLESTON FARM, A719 FROM
DUNURE ROAD TO AYR ROAD, FISHERTON, AYR, KA7 4LD**

PLANNING APPLICATION REF NO 24/00127/APP

STATEMENT IN SUPPORT

Report Prepared by:

**MICHAEL S EVANS
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PLANNING CONSULTANT
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SEACLIFF
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PA17 5EP**



August 2024

Notice of Review in Relation to the Refusal by South Ayrshire Council for Planning Permission for Erection of Dwellinghouse and Replacement of Animal Isolation Unit on Land at Heads of Ayr Farm Park, Laigh Kyleston Farm, A719 from Dunure Road to Ayr Road, Fisherton, Ayr, KA7 4LD

Prepared for: Craig and Edna Rankin

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APPENDIX (Separate Document)

Notice of Review in Relation to the Refusal by South Ayrshire Council for Planning Permission for Erection of Dwellinghouse and Replacement of Animal Isolation Unit on Land at Heads of Ayr Farm Park, Laigh Kyleston Farm, A719 from Dunure Road to Ayr Road, Fisherton, Ayr, KA7 4LD

Prepared for: Craig and Edna Rankin

(i) CONCLUSIONS

- Local Development Plan 2, Coastal Strategy Diagram, confirms that, in terms of type of development, both Heads of Ayr and Craig Tara fall within the intensive category

This, in our opinion, provides the appropriate policy context/background for a review/assessment of the proposals.

The proposals should therefore be assessed within this policy context and the boundary of the Farm Park as defined in Figs 1 and 2.

- The Planning Service has, in the main, approached the housing element of the proposals as if they were in a 'typical' countryside location, with which we would not agree
- On 22 September 1992, consent for Change of Use of agricultural land and outline planning permission to form a 'Children's Farm' was granted. Since then, Heads of Ayr Farm Park has been one of the major economic development success stories in South Ayrshire. An important example of economic resilience, it has grown and developed when frequently overall economic circumstances have posed significant challenges
- And, as Board Members will be aware, Heads of Ayr Farm Park has become established as a 'significant leisure/ recreation/tourism facility'
- In the past 12 months, it has won the following awards:
 - Tripadvisor – Travellers' Choice, Top 10% Worldwide, 2024
 - Tripadvisor – Travellers' Choice, Top 10% Worldwide, 2023, **reflecting a level of attraction that extends beyond the local.**
- The proposals will therefore contribute to the further strengthening of the overall operation of the Farm Park. The proposed (overall) Manager's

Notice of Review in Relation to the Refusal by South Ayrshire Council for Planning Permission for Erection of Dwellinghouse and Replacement of Animal Isolation Unit on Land at Heads of Ayr Farm Park, Laigh Kyleston Farm, A719 from Dunure Road to Ayr Road, Fisherton, Ayr, KA7 4LD

Prepared for: Craig and Edna Rankin

Dwellinghouse, along with the replacement Animal Isolation Unit, represent a significant component of future-proofing the whole enterprise

- Members of the LRB will note that the Planning Service, on page 8 of the Report of Handling, states that ‘It is accepted that the farm park enterprise might potentially benefit from an additional residential property’
- The issue would appear to be therefore not one of opposition to the principles of a new house but one of where this might be located
- In the opinion of the Planning Service, the proposals are viewed as being in an unsatisfactory location because they are:
 - (i) isolated
 - (ii) visually prominent
 - (iii) uncharacteristic
 - (iv) and, as a result, do not conform to the requirements of Rural Housing Policy
- Taking these matters in turn, on the matter of isolation initially:
 - Crucial to the site-selection process is the fact that the requirement is not solely for a house but for a house intended to be the Farm Park Manager’s House, along with the replacement Animal Isolation Unit for animal welfare reasons to be located as close as possible to each other

The proposed Manager’s House and Animal Isolation Unit, for the reasons set out elsewhere in this Statement, need to be close together but also, with the latter use, requiring a level of physical isolation from other uses.

Notice of Review in Relation to the Refusal by South Ayrshire Council for Planning Permission for Erection of Dwellinghouse and Replacement of Animal Isolation Unit on Land at Heads of Ayr Farm Park, Laigh Kyleston Farm, A719 from Dunure Road to Ayr Road, Fisherton, Ayr, KA7 4LD

Prepared for: Craig and Edna Rankin

- A location within/among or close to existing buildings was therefore not an option but this was, in any case, academic because, as Fig 2 confirms, there were none
- This practical requirement was always going to limit the number of options available within the Farm Park
- Account was clearly going to have to be taken of the current land use situation within the Farm Park as a whole. Figs 1 and 2 confirmed that 95% was otherwise in use
- The choice of location, in the event, was therefore limited to the site 'selected' in the north-west corner of the enterprise
- Turning to the matter of visual prominence, being on the edge of the Farm Park and adjacent countryside, every effort has been made to limit visual impact
 - The proposed site will therefore sit tightly into the north-west corner of the Farm Park beyond the crown of high ground and in the backslope down to the abandoned railway line, the trees along which provide a backdrop/ screen
- And, on the matter of being 'uncharacteristic', the proposals do take on the low profile characteristics of older buildings in the area, significantly more in character than the proposals, for example, for Drumbain, Fisherton – only 1.9 miles away
 - Rural Planning Guidance essentially is about housing in the countryside

Notwithstanding that, it no longer enjoys statutory status, the substantial consideration here is LDP2, Appendix B: Coastal

Notice of Review in Relation to the Refusal by South Ayrshire Council for Planning Permission for Erection of Dwellinghouse and Replacement of Animal Isolation Unit on Land at Heads of Ayr Farm Park, Laigh Kyleston Farm, A719 from Dunure Road to Ayr Road, Fisherton, Ayr, KA7 4LD

Prepared for: Craig and Edna Rankin

Development. Coastal Strategy Diagram recognises that Heads of Ayr, with Craig Tara, fall within the 'intensive' category.

The 'standard' rural housing guidelines do not therefore, in our opinion, apply to the proposals.

The proposals are, in any case, not just for a house. They should be judged/assessed within their policy context, i.e. within the boundaries of Heads of Ayr Farm Park.

On that basis, our overall conclusion is that they are compatible with the requirements of the Development Plan and the relevant policies of both Local Development Plan 2 and National Planning Framework 4

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Prepared for: Craig and Edna Rankin

1.0 INTRODUCTION /TERMS OF REFERENCE / THE PROPOSALS

Terms of Reference

On 22 February 2024, an application was submitted by Hobson Architects per Nick Hobson, Seacliff, Eglinton Terrace, Skelmorlie, PA17 5EP on behalf of Craig and Edna Rankin, Heads of Ayr Farm Park, Dunure Road, Ayr, KA7 4LD, Planning Application Ref No 24/00127/APP.

This Notice of Review has been prepared by Michael S Evans, Planning Consultant, and Nick Hobson, Hobson Architects, as instructed by the Applicants and is submitted in response to the Council's decision to refuse the application on a delegated basis on 28 May 2024.

The contents of the Appointed Officer's Report of Handling (which have been submitted along with this Notice) are viewed as significant material considerations.

Parts 5.0 and 6.0 of this Notice of Review Supporting Statement are focused substantially not only on the reasons for refusal but how these were arrived at.

We would also advise Review Body members that this Supporting Statement should be read in conjunction with the Planning, Design and Access Statement that formed part of the refused planning application.

The purpose of this Statement is therefore to reconfirm the conclusions arrived at in the Planning, Design and Access Statement that formed part of refused application, 24/00127/APP, in that, in our opinion, the facts on the ground in relation to the proposals confirm that they are:

- (i) consistent with the requirements of the relevant policies of the Adopted South Ayrshire Local Development Plan 2, Supplementary

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Planning Guidance: 'House Alterations and Extensions', and Guidance: Rural Housing

- (ii) consistent with the requirements of National Planning Framework 4 (NPF4) and
- (iii) have taken into account relevant outcomes from material considerations

The Applicants

Heads of Ayr Farm Park Ltd per Craig and Edna Rankin, Laigh Kyleston, Heads of Ayr Farm Park, Dunure Road, Ayr, KA6 4LD. Both Craig and Edna Rankin, who opened the Park in 1993, have been at the forefront of developing what was to become one of the area's most successful enterprises. Both with a farming background, they are now joined by their three sons, Greg, Ben and Max, who collectively take a very hands-on approach to management.

Details of the current and future intentions re the business are to be found in the Development Context Statement which formed part of the Planning Application.

The Proposed Site

The proposed site is irregular in shape and, as shown in Planning Application Drawing No SL001, sits within a larger trapezoidal field lying in the south-west corner of the Farm Park.

The existing A719 runs along the southern edge of the Farm Park, with the existing vehicle access serving the Nursery nearby to the north east. The proposed access for the new development will be just within this existing access point. The access route will then run along the western boundary of the Farm Park to the proposed site in the north-western corner of the field.

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To the north of the development site lies the former coastal railway line which is now defined, in part, by a belt of mature and semi-mature deciduous trees.

To the west is the existing fence line to the adjoining agricultural land outwith the Farm Park. To the south and east, the ground slopes away gently to the east and the access road leading down to the Nursery and beyond.

The Proposals

The planning application includes two important elements – a new House and a replacement Animal Isolation Unit, the purpose of which is to provide a range of services, including:

1. for new animals, those requiring a Zoo Licence, arriving at the Farm Park for the first time to be kept separate. They will be given time to rest, checked over health wise, wormed, dosed and vaccinated as required before joining the main park
2. isolation of any animals suspected of carrying any disease, such as bird flu
3. providing for animals requiring out-of-hours attention and nursed through ill health
4. providing facilities for birthing of animals that may well need assistance after hours
5. providing accommodation for orphaned animals handed in by the public that require hand rearing
6. providing space for isolation of the more exotic species before they leave the park to go to other licensed premises to assist in the preservation of particular species

In addition, the building itself will have:

- (a) warm isolation rooms
- (b) food preparation kitchen and food storage facilities, fridges for food, etc.

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- (c) animal washing/showering areas
- (d) medical treatment room
- (e) two loose boxes for larger animals
- (f) toilet and washing facilities for staff and vet

Currently, the building used for the purposes described above is not purpose-built and essentially no longer fit for purpose. In addition, its location, close to other uses, in particular the adjacent Craig Tara Holiday Park, especially in view of the consent granted for 100+ additional static caravan pitches immediately adjacent (Planning Application Ref No 22/00182/APPM), means that levels of required 'isolation' already compromised are further compromised.

Copies of Planning Application Drawing Nos P001-A, P002, SL001-A, SL002-A and SL003-A have been included as part of the request for review package.

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2.0 PLANNING HISTORY

On 22 September 1992, consent for 'Change of use of agricultural land and outline planning permission to form Children's Farm' was granted by the former Kyle and Carrick District Council for the area shown in Fig 1.

Fig 1 shows the location of uses within the Farm Park, confirming that the overwhelming part of the area shown is now currently in use.

The Farm Park opened in May 1993.

The Heads of Ayr Farm Park Development Context Statement, February 2024, which formed part of the refused planning application, provides details of development since then and a description of future aspirations. This has been submitted for the Local Review Body's consideration.

The latest addition to the range of activities comes with the consent granted to the Nursery School extension, Planning Application Ref No 23/00099/APP in mid 2023.

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3.0 AREA CONTEXT AND SITE ANALYSIS

Area Context

As Figs 1 and 2 and Planning Application Drawing No SL001 confirm, the site is located within Heads of Ayr Farm Park.

The Farm Park's main entrance is approximately 4.5 miles from Ayr Town Centre and 1 mile from the southern edge of the settlement of Ayr as defined in LDP2.

Landscape Context

In broad landscape terms, the site falls within Landscape Character Type (LCT) 59, i.e. 'Raised Beach, Coast and Cliffs' as defined by the NatureScot Landscape Character Assessment which, it is understood, is recognised by South Ayrshire Council as a major reference source and has been used by them to determine the proposals.

Among the key characteristics described by NatureScot are:

- (i) ***Raised beach, visible as a level shelf, backed by steep, sometimes craggy escarpment representing the former cliff line, above which lies more gently rising land.*** The Farm Park, as a whole, including the proposed site, along with the neighbouring Craig Tara Holiday Park, is to be found substantially within the area of this latter feature. The low-level nature of the existing buildings – the Farm Park 'components' being substantially repurposed farm buildings – ensure a reduced impact on this overall setting. **As the Planning Application Drawings confirm, this has underpinned the approach taken to the proposals.**

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- (ii) ***Views tend to be longer distance and focused seaward.*** This remains the case despite the comparatively extensive scale of development within both the Farm Park and Craig Tara, **and the current proposals are designed to respect this overall setting.**

Settlement Pattern

The Landscape Character Assessment also provides an opinion on settlement pattern within LCT 59.

Whatever the 'original' settlement pattern might have been here at one stage, the facts on the ground bear witness to significant change as a consequence of the combined impact of both Craig Tara and Farm Park developments. This, in our opinion, is a particularly important material consideration.

Importantly in this context, The Coastal Strategy Diagram on page 97 of Local Development Plan 2, while the published diagram is not to scale and details a little difficult to confirm, it shows the overall location for both Heads of Ayr Farm Park and Craig Tara Holiday Park as being either 'partly developed' or 'undeveloped'.

Also importantly, and in addition, whichever of these two categories might apply, the map also shows a circle located 'offshore' to the north of the coastline and this is coloured 'intensive', beside which the names Craig Tara and Heads of Ayr appear.

Quite clearly, the nature and scale of development within both set these apart from the settlement pattern elsewhere in LCT 59 and this difference is recognised by the status given both by the Coastal Strategy Diagram.

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Although both are technically in the countryside and the overall context is rural, neither Craig Tara nor Heads of Ayr Farm Park are typical of the broader area.

Both are otherwise examples of 'significant leisure/recreation/tourism, facilities'.

The Site

The details of the site and how the proposals have responded to the requirements for the context are described earlier.

The Site Selection Process

The existing and emerging development patterns within the Farm Park, as shown in Fig 2, confirm that the only opportunities that could meet the requirements of residential amenity and the requirements of the Animal Isolation Unit together were in the west and, indeed, the extreme south-west corner.

In truth therefore, the actual options were extremely limited, including the fact that proximity of the Animal Isolation Unit to the Manager's House was a key consideration.

Indeed, it was early concluded that the proposals could not sit comfortably within the operational area of the Farm Park if a site was to fulfil the combined requirements of the Animal Isolation Unit, together with the residential amenity requirements of the proposed House.

In the process of site selection, the existing location of the Isolation Unit was quickly dismissed as an option because of this.

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The only possible realistic search area therefore was in the west of the Park which is made up substantially of paddocks, but with a specific purpose that is to fulfil the requirements of locating particular species.

The Planning Service had previously expressed its opposition to development north of the abandoned railway line.

The proposed site therefore emerged as the 'least used' option within this area.

What is difficult to understand is the fact that the Report of Handling makes NO REFERENCE to the process of site selection/assessment. Is it perhaps possible that its conclusions were too uncomfortable for them to acknowledge? Whatever, the response of the Planning Service was unsubstantiated.

The search for a site also required, as far as it was possible at this point in time, the redevelopment of those buildings currently providing a range of uses to the west and that this redevelopment might result in an overall shift to the west of this complex.

The approach taken to aspects of the details of the proposed Manager's House does, however, represent a degree of departure from this 'template and the explanation for this is provided in our response to Guidance: Rural Housing and in Part 5.0.

Nonetheless, on the matter of height and subsequent impact on the landscape/setting, the proposals, like the other buildings in the Farm Park, will be low so as not to offend the key characteristics of the landscape context described by NatureScot. This is illustrated by the details shown in the Planning Application Drawings.

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The proposed Manager's House and Animal Isolation Unit, for the reasons set out elsewhere in this Statement, need to be close together but, also with the latter use, requiring a level of physical isolation from other uses.

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Fig 1: Range and Extent of Uses with Heads of Ayr Farm Park



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Fig 2: Search Area for Site of the Proposals



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4.0 THE COUNCIL'S REASONS FOR REFUSAL

- (1) That the development proposal is contrary to National Planning Framework 4 (NPF4), specifically National Policy 14 Design, Quality and Place; National Policy 17 Rural Homes; South Ayrshire Local Development Plan (LDP2) Core Principle B8, LDP policies Rural Housing and Landscape Quality; South Ayrshire Council's Rural Housing Guidance and the provisions of Scottish Planning Advice Note PAN 72 in relation to Housing in the Countryside, as the proposed dwellinghouse does not form or complement a coherent group of buildings so as to reinforce the existing operational base of the farm park enterprise at Laigh Kyleston Farm, is visually prominent and uncharacteristic to the detriment of the rural landscape setting at the locality and no robust justification having been provided for a departure from these policies*
- (2) That the development proposal is contrary to the Adopted South Ayrshire Local Development Plan Rural Housing policy due to the proposed dwellinghouse and isolation facility not forming or complementing a coherent group of buildings so as to reinforce the existing operational base of the farm park enterprise at Laigh Kyleston Farm, and not being visually intrusive, and no justification having been provided for a departure from this policy*
- (3) That the development proposal is contrary to the Planning Guidance in relation to Rural Housing due to not being sited so as to reinforce the existing operational base of the farm park enterprise at Laigh Kyleston Farm, and due to not constituting development within an existing cluster or the sensitive infilling of an available gap site which consolidates existing properties within a cluster, and no justification having been provided for a departure from the Rural Housing planning guidance*

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5.0 THE REASONS FOR SEEKING A REVIEW

- First of all, a point on which the Planning Service and the Applicants agree. The Report of Handling on page 8 states *'It is accepted that the farm park enterprise might potentially benefit from an additional dwellinghouse to serve the farming operations'*

Indeed, we maintain that a new Dwelling, in conjunction with the replacement Animal Isolation Unit, are important requirements for an expanding business.

- The Farm Park has developed into a 'significant leisure/recreation/tourism' destination within the boundaries described in the refused planning application

Missing from the policies referred to in Reason for Refusal 1, as is the case for Reasons for Refusal 2 and 3, is reference to Local Development Plan 2, Appendix B: Coastal Development, although it is mentioned briefly in the Report of Handling. The Coastal Strategy Diagram of LDP2 is not to scale. Details are, however, sufficient to indicate that the overall locations for both Heads of Ayr Farm Park and Craig Tara are being 'partly developed'.

Importantly, notwithstanding this, the map shows a circle located 'offshore' to the north of the coastline that confirms that Craig Tara and Heads of Ayr are considered together as being in the 'intensive category', obviously recognising the scale of development within them, while set into the background context provided by the aforementioned 'partly developed'.

This is therefore, in our opinion, a key consideration that the Planning Service has not considered adequately and, by implication, not given due weight/regard to the policy position here.

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- The Planning Service/Report of Handling does not, in our opinion, pay sufficient regard to the fact that the context for reviewing this planning application, in policy terms, should be the Farm Park as a whole

There are frequent references to the Farm Park being to the east of the proposals but the Farm Park is, as described in Figs 1 and 2, with the proposed site in the south-west corner of this area.

- As a result, the proposals are assessed as if they were an isolated development within the countryside instead of a part of the Farm Park, which the Coastal Strategy accepts as being – like the adjacent Craig Tara – within the intensive development category
- The Planning Service appears to have paid no regard to the fact that a review of potential sites was undertaken and the proposed site was found to be the only suitable one that didn't fall within an operational area
- The requirement was for a House plus Isolation Unit and not simply a house. The results of the site search are shown in Fig 2.
- Although, in terms of policy, not therefore situated in typical countryside, every effort has nevertheless been made to successfully limit the visual impact and we do not therefore concur with the Planning Service's opinion on this matter
- Indeed, Supplementary Guidance: Rural Housing, in Part 1 confirms that '*Contemporary design solutions will also be acceptable, where they can demonstrate the principles of good design set out in the design guidance*'. This has underpinned the approach taken
- In Volume 2, Appendix, of our submission, we provide examples of where the Planning Service, for whatever reason, has approved developments

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in the countryside that are visually prominent and/or are not representative of the local vernacular

- The proposals are described as suburban in appearance. Neither the Development Plan nor Supplementary Planning Guidance provide an interpretation of what this is supposed to mean, or that of what constitutes the vernacular

As the evidence suggests in Volume 2, the vernacular appears to take many forms.

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6.0 RESPONSE TO THE COUNCIL'S REASONS FOR REFUSAL

Reason for Refusal 1

The Report of Handling concludes that the proposals fail to comply with the requirements of the various policies/advice listed because they:

- (i) *do not form part of or complement a coherent group of buildings*
- (ii) *so as to reinforce the existing operational base of the farm park enterprise at Laigh Kyleston Farm*
- (iii) *is visually prominent*
- (iv) *uncharacteristic to the detriment of the rural landscape setting at the locality*

and that '*... no robust justification having been provided for a departure from these policies*'.

Response

- (i) **'do not form part of or complement a coherent group of buildings'**

Planning Policy Status of Heads of Ayr Farm Park

To respond to this particular criticism of the proposals, it is important to take a close look at the Development Plan situation here.

Missing from the policies referred to in Reason for Refusal 1, and this is the case for Reasons for Refusal 2 and 3 also, is any reference to Local Development Plan 2, Appendix B: Coastal Development, although it is mentioned briefly in the Report of Handling. The Coastal Strategy Diagram on page 97 of LDP2 is significant here in that, while the Diagram is not to scale, details are sufficient to indicate that the overall location for both Heads of Ayr Farm Park and Craig Tara as being 'partly developed'.

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Importantly, however, and in addition, whichever of these two categories might apply, the map shows a circle located 'offshore' to the north of the coastline that confirms that Craig Tara and Heads of Ayr are considered together as being in the 'intensive category', clearly recognising the scale of development within both, while set into the context provided by the aforementioned partly developed and, indeed, the guidelines provided by NatureScot's Landscape Assessment.

In terms of Development Plan status, in this regard the Report of Handling for Planning Application Ref No 23/00182/APPm puts down important markers.

In the Officer's Report of Handling for Planning Application Ref No 23/00182/APPm, Craig Tara Holiday Park is viewed as an entity within existing boundaries 'recognised as such in LDP2'. This situation is recognised by statements such as reference to the proposals as being '... an internal extension' and an 'internal/strengthening of an existing established tourism business' (designated as such within LDP2).

Craig Tara is recognised as being a 'significant leisure, recreation, tourism' facility, with the proposals in that case recognised as being internal and strengthening an existing established business.

Heads of Ayr Farm Park is similarly a 'significant leisure, recreation, tourism' facility and the proposals are similarly intended to strengthen an existing business.

It is quite clear that both Craig Tara Holiday Park and Heads of Ayr Farm Park are on a par and this is recognised in the Coastal Strategy.

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Heads of Ayr Farm Park boundaries were established via planning consent number P/92/0708 in 1992. This was for the area shown in Fig 1. The proposals are therefore located within this area of a recognised 'significant, recreation, tourism' facility.

This point was made several times in the Planning, Design and Access Statement which formed part of the original application.

This, in our opinion, is a crucial material consideration in providing the detailed policy context within which the proposals ought to have been viewed by the Planning Service. That is, the proposals should therefore be considered within this context, i.e. Heads of Ayr Farm Park as an entity and not 'simply' as a random piece of countryside.

Indeed, in our opinion, an acceptable and accurate response to a range of policy 'requirements' is dependent on this understanding but which doesn't seem to have happened in this case.

To emphasise this point, the Site Description provided very early in Part 1 of the Report of Handling states the following:

*'The application site is located **within a rural area to the south west of Ayr and west of the Heads of Ayr Nursery and the existing Heads of Ayr farm park** which lies further to the east and east of the aforementioned nursery'.*

The clear objective here, it would appear, is to paint a picture of one of comparative or, indeed, actual isolation and clearly ignores the fact that Heads of Ayr Farm Park extends to the whole of the area shown in Fig 1, with 95% of this already in Farm Park use as described in Fig 1 and the critical underlying reasons for the choice of site.

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Factors Governing the Search for a Site within the Farm Park

The specific circumstances pertaining to the land use position within the Farm Park is described in Fig 1. Fig 2 confirms the very limited options for the siting of a new House. Coupled with the particular requirements of the Isolation Unit means that this particular approach to the application policy, in our opinion, is inappropriate here.

In the assessment carried out to identify a site for the proposals, the extent of all areas in active use had to be taken into account. The results of these are shown in Fig 2, confirming that approximately 95% of the area within Figs 1 and 2 were occupied/in use.

In addition, as far as it was possible to do so, regard was paid to future intentions described in the Development Context Statement.

In its early years, the development of the Farm Park took advantage of the availability of a number of the original buildings of Laigh Kyleston Farm and they were effectively repurposed. The Isolation Unit is an example.

As the Development Context Statement points out, many of these buildings are not now coping well with the requirements of significant growth in the visitor numbers and the breadth of services/activities now provided over the last two decades.

Attention is being given to a major future redevelopment in order to deliver improved provision for the Farm Park administration centre, rear delivery store, restaurant and farm shop.

Early indications are that this will extend the developed area westwards, a future requirement that required to be taken into account in the search for a site for a Manager's House and Animal Isolation Unit.

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Isolation Unit Component

Reason for Refusal 1 is focused entirely on the residential component.

In the Report of Handling, the determining Officer has questioned the need for such a unit to be isolated, pointing to the current situation where the unit to be replaced is not in a physical sense genuinely isolated.

There is one point that we surely must agree on? Neither the authors of this Report nor the Planning Service have any qualifications in relation to the particular requirements of a facility of this kind. The expertise lies with the Farm Park management, and their particular knowledge was material to this decision-making process.

The determining Officer seems – understandably perhaps under the circumstances – to be missing some important facts.

The current 'unit' was given its role by Heads of Ayr management purely on the basis of availability at the time when the Park was very much in its infancy.

Since the 1990s, it will be appreciated that the requirements of animal welfare and the whole approach to the delivery of these have changed out of all recognition, including the requirement for isolation.

What degree of isolation the current 'facility' might have provided has now been further compromised by the consent given for an increase to the number of caravan pitches in the immediately adjacent Craig Tara Holiday Park.

Improvements in the requirements of animal welfare and the introduction of The Balai Directive – together with the requirements of

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the Animal and Plant Agency, an executive agency sponsored by the Department for the Environment, Food and Rural Affairs – means enhanced demand for the services and the importance of the very close proximity of the Manager's House.

The range of species and their number on site have also increased significantly.

Animal management and, in particular, the requirements of animal welfare, have therefore grown materially. Animal welfare is a 24/7 requirement. The Farm Park includes a range of exotic animals and holds the only zoo licence in Ayrshire. These animals require constant and specific care.

To perhaps state the obvious, issues regarding livestock/exotic species often do not occur during business hours but in the middle of the night, such as births, injuries and illnesses.

There are ongoing animal security issues, with exotic species in particular increasingly likely to be stolen or becoming victims of vandalism.

Indeed, there are now three managers with responsibility for various aspects of animal welfare, **ideally requiring to be housed on site.**

The new Animal Isolation Unit will provide a range of services, including:

1. new animals, those requiring a Zoo Licence, arriving at the Farm Park for the first time to be kept separate. They will be given time to rest, checked over health wise, wormed dosed vaccinated as required before joining the main Park
2. isolation of any animals suspected of carrying any disease, such as bird flu

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3. providing for animals requiring out-of-hours attention and nursed through ill health
4. providing facilities for birthing of animals that may well need assistance after hours
5. providing accommodation for orphaned animals handed in by the public that require hand rearing
6. providing space for isolation of the more exotic species before they leave the Park to go to other licensed premises to assist in the preservation of particular species

In addition, the building itself will have:

- (a) warm isolation rooms
- (b) food preparation kitchen and food storage facilities, fridges for food, etc.
- (c) animal washing/showering areas
- (d) medical treatment room
- (e) two loose boxes for larger animals
- (f) toilet and washing facilities for staff and vet

The intention therefore is to provide a new replacement Animal Isolation Unit. Proximity of the Manager's House will ensure 24/7 supervision and, as a result, the ability to respond rapidly to situations.

The requirements of the Isolation Unit mean that a new Manager's House would also need to be in a relatively isolated location but within the boundaries described in Fig 1.

For all of these reasons therefore, the site was chosen as the only one available **within the defined area of the Farm Park and which was not currently in operational use and that could also meet the needs of the Isolation Unit and that this, together with the new House, was required to physically be close.**

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Prepared for: Craig and Edna Rankin

Both Craig Tara Holiday Park and Heads of Ayr Farm Park are technically in the countryside but their 'difference' from 'general countryside' is recognised in the Coastal Strategy. They are both major tourism developments and this has been recognised in the Council's Coastal Strategy. They are not entirely comparable in terms of their land uses/land use pattern but as examples of 'significant leisure, recreation, tourism' facilities.

The proposals for a House in this instance should not therefore be viewed as an incongruous outlier in an otherwise 'rural area' but should be recognised as a necessary development within a recognised Farm Park boundary and within an area recognised as alternatively 'intensively' developed or partly developed in the Council's Coastal Strategy.

The Report of Handling persistently refers to the Farm Park being to the west of the proposals when, in fact, the Farm Park is that area shown in Figs 1 and 2. The matter of 'complementing' a coherent group of buildings is dealt with later.

- (ii) **'... so as to reinforce the existing operational base of the farm park enterprise at Laigh Kyleston Farm'**

In terms of business planning, it is not entirely clear what this is intended to mean.

Heads of Ayr Farm Park has been one of the most successful businesses in South Ayrshire for over the last 20 years or so. Innovative, robust, sustainable – all of these adjectives apply. Is the Planning Service suggesting that building a House and Animal Isolation Unit on the site proposed is somehow going to undermine the effectiveness of the business going forward?

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Prepared for: Craig and Edna Rankin

In terms of the company business plan, the proposals represent a major contribution to the future development of the Farm Park **and, as has already been stated, the opinion of the Park's Management in the choice of location is an important material consideration.**

The importance of the proposals' potential contribution to the further strengthening of the robustness of the overall operation of the Farm Park cannot therefore be underestimated.

And the evidence for the Planning Service's opinion?

(iii) **'is visually prominent'**

It is accepted that potential visual impact is frequently a material consideration.

The development will be within the boundary of the Farm Park and therefore to look upon the site as typically rural is to ignore the overall position as described earlier. That said, the Applicants are aware that the site is in the extreme north-west corner of the Farm Park and we are confident that sufficient information has been included in the details of the application to confirm that the visual interrelationship with the wider countryside beyond has been taken into account.

The proposed site will sit fairly tight into the north-west corner of the Farm Park, beyond the crown of high ground and on the backslope down to the abandoned railway line.

By locating the proposed development on the backslope of the raised ground and using the trees as a backdrop, the proposals will be visually screened from the approaches along the A719. Skylining will not be an issue.

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Prepared for: Craig and Edna Rankin

The focus on visual impact in the Report of Handling does, however, highlight an inconsistency of approach to this matter by the Planning Service.

In terms of visual impact, the Planning Service was clearly unconcerned about this when approving development in the countryside at Low Wexford, Symington, at Sundrum near Coylton or housing at Fisherton (refer to Appendix). There will likely be other examples.

The design approach is to respond to the site with architecture appropriate for the setting, rather than trying to fit traditional forms in. The Council's guidance encourages 'both traditional and innovative design which takes cognisance of the surrounding environment'. The following principles are adopted in the design proposals:

- Not located on ridge lines, hill tops, or disrupting a skyline.
- Existing landscape features such as treebelts, topography used as a setting to help reduce the prominence.
- Advantage taken of sunlight and aspect, with land-form providing natural shelter and outlook.
- Changes to the existing topography kept minimal.
- Distant and isolated from any nearby vernacular buildings.
- Large in size, discreet in appearance. Form and massing shaped to appear low-lying, simple and clean. Embedded into the slope, the proposals read as a single storey object from most of the site.

The Report of Handling's comments on the matter of visual impact do not, in our opinion, appear to be evidence-based. The Report, for example, suggests that '*there remains the potential for the proposals, at least partially, to be viewed from the north ...*'. Partially viewed? and by whom? Not entirely convincing!

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The photographs on pages 36 to 39 confirm that, from a range of viewpoints both near and far, including those of concern to the Planning Service, the proposals would be unseen.

The assertion also is that the proposals would introduce development into the landscape where there is none at present.

The proposals will be located within the Farm Park which, in the Council's Coastal Strategy, is described as an area of intense development.

If consented, the proposals would otherwise be within 200m of other buildings within the Farm Park and with this distance to be shortened by any future redevelopment of the current group of buildings.

(iv) **'uncharacteristic to the detriment of the rural landscape setting at the locality'**

We do not agree, for the reasons set out earlier/elsewhere. The proposals must be assessed within the context of the Farm Park as a whole but, because of its precise location, every effort has been made to integrate the proposals into the requirements of the location. The matter of 'uncharacteristic' is dealt with later but suffice to say at this stage it seems odd that the Planning Service is quite prepared to approve the genuinely uncharacteristic development at Drumbain at Fisherton, less than 1.9 miles to the west.

Overall Conclusion

In our opinion therefore, the response by the Council requires to take account of the particular policy circumstances pertaining to both Craig Tara Holiday Park and Heads of Ayr Farm Park as confirmed in Appendix B: Coastal Development in LDP2.. Because of these circumstances, blanket application

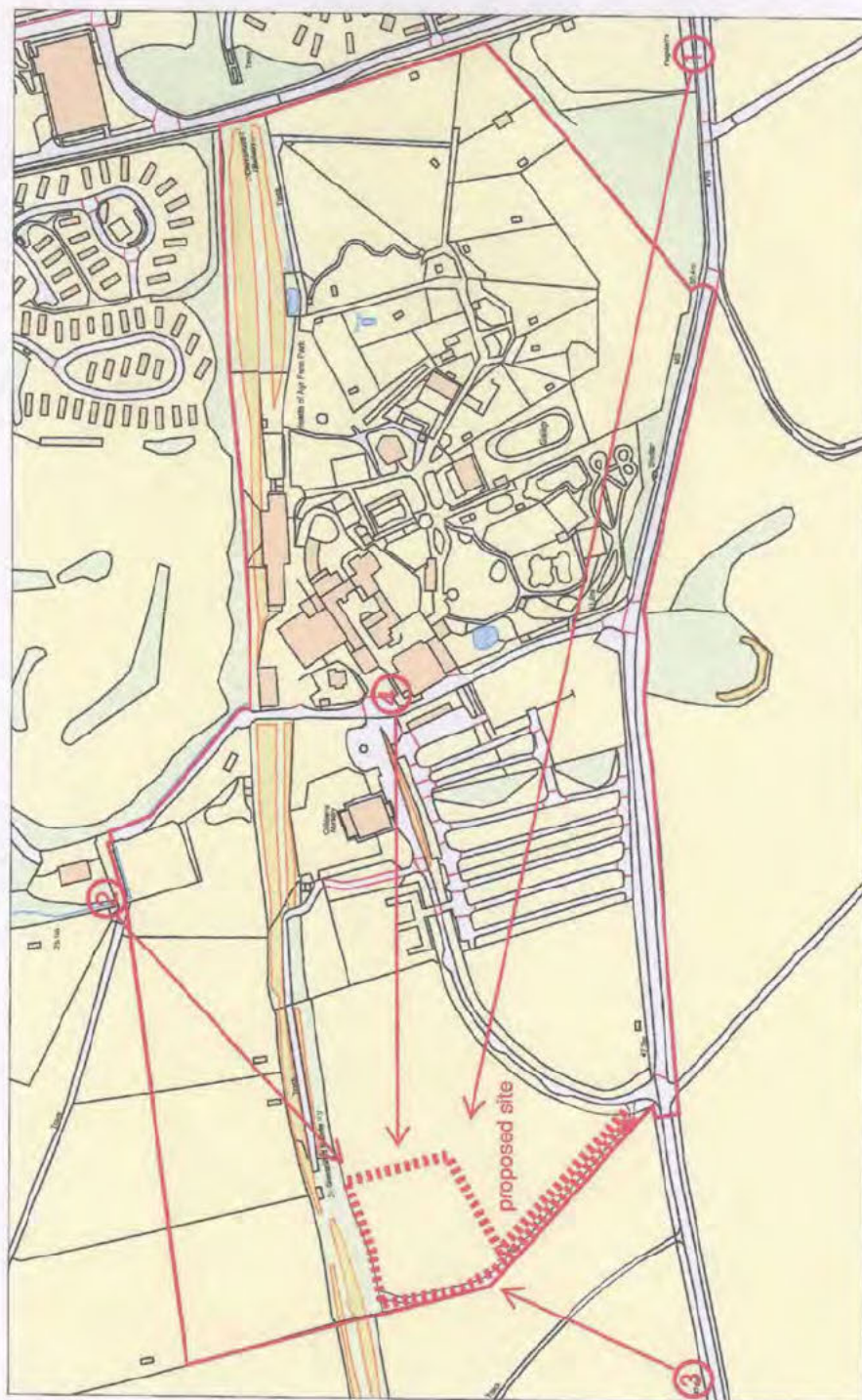
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Prepared for: Craig and Edna Rankin

of those policies referred to in Reason for Refusal 1, is not, in our opinion, appropriate. **In the final analysis, each case must be judged on its own individual merits and, in our opinion, the proposals are, for the reasons outlined, compatible with the requirements of the relevant policies of the Development Plan.**

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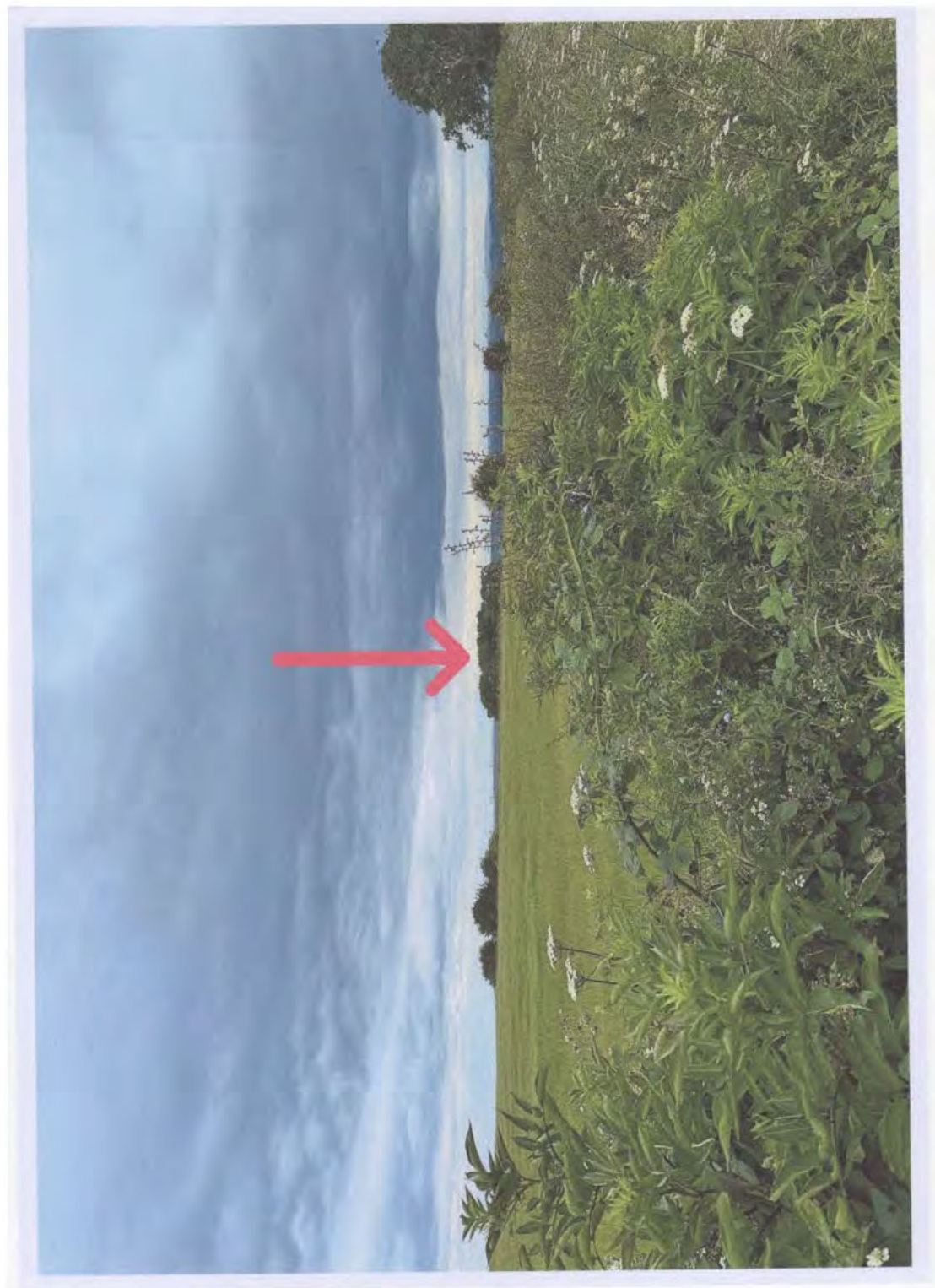
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Reason for Refusal 2

The assertion is that the proposal is contrary to the Adopted South Ayrshire Local Development Plan due to the proposed:

- (i) *dwellinghouse and isolation facility not forming or complementing a coherent group of buildings*
- (ii) *so as to reinforce the existing operational base of the farm park enterprise at Laigh Kyleston Farm and*
- (iii) *not being visually intrusive?*

and no justification having been provided for a departure from this policy

Response

- (i) **'dwellinghouse and isolation facility not forming or complementing a coherent group of buildings'**

The overall land use situation with the defined area of the Heads of Ayr Farm Park has been described earlier. In land use terms, it is an ongoing changing situation, the most recent development being the consent granted to the Heads of Ayr Nursery extension, its associated car parking and landscaping, in mid 2023.

The evolving situation is described in the Development Context Statement which formed part of the planning application.

In relation to the choice of site for the new Manager's House and Animal Isolation Unit, the situation within the Farm Park as a whole should provide the context for the proposals. The approach by the Planning Service has been to view the proposals through the narrower prism provided by LDP policy: Rural Housing. Even there, however, the wording of policy is 'should generally', sensibly accepting that a 'one size fits all' approach is not the actual intention.

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In this case, the material considerations are the need for the Isolation Unit to be isolated, that the 24/7 management requirements mean that a Manager's House close by is an important consideration and that the land use position within the Farm Park as a whole, together with future development intentions, significantly limits the options.

(ii) 'so as to reinforce the existing operational base of the farm park enterprise at Laigh Kyleston Farm'

The current position in relation to the 'operational base' is under review.

The requirements of the Isolation Unit, both in locational terms and management terms, are factored into the future intentions.

If the suggestion is that the overall operational environment would be somehow weakened by the fact that the Manager's House and Isolation Unit will not physically form part of the main group of buildings, then, in our opinion, this would not be the case. The Report of Handling provides no evidence to substantiate this.

As stated previously, the advice provided by the Farm Park Management has been a key consideration in the choice of the location for the combined House and Isolation unit.

The Report of Handling also suggests that the Isolation Unit is 'capable' of generating unsustainable levels of traffic movement because of its proposed 'isolated' location and that 'numerous' trips to and from the 'farm park' (the proposed site is within the Farm Park), currently unforeseen, might result.

The Planning Service provides no evidence that this is a likely outcome. The distances within the Farm Park are relatively small and, if vehicles

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Prepared for: Craig and Edna Rankin

are required to transport animals, then this would be rarely, if ever, at speed. The priority of traffic management, as always, will be to keep visitors, upon which the Park depends, safe from any vehicle movement.

It is important to note that ARA found no issues with the proposals.

The Planning Service remains unconvinced that an 'isolated location' is required for the proposed Unit, citing the fact that the existing Unit is not isolated and seems to work. It is not clear where the Service's evidence for this comes from but, as stated earlier in this Statement, the existing facility is no longer fit for purpose. The Park has expanded significantly since its opening in 1993 and, in the interim, the requirements of animal welfare, a much wider range of on-site species, coupled with legislative changes means, to fulfil the licensing requirements, a much improved offer.

In this regard, and as stated earlier, neither the authors of this document nor, I daresay, the Planning Service have any particular expertise in this regard, while the management of the Farm Park do.

Overall Conclusion

It is therefore imperative to move on from what was, in effect, a 'make do and mend' provision and on a site that is large enough and situated so as to take proper account of the 'isolation' requirements.

Reason for Refusal 3

The Report of Handling asserts that the proposals fail to comply with the requirements of the relevant policies/advice listed because they:

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Prepared for: Craig and Edna Rankin

- (i) *are not sited so as to reinforce the existing operational base of the farm park enterprise*
 - (ii) *do not consolidate development within an existing cluster or the sensitive infilling of an available gap site which consolidate existing properties within a cluster, and*
 - (iii) *no justification having been provided for a departure from the Rural Housing planning guidance*
- (i) **'are not sited so as to reinforce the existing operational base of the farm park enterprise'**

The wording of Reason for Refusal 1 (ii) and Reason for Refusal 2 (ii) convey the same opinion. If the suggestion is that the overall operational environment would somehow be weakened by the fact that the Manager's House and Isolation unit will not physically form part of the main group of buildings, then the Report of Handling provides no evidence.

In the final analysis, the advice provided by the Farm Park Management has been a key consideration in the choice of the combined House and Animal Isolation Unit.

- (ii) **'do not consolidate development within an existing cluster or the sensitive infilling of an available gap site which consolidate existing properties within a cluster'**

Fig 2 confirms that an extensive review of possible alternative locations was undertaken within the area of the Farm Park.

This was, however, not simply the search for a site for a house but a Manager's House which would be in close proximity to an Animal Isolation Unit.

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The Isolation Unit had to be isolated and simply couldn't be placed in any 'available gap site'. Not that, at the end of the day, there were any!

- (iii) **'no justification having been provided for a departure from the Rural Housing planning guidance'**

The Council's Rural Planning Guidance no longer has statutory force but is accepted as a material consideration.

Rural Planning Guidance is about new houses in the countryside. That said, the proposals are for a combined new House and Animal Isolation Unit that require to be in close proximity and within the boundaries of Heads of Ayr Farm Park, a significant leisure/recreation/tourism location.

The locational requirements of the proposals are not addressed in Rural Planning Guidance and should otherwise be viewed as a development within the Farm Park where land use status is recognised in Appendix B: Coastal Development. Coastal Strategy Diagram is, along with Craig Tara, recognised as falling within the 'Intensive' Category. The 'standard' rural housing guidelines do not, in our opinion, apply here.

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7.0 CONCLUSIONS

- Local Development Plan 2, Coastal Strategy Diagram, confirms that, in terms of type of development, both Heads of Ayr and Craig Tara fall within the intensive category

This, in our opinion, provides the appropriate policy context/background for a review/assessment of the proposals.

The proposals should therefore be assessed within this policy context and the boundary of the Farm Park as defined in Figs 1 and 2.

- The Planning Service has, in the main, approached the housing element of the proposals as if they were in a 'typical' countryside location, with which we would not agree
- On 22 September 1992, consent for Change of Use of agricultural land and outline planning permission to form a 'Children's Farm' was granted. Since then, Heads of Ayr Farm Park has been one of the major economic development success stories in South Ayrshire. An important example of economic resilience, it has grown and developed when frequently overall economic circumstances have posed significant challenges
- And, as Board Members will be aware, Heads of Ayr Farm Park has become established as a 'significant leisure/ recreation/tourism facility'
- In the past 12 months, it has won the following awards:
 - Tripadvisor – Travellers' Choice, Top 10% Worldwide, 2024
 - Tripadvisor – Travellers' Choice, Top 10% Worldwide, 2023, **reflecting a level of attraction that extends beyond the local.**
- The proposals will therefore contribute to the further strengthening of the overall operation of the Farm Park. The proposed (overall) Manager's

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Dwellinghouse, along with the replacement Animal Isolation Unit, represent a significant component of future-proofing the whole enterprise

- **Members of the LRB will note that the Planning Service, on page 8 of the Report of Handling, states that ‘It is accepted that the farm park enterprise might potentially benefit from an additional residential property’**
- The issue would appear to be therefore not one of opposition to the principles of a new house but one of where this might be located
- In the opinion of the Planning Service, the proposals are viewed as being in an unsatisfactory location because they are:
 - (i) Isolated
 - (ii) visually prominent
 - (iii) uncharacteristic
 - (iv) and, as a result, do not conform to the requirements of Rural Housing Policy
- Taking these matters in turn, on the matter of isolation initially:
 - Crucial to the site-selection process is the fact that the requirement is not solely for a house but for a house intended to be the Farm Park Manager’s House, along with the replacement Animal Isolation Unit for animal welfare reasons to be located as close as possible to each other

The proposed Manager’s House and Animal Isolation Unit, for the reasons set out elsewhere in this Statement, need to be close together but also, with the latter use, requiring a level of physical isolation from other uses.

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- A location within/among or close to existing buildings was therefore not an option but this was, in any case, academic because, as Fig 2 confirms, there were none
- This practical requirement was always going to limit the number of options available within the Farm Park
- Account was clearly going to have to be taken of the current land use situation within the Farm Park as a whole. Figs 1 and 2 confirmed that 95% was otherwise in use
- The choice of location, in the event, was therefore limited to the site 'selected' in the north-west corner of the enterprise
- Turning to the matter of visual prominence, being on the edge of the Farm Park and adjacent countryside, every effort has been made to limit visual impact
 - The proposed site will therefore sit tightly into the north-west corner of the Farm Park beyond the crown of high ground and in the backslope down to the abandoned railway line, the trees along which provide a backdrop/ screen
- And, on the matter of being 'uncharacteristic', the proposals do take on the low profile characteristics of older buildings in the area, significantly more in character than the proposals, for example, for Drumbain, Fisherton – only 1.9 miles away
 - Rural Planning Guidance essentially is about housing in the countryside

Notwithstanding that, it no longer enjoys statutory status, the substantial consideration here is LDP2, Appendix B: Coastal

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Development. Coastal Strategy Diagram recognises that Heads of Ayr, with Craig Tara, fall within the 'intensive' category.

The 'standard' rural housing guidelines do not therefore, in our opinion, apply to the proposals.

The proposals are, in any case, not just for a house. They should be judged/assessed within their policy context, i.e. within the boundaries of Heads of Ayr Farm Park.

On that basis, our overall conclusion is that they are compatible with the requirements of the Development Plan and the relevant policies of both Local Development Plan 2 and National Planning Framework 4.

VOLUME 2

APPENDIX

To accompany:

**NOTICE OF REVIEW
IN RELATION TO THE REFUSAL BY
SOUTH AYRSHIRE COUNCIL
FOR PLANNING PERMISSION FOR
THE ERECTION OF A DWELLINGHOUSE AND
REPLACEMENT OF ANIMAL ISOLATION UNIT
ON LAND AT HEADS OF AYR FARM PARK,
LAIGH KYLESTON FARM, A719 FROM
DUNURE ROAD TO AYR ROAD, FISHERTON, AYR, KA7 4LD**

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August 2024

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Prepared for: Craig and Edna Rankin

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- 1. Planning Application Drawings**
- 2. Examples of Consents for Housing given by South Ayrshire Council in the Countryside that are in visually prominent locations, and are not representative of the local vernacular:**
 - (i) Dwelling at Sundrum in prominent location, not located within or adjacent to a cluster**
 - (ii) Proposed Drumbain, Fisherton. Radically different in terms of scale, massing, design and materials from other houses in the locality**
 - (iii) Dwellings at Low Wexford, Symington in prominent location and not, in terms of scale/massing/design, similar to other housing in the locality**

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1. PLANNING APPLICATION DRAWINGS

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Prepared for: Craig and Edna Rankin

Planning Application Drawing No SL001: Location Plan



Project Development of a new 2/4 house at Heads of Ayr Farm Park South Ayrshire	Client Mr Craig Rankin	Drawn JYP	Checked JYP	Date 12/05/2022
Project No SL001	Project Name HEADS OF AYR FARM PARK	Project Ref 2/24	Project Status PLANNING	Project Date 12/05/2022
Project Location Heads of Ayr Farm Park South Ayrshire		Project Contact Mr Craig Rankin		

HOBSON
2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100

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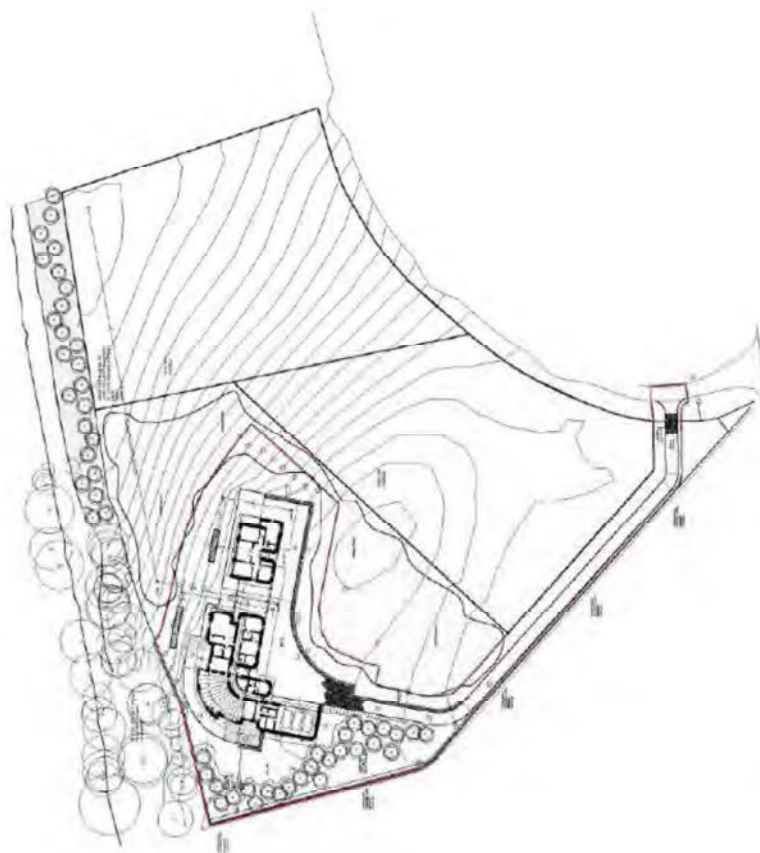
Planning Application Drawing No SL002: Proposed Site Plan – Scale 1:500



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Planning Application Drawing No SL003: Proposed Site Plan – Scale 1:1000



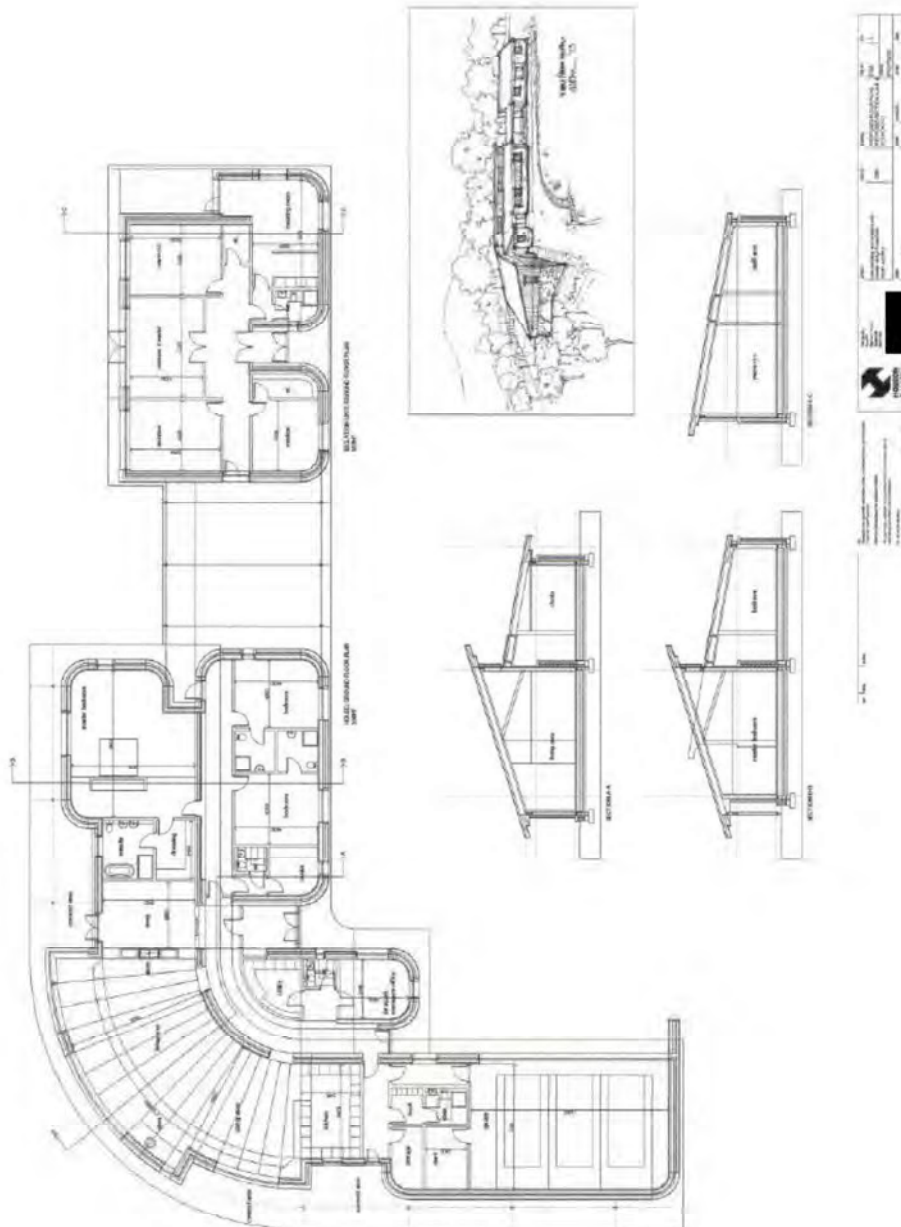
	PROJECT development scheme at Heads of Ayr Farm Park South Ayrshire	JOB NO 7204	DRAWING PROP SITE PLAN	DWG NO SL003	REV A
DATE 16/02/2022	CLIENT Mr Craig Rankin	SHEET 1/1	SCALE 1:1000 @ A3	TITLE PROPOSED	DATE Feb 2022

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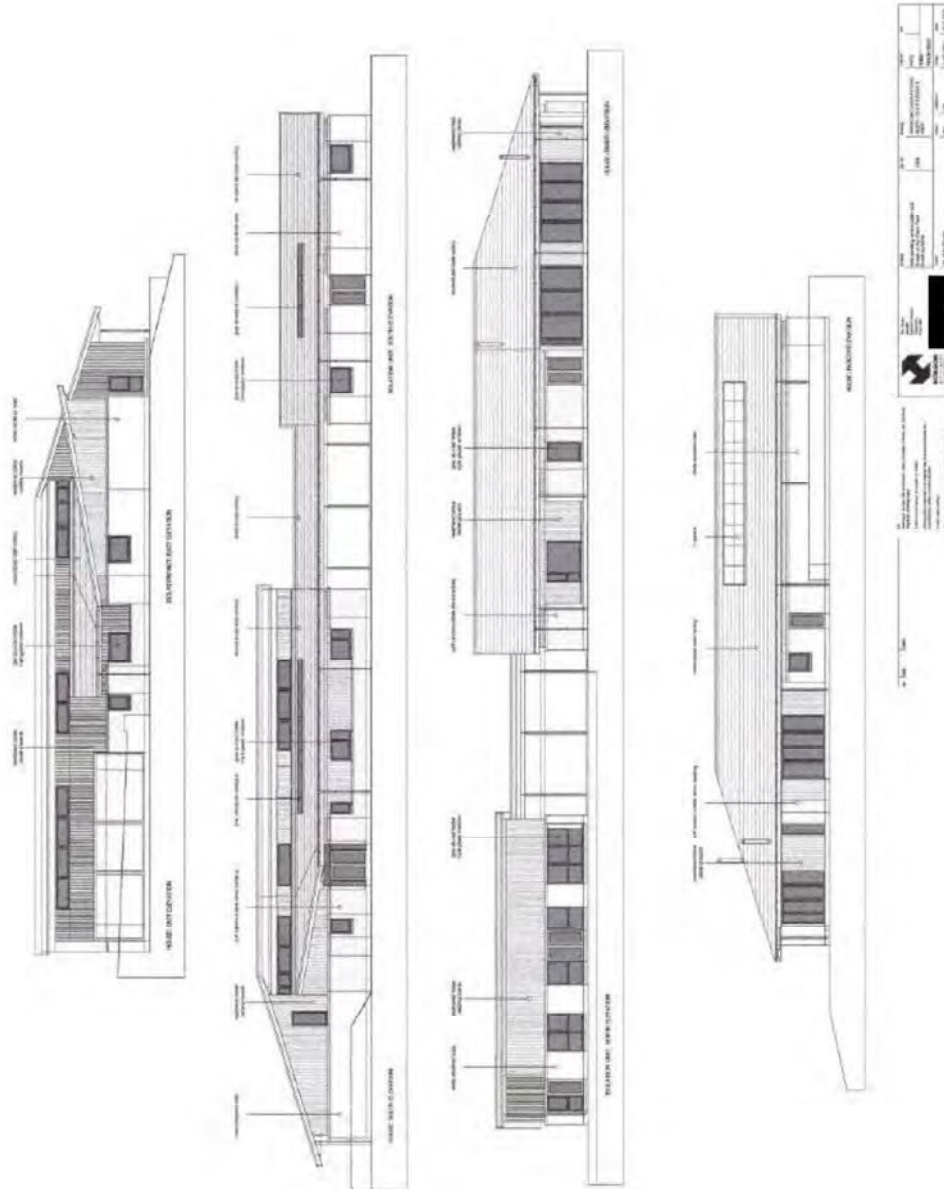
Planning Application Drawing No P001: Proposed Floor Plan and Sections



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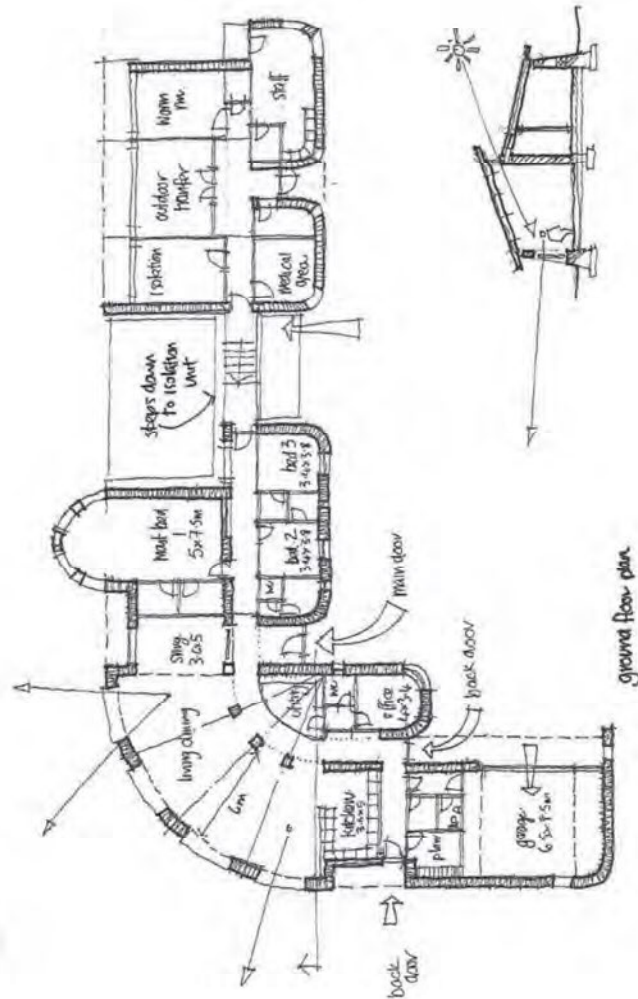
Planning Application Drawing No P002: Proposed Elevations



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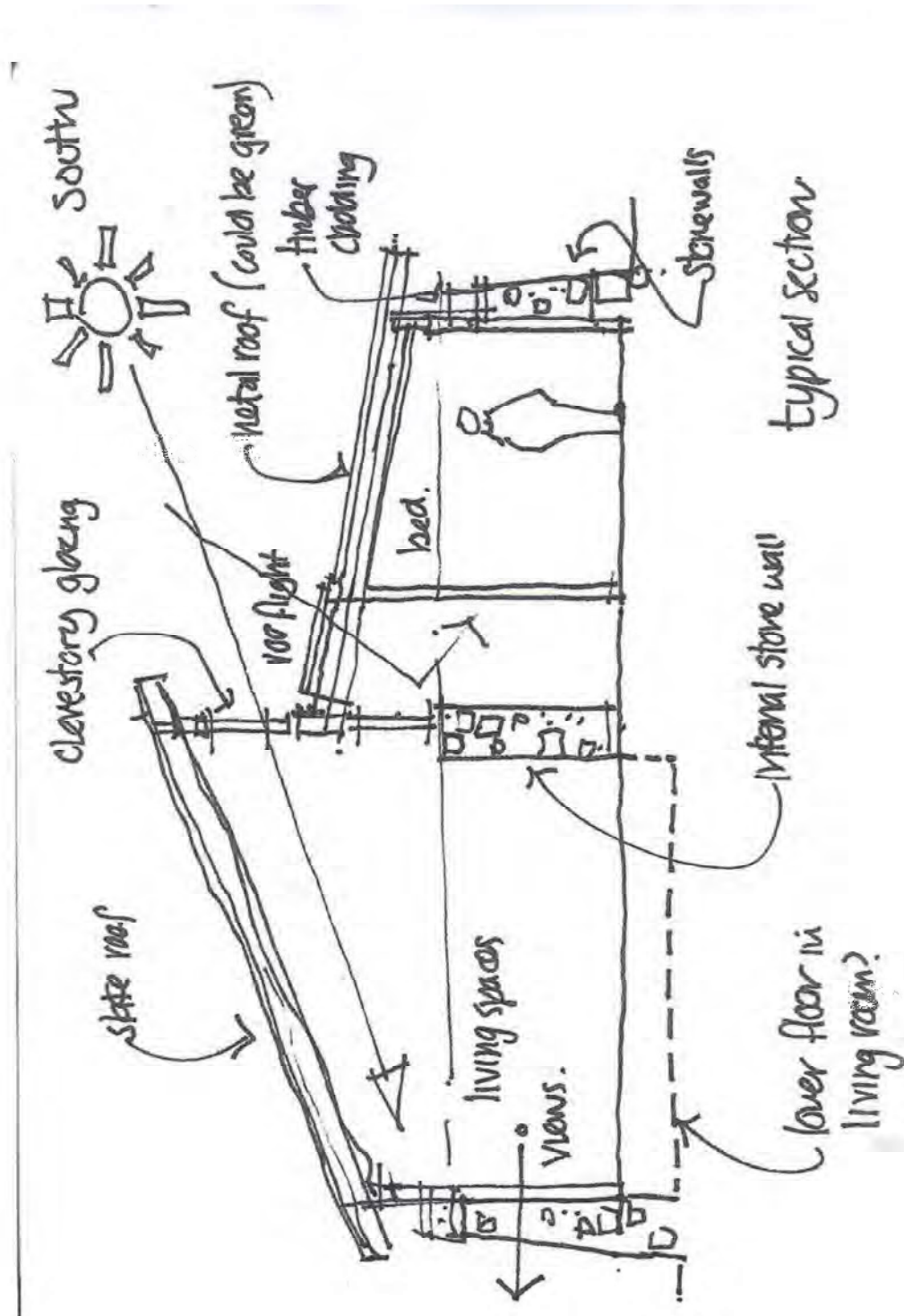
Prepared for: Craig and Edna Rankin

Early Concept Sketches



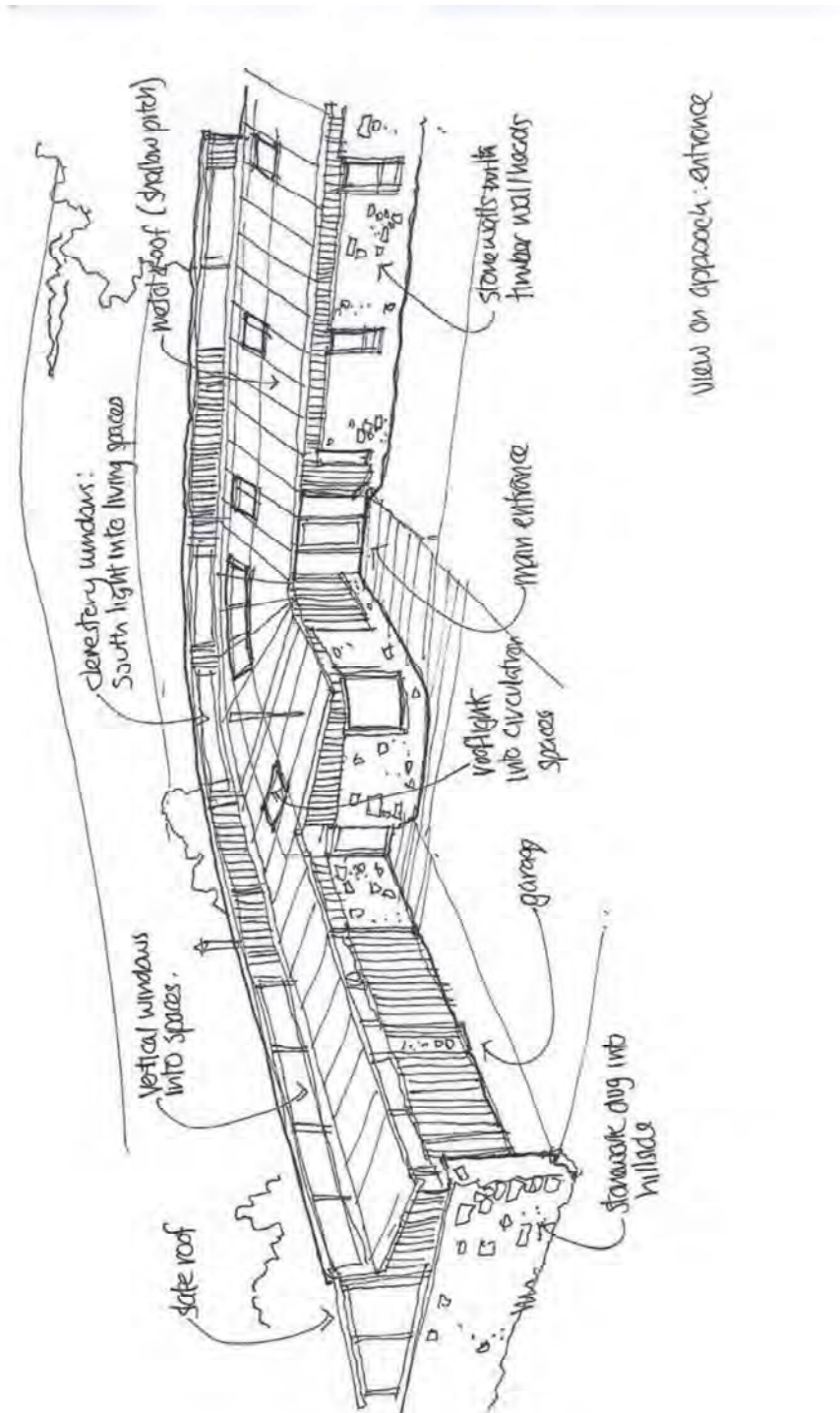
Volume 2. Appendix to accompany Notice of Review in Relation to the Refusal by South Ayrshire Council for Planning Permission for Erection of Dwellinghouse and Replacement of Animal Isolation Unit on Land at Heads of Ayr Farm Park, Laigh Kyleston Farm, A719 from Dunure Road to Ayr Road, Fisherton, Ayr, KA7 4LD

Prepared for: Craig and Edna Rankin



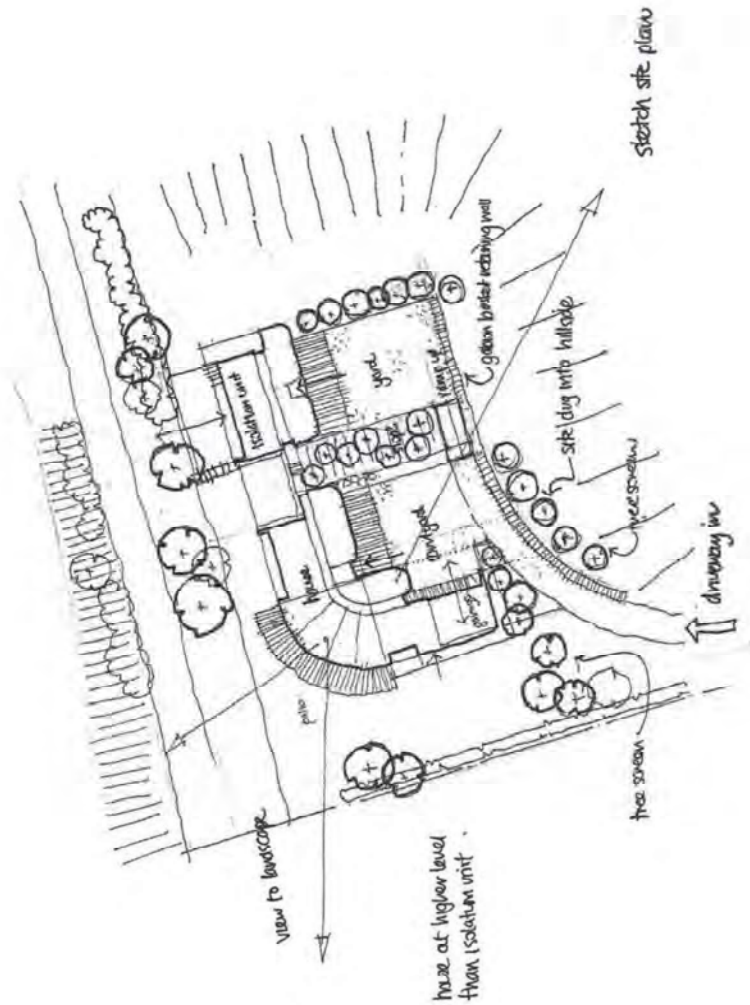
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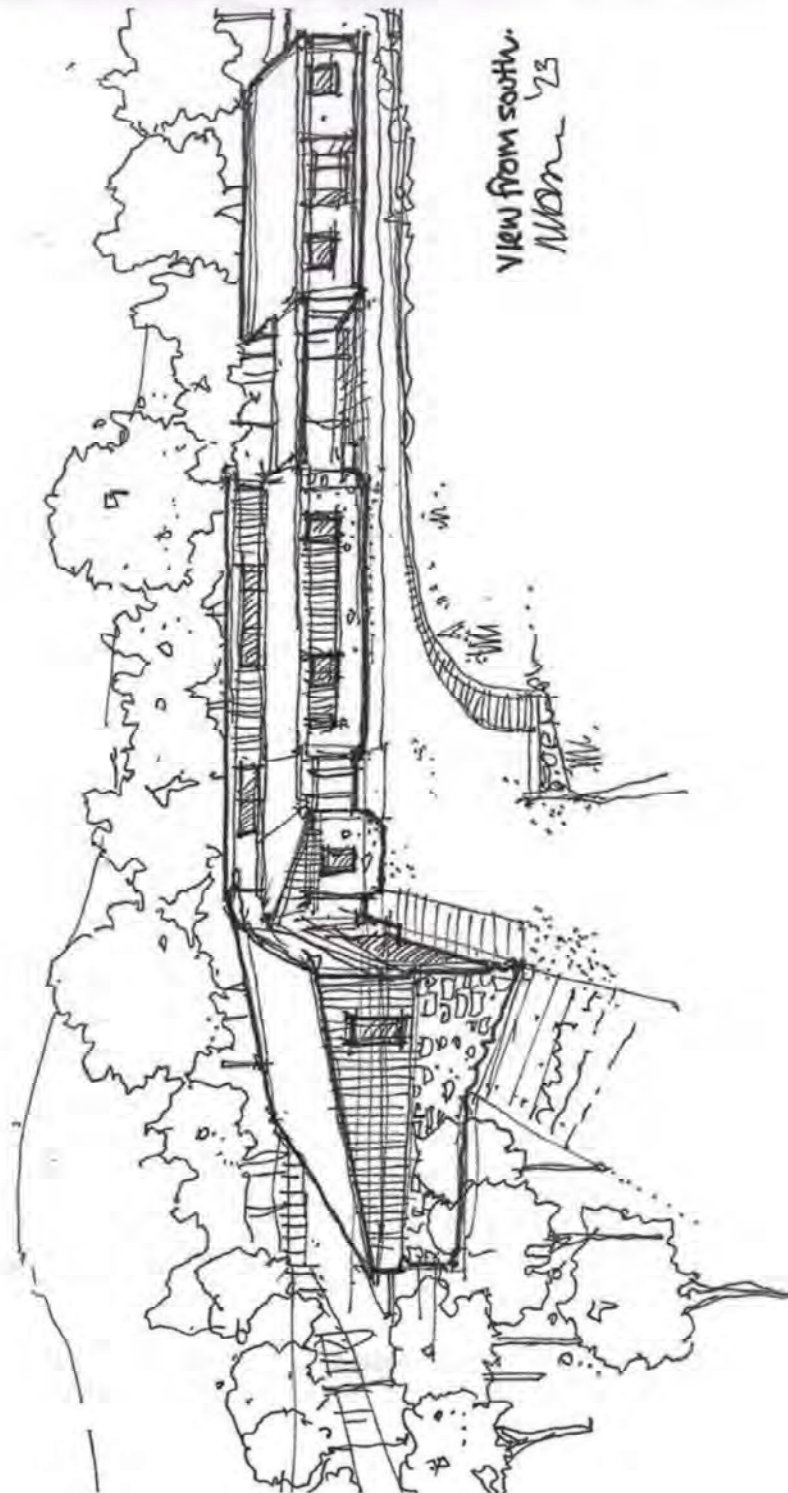
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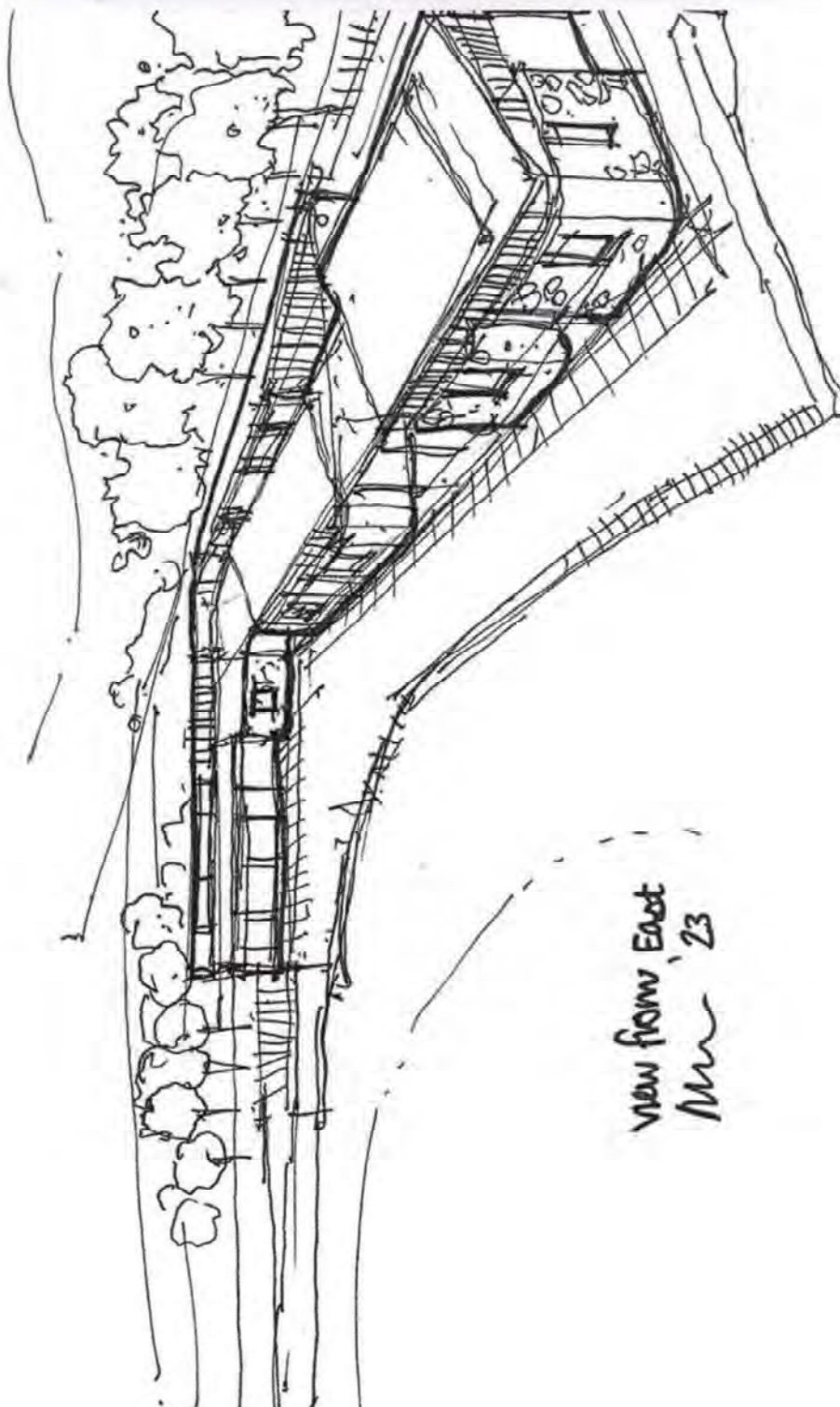
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Prepared for: Craig and Edna Rankin

2. EXAMPLES OF CONSENTS

Examples of Consents for Housing given by South Ayrshire Council in the Countryside that are in visually prominent locations, and are not representative of the local vernacular:

- (i) Dwelling at Sundrum in prominent location, not located within or adjacent to a cluster**
- (ii) Proposed Drumbain, Fisherton. Radically different in terms of scale, massing, design and materials from other houses in the locality**
- (iii) Dwellings at Low Wexford, Symington in prominent location and not, in terms of scale/massing/design, similar to other housing in the locality**

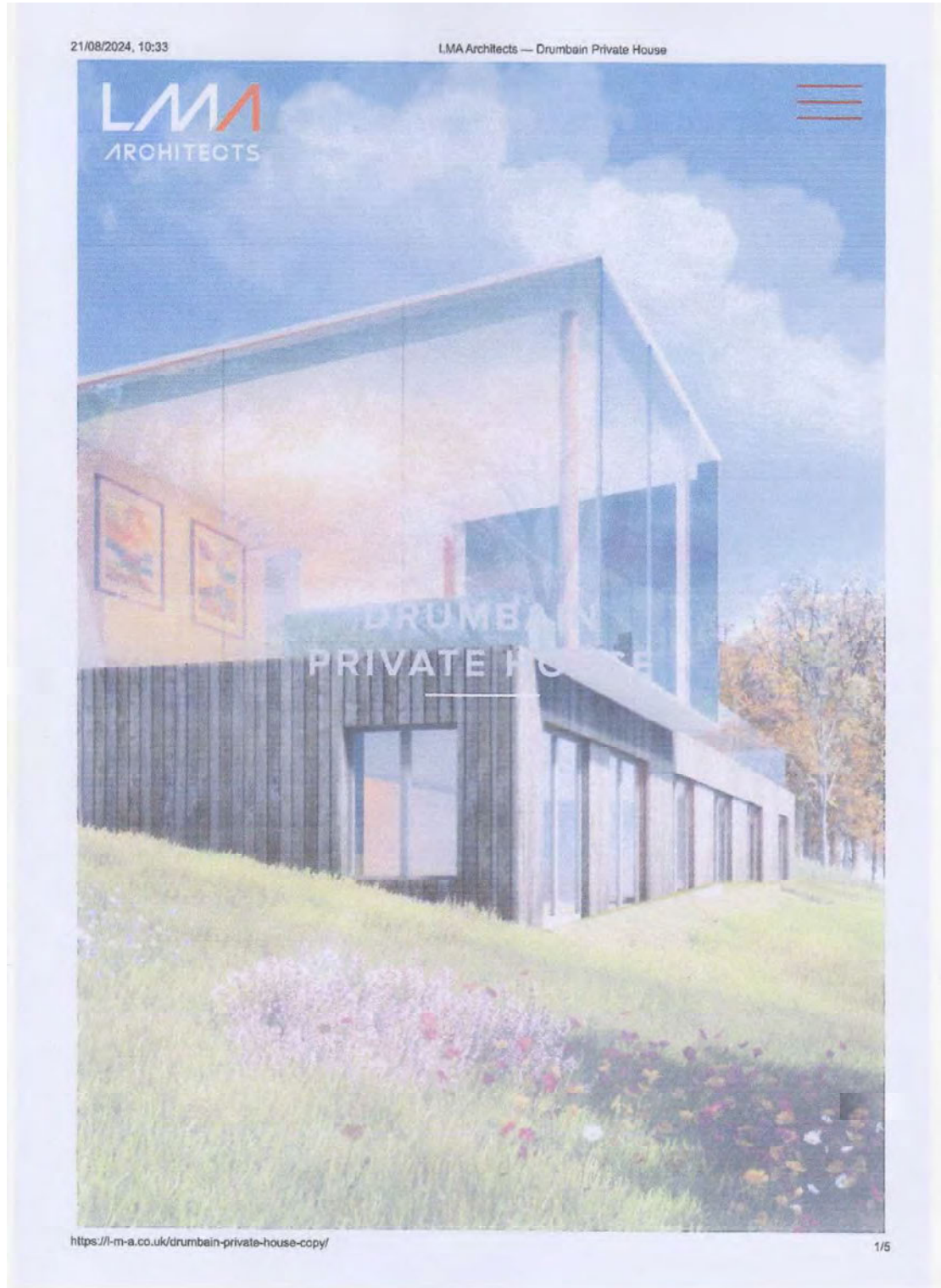
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Prepared for: Craig and Edna Rankin

CONTENTS

- INTRODUCTION
- DEVELOPMENT PRINCIPLES
 - POLICY AND PRE-APPLICATION PROCESS
 - CLIENT AMBITION AND DESIGN INTENT
- LOCATION
- SITE TOPOGRAPHY AND VIEWS
- CONCEPT ORIENTATION AND SITING
- TOPOGRAPHY AND VIEWS
- CONCEPT SHAPE AND LAYOUT
- EARLY FORM EXPLORATION
- FURTHER DESIGN DEVELOPMENT
- FINAL CONCEPT PROPOSALS
- MATERIALS AND TREATMENT
- PROPOSED VISUALS IN CONTEXT

DRUMBAIN PRIVATE HOUSE/ DESIGN AND ACCESS STATEMENT / JUN 22/

LMM ARCHITECTS

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Prepared for: Craig and Edna Rankin



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County Buildings Wellington Square Ayr KA7 1DR Tel: [REDACTED] Email: [REDACTED]

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100634972-002

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

Type of Application

What is this application for? Please select one of the following: *

- Application for planning permission (including changes of use and surface mineral working).
- Application for planning permission in principle.
- Further application, (including renewal of planning permission, modification, variation or removal of a planning condition etc)
- Application for Approval of Matters specified in conditions.

Description of Proposal

Please describe the proposal including any change of use: * (Max 500 characters)

Erection of managers house and replacement of animal isolation unit on land adjacent Heads of Ayr Farm Park

Is this a temporary permission? * Yes No

If a change of use is to be included in the proposal has it already taken place? Yes No
 (Answer 'No' if there is no change of use.) *

Has the work already been started and/or completed? *

No Yes – Started Yes - Completed

Applicant or Agent Details

Are you an applicant or an agent? * (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application) Applicant Agent

Agent Details

Please enter Agent details

Company/Organisation:	Hobson Architects		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	nicholas john	Building Name:	seacliff
Last Name: *	hobson	Building Number:	
Telephone Number: *		Address 1 (Street): *	eglinton terrace
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	skelmorlie
Fax Number:		Country: *	Scotland
		Postcode: *	PA17 5EP
Email Address: *			

Is the applicant an individual or an organisation/corporate entity? *

Individual Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:	Mr	You must enter a Building Name or Number, or both: *	
Other Title:		Building Name:	Laigh Kyleston Farm
First Name: *	Craig	Building Number:	
Last Name: *	Rankin	Address 1 (Street): *	Heads of Ayr Farm Park
Company/Organisation	Heads of Ayr Farm Park (Scotland)	Address 2:	Dunure Road
Telephone Number: *		Town/City: *	Alloway
Extension Number:		Country: *	Scotland
Mobile Number:		Postcode: *	KA7 4LD
Fax Number:			
Email Address: *			

Site Address Details

Planning Authority:

South Ayrshire Council

Full postal address of the site (including postcode where available):

Address 1:

LAIGH KYLESTON FARM

Address 2:

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

AYR

Post Code:

KA7 4LD

Please identify/describe the location of the site or sites

Northing

618119

Easting

229778

Pre-Application Discussion

Have you discussed your proposal with the planning authority? *

Yes No

Pre-Application Discussion Details Cont.

In what format was the feedback given? *

Meeting Telephone Letter Email

Please provide a description of the feedback you were given and the name of the officer who provided this feedback. If a processing agreement [note 1] is currently in place or if you are currently discussing a processing agreement with the planning authority, please provide details of this. (This will help the authority to deal with this application more efficiently.) * (max 500 characters)

This is a re-submission of previous planning application 23/00527/APP which was withdrawn (21st September 2023) following feedback from the Planning Officer in email correspondence dated 14th September 2023

Title:

Ms

Other title:

First Name:

Fiona

Last Name:

Sharp

Correspondence Reference Number:

Date (dd/mm/yyyy):

14/09/2023

Note 1. A Processing agreement involves setting out the key stages involved in determining a planning application, identifying what information is required and from whom and setting timescales for the delivery of various stages of the process.

Site Area

Please state the site area:

6100.00

Please state the measurement type used:

Hectares (ha) Square Metres (sq.m)

Existing Use

Please describe the current or most recent use: * (Max 500 characters)

Animal paddock linked to Heads of Ayr Farm Park

Access and Parking

Are you proposing a new altered vehicle access to or from a public road? *

Yes No

If Yes please describe and show on your drawings the position of any existing. Altered or new access points, highlighting the changes you propose to make. You should also show existing footpaths and note if there will be any impact on these.

Are you proposing any change to public paths, public rights of way or affecting any public right of access? *

Yes No

If Yes please show on your drawings the position of any affected areas highlighting the changes you propose to make, including arrangements for continuing or alternative public access.

How many vehicle parking spaces (garaging and open parking) currently exist on the application Site?

0

How many vehicle parking spaces (garaging and open parking) do you propose on the site (i.e. the Total of existing and any new spaces or a reduced number of spaces)? *

4

Please show on your drawings the position of existing and proposed parking spaces and identify if these are for the use of particular types of vehicles (e.g. parking for disabled people, coaches, HGV vehicles, cycles spaces).

Water Supply and Drainage Arrangements

Will your proposal require new or altered water supply or drainage arrangements? *

Yes No

Are you proposing to connect to the public drainage network (eg. to an existing sewer)? *

Yes – connecting to public drainage network

No – proposing to make private drainage arrangements

Not Applicable – only arrangements for water supply required

As you have indicated that you are proposing to make private drainage arrangements, please provide further details.

What private arrangements are you proposing? *

New/Altered septic tank.

Treatment/Additional treatment (relates to package sewage treatment plants, or passive sewage treatment such as a reed bed).

Other private drainage arrangement (such as chemical toilets or composting toilets).

Please explain your private drainage arrangements briefly here and show more details on your plans and supporting information: *

new development will connect to the existing waste treatment plant and reed bed which currently serves te rest of the Heads of Ayr Farm Park development

Do your proposals make provision for sustainable drainage of surface water?? *
(e.g. SUDS arrangements) *

Yes No

Note:-

Please include details of SUDS arrangements on your plans

Selecting 'No' to the above question means that you could be in breach of Environmental legislation.

Are you proposing to connect to the public water supply network? *

Yes

No, using a private water supply

No connection required

If No, using a private water supply, please show on plans the supply and all works needed to provide it (on or off site).

Assessment of Flood Risk

Is the site within an area of known risk of flooding? *

Yes No Don't Know

If the site is within an area of known risk of flooding you may need to submit a Flood Risk Assessment before your application can be determined. You may wish to contact your Planning Authority or SEPA for advice on what information may be required.

Do you think your proposal may increase the flood risk elsewhere? *

Yes No Don't Know

Trees

Are there any trees on or adjacent to the application site? *

Yes No

If Yes, please mark on your drawings any trees, known protected trees and their canopy spread close to the proposal site and indicate if any are to be cut back or felled.

Waste Storage and Collection

Do the plans incorporate areas to store and aid the collection of waste (including recycling)? *

Yes No

If Yes or No, please provide further details: * (Max 500 characters)

Area of waste collection indicated at junction of existing service road serving Heads of Ayr Farm Park and Nursery

Residential Units Including Conversion

Does your proposal include new or additional houses and/or flats? *

Yes No

How many units do you propose in total? *

Please provide full details of the number and types of units on the plans. Additional information may be provided in a supporting statement.

All Types of Non Housing Development – Proposed New Floorspace

Does your proposal alter or create non-residential floorspace? * Yes No

All Types of Non Housing Development – Proposed New Floorspace Details

For planning permission in principle applications, if you are unaware of the exact proposed floorspace dimensions please provide an estimate where necessary and provide a fuller explanation in the 'Don't Know' text box below.

Please state the use type and proposed floorspace (or number of rooms if you are proposing a hotel or residential institution): *

Gross (proposed) floorspace (In square meters, sq.m) or number of new (additional) Rooms (If class 7, 8 or 8a): *

If Class 1, please give details of internal floorspace:

Net trading spaces: Non-trading space:

Total:

If Class 'Not in a use class' or 'Don't know' is selected, please give more details: (Max 500 characters)

Schedule 3 Development

Does the proposal involve a form of development listed in Schedule 3 of the Town and Country Planning (Development Management Procedure (Scotland) Regulations 2013) * Yes No Don't Know

If yes, your proposal will additionally have to be advertised in a newspaper circulating in the area of the development. Your planning authority will do this on your behalf but will charge you a fee. Please check the planning authority's website for advice on the additional fee and add this to your planning fee.

If you are unsure whether your proposal involves a form of development listed in Schedule 3, please check the Help Text and Guidance notes before contacting your planning authority.

Planning Service Employee/Elected Member Interest

Is the applicant, or the applicant's spouse/partner, either a member of staff within the planning service or an elected member of the planning authority? * Yes No

Certificates and Notices

CERTIFICATE AND NOTICE UNDER REGULATION 15 – TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (SCOTLAND) REGULATION 2013

One Certificate must be completed and submitted along with the application form. This is most usually Certificate A, Form 1, Certificate B, Certificate C or Certificate E.

Are you/the applicant the sole owner of ALL the land? * Yes No

Is any of the land part of an agricultural holding? * Yes No

Do you have any agricultural tenants? * Yes No

Certificate Required

The following Land Ownership Certificate is required to complete this section of the proposal:

Certificate E

Land Ownership Certificate

Certificate and Notice under Regulation 15 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Certificate E

I hereby certify that –

(1) – No person other than myself/the applicant was the owner of any part of the land to which the application relates at the beginning of the period 21 days ending with the date of the application.

(2) - The land to which the application relates constitutes or forms part of an agricultural holding and there are no agricultural tenants

Or

(1) – No person other than myself/the applicant was the owner of any part of the land to which the application relates at the beginning of the period 21 days ending with the date of the application.

(2) - The land to which the application relates constitutes or forms part of an agricultural holding and there are agricultural tenants.

Name:

Address:

Date of Service of Notice: *

(4) – I have/The applicant has taken reasonable steps, as listed below, to ascertain the names and addresses of the other owners or agricultural tenants and *have/has been unable to do so –

Signed: nicholas john hobson

On behalf of: Mr Craig Rankin

Date: 21/02/2024

Please tick here to certify this Certificate. *

Checklist – Application for Planning Permission

Town and Country Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Please take a few moments to complete the following checklist in order to ensure that you have provided all the necessary information in support of your application. Failure to submit sufficient information with your application may result in your application being deemed invalid. The planning authority will not start processing your application until it is valid.

a) If this is a further application where there is a variation of conditions attached to a previous consent, have you provided a statement to that effect? *

Yes No Not applicable to this application

b) If this is an application for planning permission or planning permission in principle where there is a crown interest in the land, have you provided a statement to that effect? *

Yes No Not applicable to this application

c) If this is an application for planning permission, planning permission in principle or a further application and the application is for development belonging to the categories of national or major development (other than one under Section 42 of the planning Act), have you provided a Pre-Application Consultation Report? *

Yes No Not applicable to this application

Town and Country Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

d) If this is an application for planning permission and the application relates to development belonging to the categories of national or major developments and you do not benefit from exemption under Regulation 13 of The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013, have you provided a Design and Access Statement? *

Yes No Not applicable to this application

e) If this is an application for planning permission and relates to development belonging to the category of local developments (subject to regulation 13. (2) and (3) of the Development Management Procedure (Scotland) Regulations 2013) have you provided a Design Statement? *

Yes No Not applicable to this application

f) If your application relates to installation of an antenna to be employed in an electronic communication network, have you provided an ICNIRP Declaration? *

Yes No Not applicable to this application

g) If this is an application for planning permission, planning permission in principle, an application for approval of matters specified in conditions or an application for mineral development, have you provided any other plans or drawings as necessary:

Site Layout Plan or Block plan.

Elevations.

Floor plans.

Cross sections.

Roof plan.

Master Plan/Framework Plan.

Landscape plan.

Photographs and/or photomontages.

Other.

If Other, please specify: * (Max 500 characters)

planning design and access statement development context statement ecology report

Provide copies of the following documents if applicable:

A copy of an Environmental Statement. *	<input type="checkbox"/>	Yes	<input type="checkbox"/>	N/A
A Design Statement or Design and Access Statement. *	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	N/A
A Flood Risk Assessment. *	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	N/A
A Drainage Impact Assessment (including proposals for Sustainable Drainage Systems). *	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	N/A
Drainage/SUDS layout. *	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	N/A
A Transport Assessment or Travel Plan	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	N/A
Contaminated Land Assessment. *	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	N/A
Habitat Survey. *	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	N/A
A Processing Agreement. *	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	N/A

Other Statements (please specify). (Max 500 characters)

ecology report

Declare – For Application to Planning Authority

I, the applicant/agent certify that this is an application to the planning authority as described in this form. The accompanying Plans/drawings and additional information are provided as a part of this application.

Declaration Name: Mr nicholas john hobson

Declaration Date: 21/02/2024

**PLANNING, DESIGN AND ACCESS STATEMENT (PDAS)
IN SUPPORT OF PLANNING APPLICATION FOR
THE ERECTION OF A MANAGER'S HOUSE AND
REPLACEMENT ANIMAL ISOLATION UNIT
ON LAND WITHIN HEADS OF AYR FARM PARK,
DUNURE ROAD, AYR, KA7 4LD**

**REPORT INCORPORATING DESIGN STATEMENT
PREPARED ON BEHALF OF
CRAIG AND EDNA RANKIN,
HEADS OF AYR FARM PARK,
DUNURE ROAD, AYR, KA7 4LD**

Report Prepared by:

**NICK HOBSON
BA(Hons) Dip Arch RIBA RIAS
HOBSON ARCHITECTS
SEACLIFF
EGLINTON TERRACE
SKELMORLIE
PA17 5EP**

**MICHAEL S EVANS
BA (Econ); Dip TP, MRTPI, MCIM
PLANNING CONSULTANT
meicplan.associates
"TY-NEWYDD"
11 MURCHIE DRIVE
KINGS MEADOW
PRESTWICK
KA9 2ND**



February 2024

Planning, Design and Access Statement (PDAS) in Support of Planning Application for the Erection of a Manager's House and Replacement Animal Isolation Unit on Land within Heads of Ayr Farm Park, Dunure Road, Ayr, KA7 4LD

Prepared for: Craig and Edna Rankin

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- (a) Economic Significance
- (b) Emerging Housing Requirement
- (c) The Proposals
- (d) Choice of Location

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- Background
- Project Team
- The Applicants
- The Site
- The Proposals
- Scope and Purpose of this Supporting Statement (Project Brief)
- Regulatory Requirements

2.0 AREA CONTEXT AND SITE ANALYSIS Page 18

Area Context

- Site Location within the broader area and local context
- Site Analysis
 - The Site
 - Site Boundaries
 - Its Topography
 - Views of the Site from outwith (photographs)
 - Its Physical Relationship to Neighbouring Uses
 - Services
 - Connectivity/Accessibility

Planning, Design and Access Statement (PDAS) in Support of Planning Application for the Erection of a Manager's House and Replacement Animal Isolation Unit on Land within Heads of Ayr Farm Park, Dunure Road, Ayr, KA7 4LD

Prepared for: Craig and Edna Rankin

3.0 PLANNING HISTORY Page 30

4.0 ASSESSMENT / DESIGN PRINCIPLES Page 39

- The implications of the Characteristics of the Site, etc. for the location of the proposals and the design outcome within the broader and immediately surrounding landscape, including photographic evidence, maps and diagrams
- Responses to relevant Planning Policy, advice and guidance from relevant source documents at national and local levels
- Other Relevant Material Considerations

5.0 PROPOSALS Page 60

- Landscape Context
- Requirements of NPF4
- The Details, including:
 - Landscaping and Parking
 - Structural Considerations
 - Sustainability and Energy Efficiency
 - Foul Sewerage
 - Materials

6.0 SUMMARY / CONCLUSIONS Page 66

APPENDIX (Separate Document)

- Planning Application Drawings
- The Proposals – Early Concept Drawings

Planning, Design and Access Statement (PDAS) in Support of Planning Application for the Erection of a Manager's House and Replacement Animal Isolation Unit on Land within Heads of Ayr Farm Park, Dunure Road, Ayr, KA7 4LD

Prepared for: Craig and Edna Rankin

(i) SUMMARY / CONCLUSIONS

(a) Economic Significance

- The South Ayrshire Economic Development Strategy 2013 – 2023 confirms the need for improving economic growth, with South Ayrshire consistently performing at levels below the Scottish Average

The Strategy also emphasises the need for further diversification and the need to foster an entrepreneurial culture.

Heads of Ayr Farm Park has delivered in respect of both and, provided that the realisation of further opportunities will be encouraged and supported, will continue to do so. The Farm Park opened in May 1993 and has been subject to an ongoing diversification process since then.

- The Strategy also expressed concerns about the resilience of the South Ayrshire economy. The Farm Park is an important example of resilience, having grown and developed when frequently overall economic circumstances have posed significant challenges
- **The importance of the proposals' contribution to the further strengthening of the robustness of the overall operation of the Farm Park therefore cannot be underestimated**
- The Farm Park is a prime example of an ongoing investment by a locally owned and locally rooted company with a commitment to the local area
- The South Ayrshire Strategic Economic Plan: Vision 2030, in its Introduction, details the challenges ahead for the economy. The

Planning, Design and Access Statement (PDAS) in Support of Planning Application for the Erection of a Manager's House and Replacement Animal Isolation Unit on Land within Heads of Ayr Farm Park, Dunure Road, Ayr, KA7 4LD

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Plan aims to '*create capacity to respond to economic shocks*'. Heads of Ayr Farm Park, with its widely recognised innovatory approach, has confirmed its agility to cope with change and robustly respond to '*economic shocks*' which have, in reality, been virtually ongoing for up to fifteen years

- The Ayrshire Growth Deal emphasises the need to enhance '*the existing tourism offer*' to make Ayrshire a highly desirable destination
- South Ayrshire Local Development Plan 2 confirms that 13% of those in employment have jobs in tourism and states that: '*We will look favourably on proposals which will provide or improve tourist and leisure infrastructure and we will support keeping and improving existing significant leisure, recreation and tourist facilities*'
- Heads of Ayr Farm Park, with its 200,000 visitors per annum, providing 37 full-time and 80 part-time jobs, is quite clearly a significant leisure/tourist facility, with an ongoing improvement programme of which the proposals form an important part

As a consequence of the significant and continuing increase in both the number and range of exotic species, animal welfare requirements have become more complex through need for care on a 24/7 basis and has otherwise intensified.

- Heads of Ayr Farm Park has been one of the major economic development success stories in South Ayrshire. The winner of a range of awards, the most recent of these being the NFAN's Large Farm Attraction of the Year award 2022. Specifically recognised by the Scottish Parliament and Westminster as an asset to the community and local tourism, the facility cannot 'stand still' and

Planning, Design and Access Statement (PDAS) in Support of Planning Application for the Erection of a Manager's House and Replacement Animal Isolation Unit on Land within Heads of Ayr Farm Park, Dunure Road, Ayr, KA7 4LD

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further investment of the kind mentioned in this report is required, albeit within sustainable limits

- With its origins in a traditional farm in the countryside, the Farm Park represents one of the most successful examples of rural diversification in Ayrshire

The overall context for these proposals is set out in the Heads of Ayr Farm Park Development Context Statement, January 2023, which forms part of this application.

(b) Emerging Housing Requirement

- While the new House would provide accommodation for the overall manager, who currently would be the applicant and who is one of the company directors, three other directors are employed full-time in the various activities located within the Farm Park. Currently, the situation is therefore that all three are required to travel to work. Ideally, all three would be housed within the Farm Park. The construction of the Manager's House and the Isolation Unit would allow occupation by one of them of the vacated Farmhouse.

(c) The Proposals

- Currently, the existing 'Manager's House', i.e. Laigh Kyleston Farmhouse, and current Animal Isolation Unit are not adjacent.
- It is generally agreed that inevitably the eventual outcome regarding any proposal is influenced/underpinned by a range of considerations.

The principal ones in this case are:-

Planning, Design and Access Statement (PDAS) in Support of Planning Application for the Erection of a Manager's House and Replacement Animal Isolation Unit on Land within Heads of Ayr Farm Park, Dunure Road, Ayr, KA7 4LD

Prepared for: Craig and Edna Rankin

- (i) the characteristics of the site, its location and setting within the broader and immediately surrounding landscape/ countryside
 - (ii) the characteristics of the pattern of development in this part of the countryside
 - (iii) the requirements of the Development Plan and Supplementary Guidance, and
 - (iv) where applicable, relevant Material (planning) Considerations
- On 22 September 1992, consent for 'Change of use of agricultural land and outline planning permission to form Children's Farm' was granted, Planning Application Ref No P/92/0708. This was for the area shown in Fig 1
 - In terms of planning policy, the Farm Park, along with Craig Tara, are in LDP2 Appendix B: Coastal Development – Intensively Developed. While LDP2 policy elsewhere confirms that encouragement will be given to improving existing significant tourist facilities, Appendix B refers to the likely sensitive nature of the landscape surrounding 'Intensively Developed'
 - In this regard, most of the Farm Park buildings were traditional farm buildings pertaining to Laigh Kyleston and all have been relatively low. The only relatively significant new development in the interim has been the Nursery/Nursery Extension and, in terms of its scale, massing, etc., guidance was provided by the farm/former farm buildings to the east
 - The current proposals similarly, therefore, are being guided substantially by the predominance of low-lying structures

Like any development, the proposals have been influenced to a degree by the topography of the site. The aim has been to

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minimise the visual impact from the main road and approaches both west and east. The low in the landscape single-storey approach to the development within the Farm Park elsewhere has been maintained.

- Although not entirely traditional in concept, the Council's Rural Housing policy allows for more contemporary solutions as long as the principles of good design have been adhered to, as has been the case, in our opinion, here

The overall aesthetic is therefore single storey, low-pitched roofs, broken roofscape to break up massing and a rural palette of materials, but expressed in a more modern manner, for example timber cladding with feature stone panels, slate roofing but with some feature grey zinc roofing to some areas and larger window openings to living areas to respond to the orientation and views.

(d) Choice of Location

- Scrutiny of the area within the boundary shown in Fig 2 confirmed the absence of suitable alternative locations that could satisfactorily accommodate the dual requirements of the House and Animal Isolation Unit

Two of the underlying locational requirements have been that, because of the 24/7 operational needs of the Isolation Unit, a new building would need to be close to the Manager's House.

At the same time, the Isolation Unit required to be – as the name suggests – isolated.

Fig 2 confirms that the vast bulk of the defined area of the Farm Park shown in Fig 1 is in operational use, the exception being a

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relatively small area within the extreme north-west corner. Satisfying, as it does, the precise locational requirements, it was concluded that this is where the proposals would be located.

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1.0 INTRODUCTION AND BACKGROUND INFORMATION

Background

This Planning, Design and Access Statement (PDAS) has been commissioned by Heads of Ayr Farm Park Ltd per Craig and Edna Rankin. At the time of writing, it was understood that the application site was in their ownership. Boundaries are confirmed by Planning Application Drawing No SL001, a copy of which can be found in the Appendix.

Project Team

This Supporting Statement was prepared by:

- **Michael S Evans, Planning Consultant, meicplan.associates**
"Ty-Newydd", 11 Murchie Drive, Kings Meadow, Prestwick, KA9 2ND

and

- **Nick Hobson, Hobson Architects, Seacliff, Eglinton Terrace,**
Skelmorlie, PA17 5EP,

Clients

Heads of Ayr Farm Park Ltd per Craig and Edna Rankin, Laigh Kyleston, Heads of Ayr Farm Park, Dunure Road, Ayr, KA6 4LD.

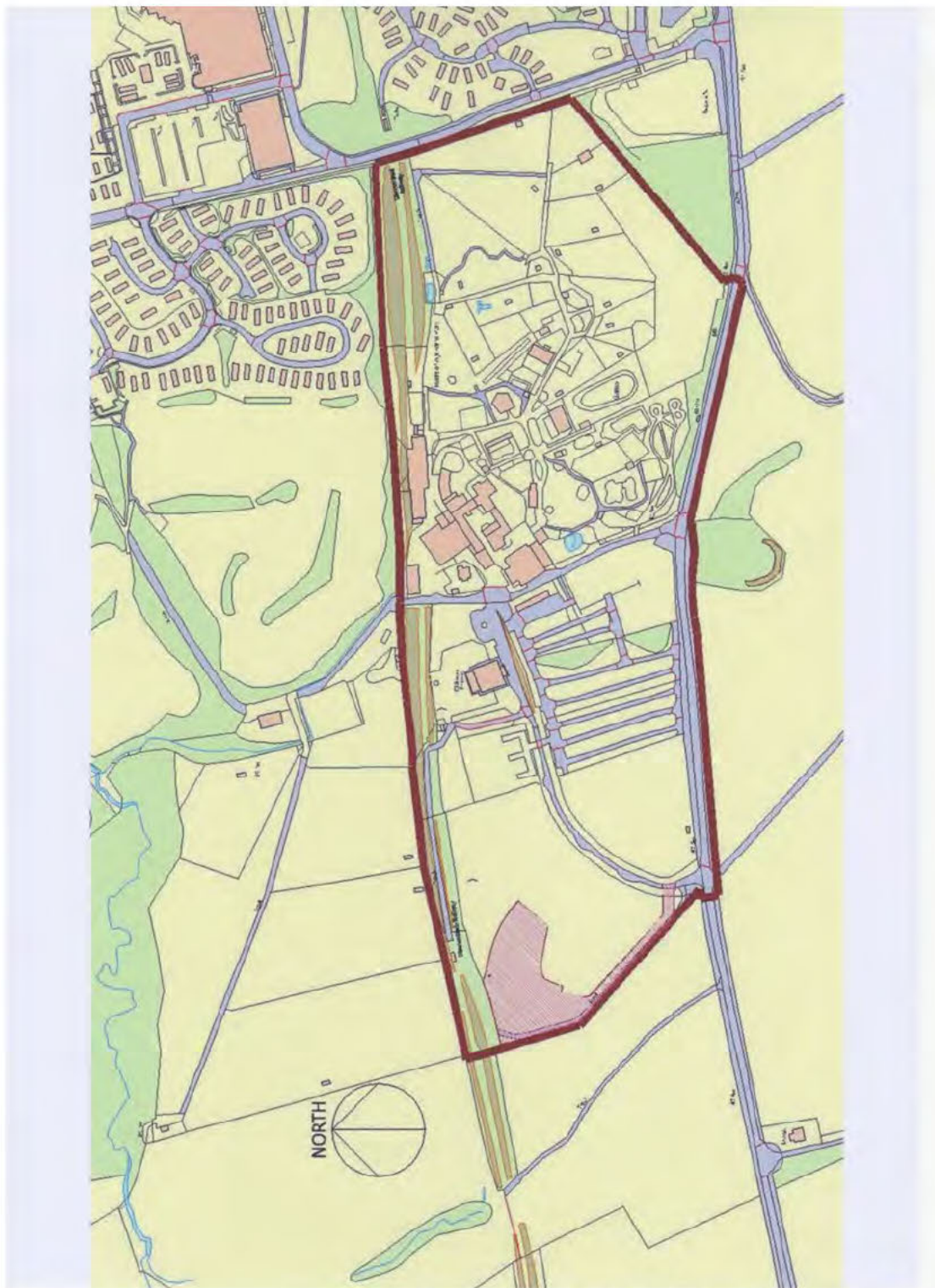
The Site

The proposed application site is shown in Planning Application Drawing No SL001 and extends to 6,000m². This forms part of the overall area of Heads of Ayr Farm Park, which is shown in Fig 1 and which extends to 20.5 Ha.

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Fig 1: Heads of Ayr Farm Park Boundary



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The Proposals

The planning application includes two important elements – a new House and a replacement Animal Isolation Unit, the purpose of which is to provide a range of services, including:

1. for new animals, those requiring a Zoo Licence, arriving at the Farm Park for the first time to be kept separate. They will be given time to rest, checked over health wise, wormed, dosed and vaccinated as required before joining the main park
2. isolation of any animals suspected of carrying any disease, such as bird flu
3. providing for animals requiring out-of-hours attention and nursed through ill health
4. providing facilities for birthing of animals that may well need assistance after hours
5. providing accommodation for orphaned animals handed in by the public that require hand rearing
6. providing space for isolation of the more exotic species before they leave the park to go to other licensed premises to assist in the preservation of particular species

In addition, the building itself will have:

- (a) warm isolation rooms
- (b) food preparation kitchen and food storage facilities, fridges for food, etc.
- (c) animal washing/showering areas
- (d) medical treatment room
- (e) two loose boxes for larger animals
- (f) toilet and washing facilities for staff and vet

Currently, the building used for the purposes described above is not purpose-built and essentially no longer fit for purpose. In addition, its location – close

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to other users, including the neighbouring Craig Tara Holiday Park – means that levels of required 'isolation' are not achieved.

The Site Selection Process

The existing and emerging development patterns within the Farm Park, as shown in Fig 2, confirm that the only opportunities that could meet the requirements of residential amenity and the requirements of the Animal Isolation Unit together were in the west and, indeed, the south-west corner.

In truth therefore, the actual options were extremely limited, including the fact that proximity of the Animal Isolation Unit to the Manager's House was a key consideration.

Indeed, it was early concluded that the proposals could not sit comfortably within the operational area of the Farm Park if a site was to fulfil the combined requirements of the Animal Isolation Unit, together with the residential amenity requirements of the proposed House.

The existing location of the Isolation Unit was quickly dismissed as an option because of this.

The only possible realistic search area therefore was in the west of the Park, but while this part of the Farm Park is made up substantially of paddocks, these are used to house various species and the intention is to further intensify this kind of use in the future.

The proposed site emerged as the 'least used' option within this area.

The Planning Service had previously expressed its opposition to development north of the abandoned railway line.

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Fig 2: Search Area for Site of the Proposals



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The details of the site follow in Part 2.0 and the response to these in Part 5.0, Proposals.

Scope and Purpose of this PDAS (Project Brief)

This Planning, Design and Access Statement (PDAS) has been prepared on behalf of Heads of Ayr Farm Park Ltd per Craig and Edna Rankin to form part of an application (full) for planning permission for the proposals described above and relates to the area of ground shown in Planning Application Drawing No SL001.

It should be read in conjunction with the Heads of Ayr Farm Park Development Context Statement, January 2023, which also forms part of this application.

The purpose of this Statement is therefore to confirm that the proposals are:

- (i) **consistent with the requirements of the relevant policies of the Adopted South Ayrshire Local Development Plan, the Council's Supplementary Planning Guidance and**
- (ii) **consistent with National Planning Framework 4 [NPF4] and**
- (iii) **have taken into account outcomes from relevant material considerations**

This PDAS has therefore been prepared for the sole and exclusive use of the Client and has been prepared in response to their particular requirements. This Statement may therefore not be relied upon by another party.

Regulatory Requirements in Relation to the Requirement for a Design Statement or Design and Access Statement

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Planning Circular 5 2009, Hierarchy of Developments, Scottish Government Development Department, July 2009 confirms that the proposals are a 'Local Development', further confirmed by the Town and Country Planning (Hierarchy of Development) (Scotland) Regulations 2009, Reg 2(2).

Planning Circular 3/2013 provided guidelines as to when (Regulation 13) an application should include a Design Statement or, when appropriate, a Design and Access Statement (paras 3.18 and 3.19).

Clearly, the proposals do not come within the requirements of paras 3.18 or 3.19.

Notwithstanding the above, para 3.15 states that '*All applicants, together with developers, architects, designers and agents, should consider design as an integral part of the development process.*'

Indeed, Planning Advice Note 68: Design Statements confirms that '*a Design Statement could potentially be submitted with any planning application, the advice being that 'where a formal Design Statement is not necessary, applicants should still have a clear and logical design philosophy which could be explained, if required.'*

This approach, in our opinion, contributes to delivering the requirements of Placemaking, i.e. it is designed and sited not only with reference to its own specifications and requirements but also in relation to the character of the area.

In addition, it is our view that this is the preferred route to take in response to the requirements of LDP policy: sustainable development, which is dealt with later.

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This PDAS, in the interests of providing a more integrated and therefore easier to follow/negotiate narrative, combines what would otherwise comprise separate Planning and Design Statements.

The planning application comprises the following set of drawings prepared by Nick Hobson, Hobson Architects:

Drawing Name	Drawing Number
Site Location Plan	SL001
Proposed Site Plan. Scale 1:500 @ A3	SL002
Proposed Site Plan. Scale: 1:1000 @ A3	SL003
Proposed Plan and Sections	P001
Proposed Elevations	P002

In addition to the above, the application includes:

Document	Prepared by
Planning Application Form	Hobson Architects
Planning, Design and Access Statement	meicplan.associates
Heads of Ayr Ecology Survey, October 2023	JK Ecology

This PDAS is divided into five further sections:

- Section 2 - Area Context and Site Analysis
- Section 3 - Planning History
- Section 4 - Assessment/Design Principles
- Section 5 - Proposals
- Section 6 - Summary/Conclusions

Prepared for: Craig and Edna Rankin

2.0 AREA CONTEXT AND SITE ANALYSIS

Area Context

As Fig 1 and Planning Application Drawing No SL001 confirm, the site is located within Heads of Ayr Farm Park and otherwise approximately 250m to the west of the main complex of the Farm Park buildings.

The Farm Park's main entrance is approximately 4.5 miles from Ayr Town Centre and 1 mile from the southern edge of the settlement of Ayr as defined in LDP2.

Landscape Context

In broad landscape terms, the site falls within Landscape Character Type (LCT) 59, i.e. 'Raised Beach, Coast and Cliffs' as defined by the NatureScot Landscape Character Assessment which, it is understood, is recognised by South Ayrshire Council as a major reference source. An extract from NatureScot's Assessment showing the boundary of LCT 59 can be found on the following page.

Among the key characteristics described by NatureScot are:

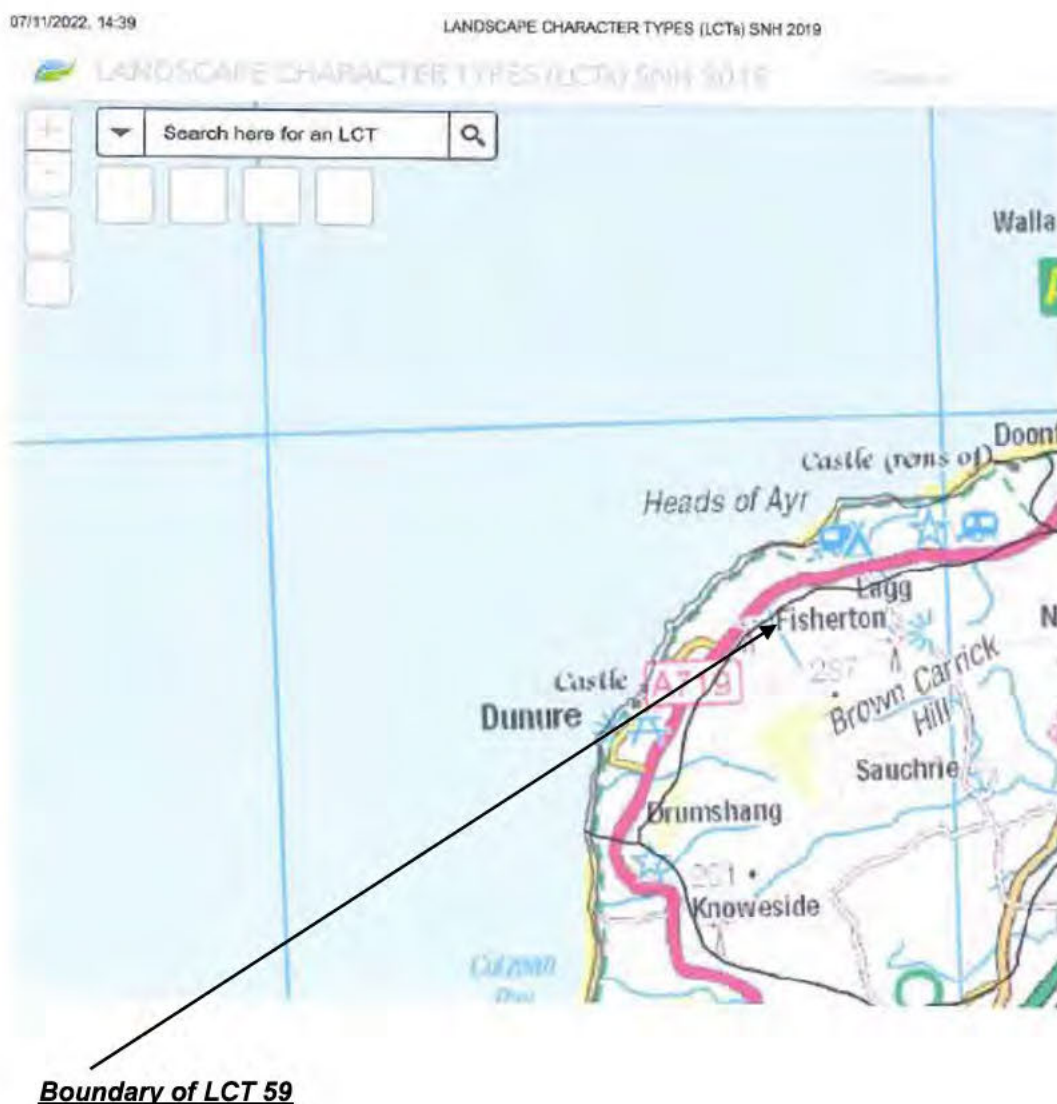
- (i) ***Raised beach, visible as a level shelf, backed by steep, sometimes craggy escarpment representing the former cliff line, above which lies more gently rising land.*** The Farm Park, as a whole, including the proposed site, is to be found substantially within the area of this latter feature. The low-level nature of the existing buildings – the Farm Park 'components' being substantially repurposed farm buildings – ensure a reduced impact on this overall setting. As the Planning Application Drawings confirm, this has underpinned the approach taken to the proposals.

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- (ii) ***Views tend to be longer distance and focused seaward.*** This remains the case despite recent developments and the proposals will not result in any change.

Fig 3



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Settlement Pattern

The closest relationship is with Heads of Ayr Nursery to the east and, beyond that, the primary concentration of Farm Park buildings 300m to the west.

In terms of an overall perspective of the scale, massing, etc of the Farm Park buildings, as previously stated, most of the current indoor uses occupy former agricultural buildings pertaining previously to Laigh Kyleston Farm. In relation to their scale and massing, the buildings are therefore typical Ayrshire farm buildings and are of no great height.

The approach taken to aspects of the details of the proposed Manager's House does, however, represent a degree of departure from this 'template and the explanation for this is provided in our response to Guidance: Rural Housing and in Part 5.0.

Nonetheless, on the matter of height and subsequent impact on the landscape/setting, the proposals, like the other buildings in the Farm Park, will be low so as not to offend the key characteristics of the landscape context described by NatureScot. This is illustrated by the details shown in Fig 5 later.

The proposed Manager's House and Animal Isolation Unit, for the reasons set out elsewhere in this Statement, need to be close together but, also with the latter use, requiring a level of physical isolation from other uses.

The Site

Importantly, the objective is to confirm the overall sustainability of the site. The site characteristics and its relationship with its setting is shown in Fig 5.

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Site Boundaries, including their Relationship with Neighbours

The proposed site is irregular in shape and, as shown in Planning Application Drawing No SL001, sits within a larger trapezoidal field lying to the west of the main Heads of Ayr Farm Park Complex.

The existing A719 runs along the southern edge of the Farm Park, with the existing vehicle access serving the Nursery located at the far south-western corner. The proposed access for the new development will be just within this existing access point. The access route will then run along the western boundary of the Farm Park/the field to the proposed site in the north-western corner of the field.

To the north of the development site lies the former coastal railway line which is now defined, in part, by a belt of mature and semi-mature deciduous trees.

To the west is the existing fence line to the adjoining agricultural land. To the south and east, the ground slopes away gently to the main Heads of Ayr Farm Complex to the east and the access road leading down to the Nursery and the rear of the Farm Park.

Site Analysis

- **Landscape/Topography**

The general characteristics are shown in Fig 5.

The site sits within a largely open trapezoidal field, with the high point located in the central section of the field. From the high point, which sits at approximately 48.3m OD, the ground slopes down to the north, south and east but less so to the west.

The proposed site will sit fairly tight into the north-western corner of the field, beyond the crown of the high ground, on the backslope down to the old railway line.

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By locating the proposed development on the backslope of the raised ground and using the tree belt as a backdrop, the proposals will be visually screened from the approaches along the A719 and any issue of 'skylining' will be mitigated.

- **Microclimate**

The general characteristics are also shown in Fig 5.

Due to the open nature of ground to the west, the site is exposed to the prevailing weather but does enjoy good outlooks to the south and east. The tree belt along the old railway line does provide a degree of shelter from northerly winds and, in landscape terms, a useful backdrop to the site.

With good southerly orientation, the site does provide opportunities for renewable energy generation via solar or wind.

- **Services**

The proximity of the adjoining Farm Park confirms that water, electricity and telephone supplies/capacity are nearby. Adjacent dwellings are served by private foul water septic tank or treatment plants.

The size and topography of the site means an onsite SUDS scheme would be possible to deal with surface water.

- **Connectivity/Accessibility**

A review of the current accessibility of the application site has been undertaken and this has included a review of walking, cycling and public transport provision.

The assessment of walking routes has shown that existing provision is generally good around the application site, through the Farm Park and

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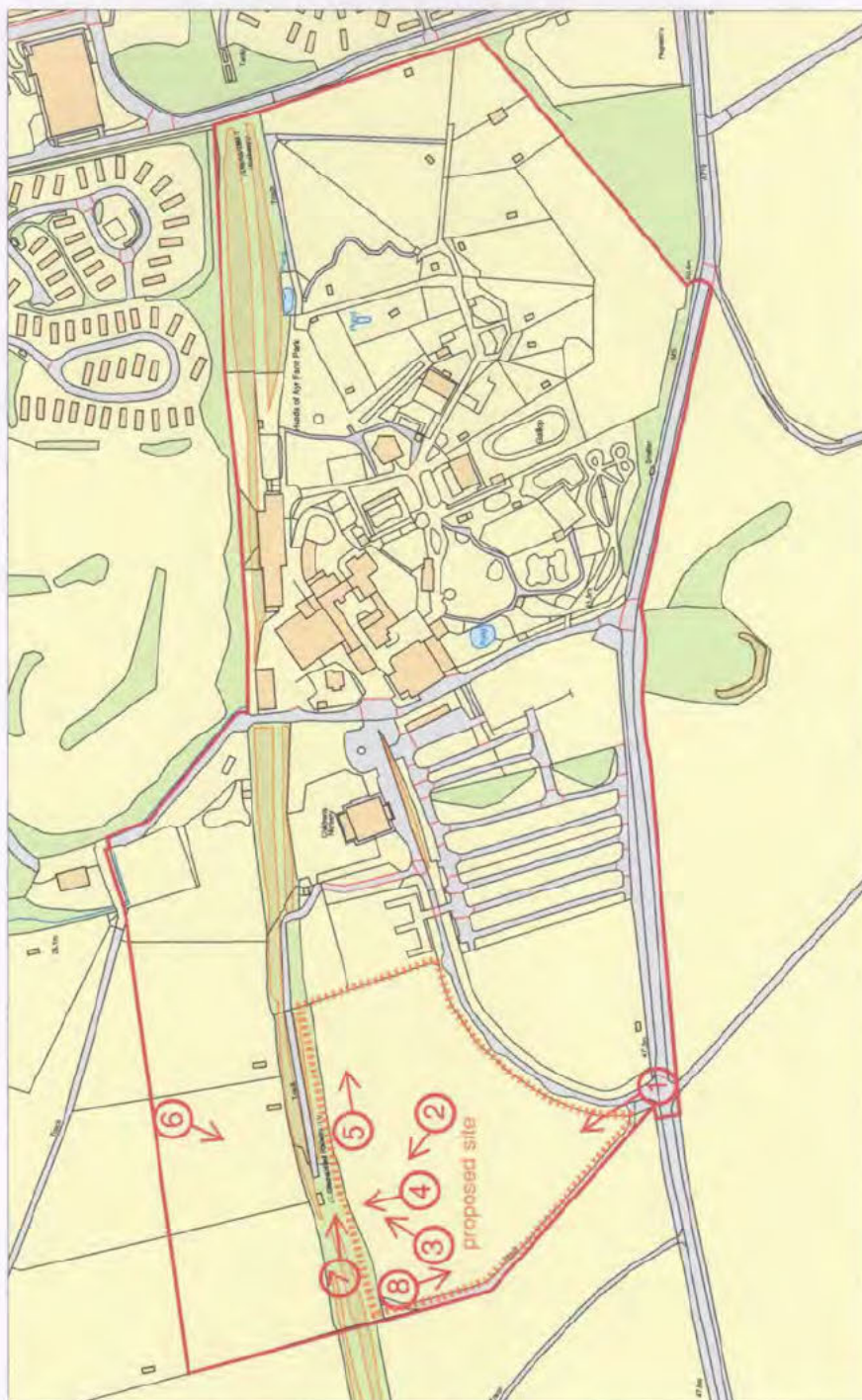
along the A719 towards Ayr. There is a designated National Cycle Network route along the A719 immediately to the south of the application site which, in turn, links into a range of core and local paths, in particular to the north, as confirmed in the Council's 'Information on core paths in South Ayrshire', making cycling accessible. Bus stops are provided near to the application site on the A719 to the east of the Farm Park, access which offers hourly journeys in and around the local area as well as a connection to the train station in Ayr town centre.

- **Current Use**
Combined Farm/Zoo Park Paddock.

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Fig 4: Photo Viewpoint Diagram

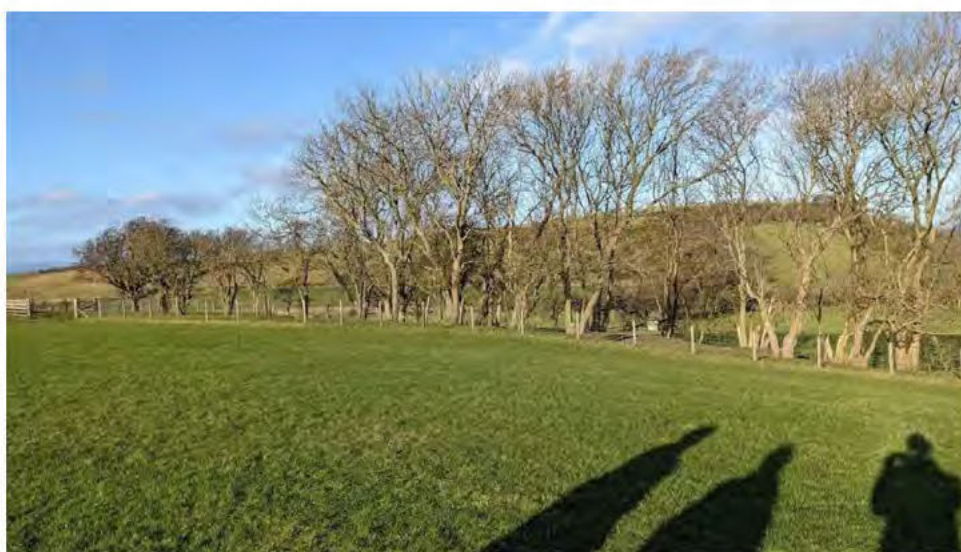


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Viewpoint 1: approach from junction with A719



Viewpoint 2: view North towards site with tree belt in the background (winter)

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Viewpoint 3: looking East with backslope and tree belt along railway line.



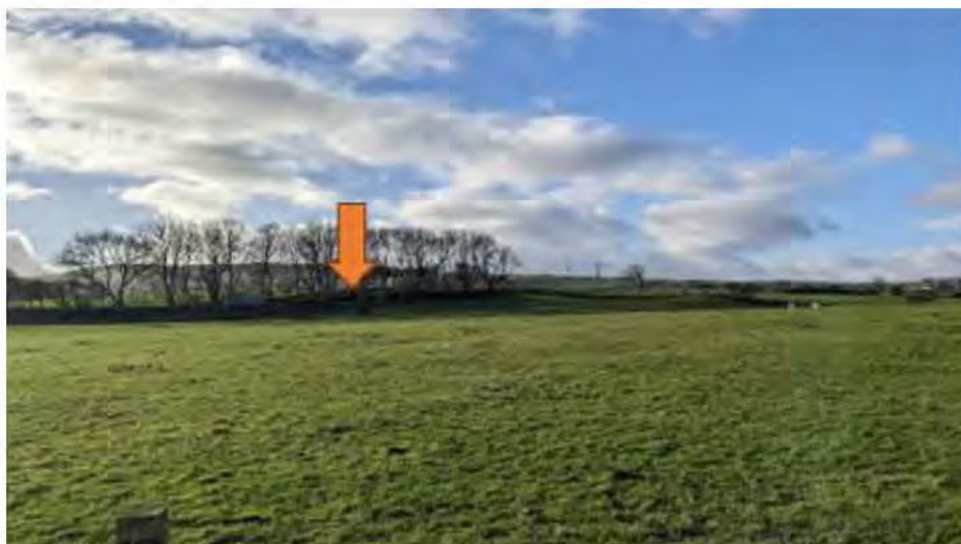
Viewpoint 4: View looking North toward tree line along the old railway line.

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Viewpoint 5: View looking East from the site with Heads of Ayr Farm Park visible.



Viewpoint 6: View looking South from the field beyond the tree belt/railway line.

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Viewpoint 7: View looking East from the old railway line, with site on the right.

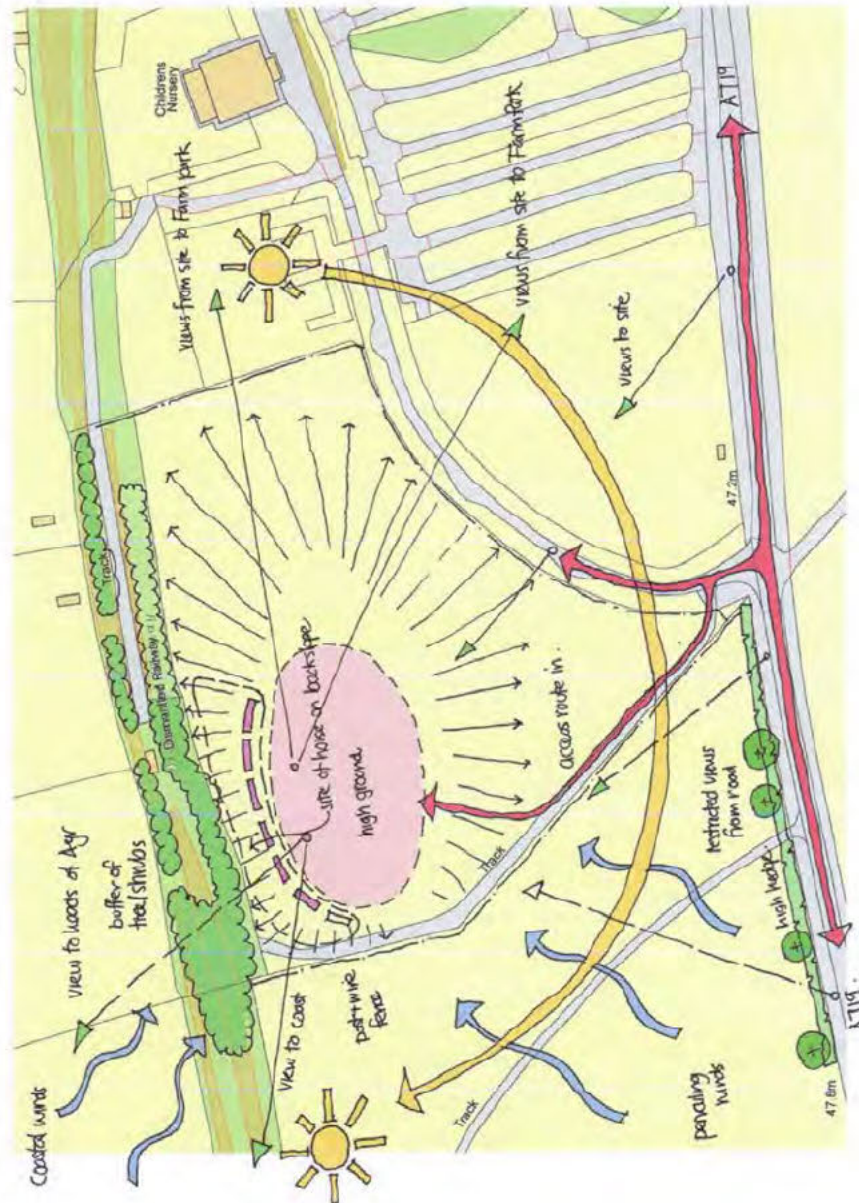


Viewpoint 8: View looking South along boundary, towards the A719.

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Fig 5: Site Analysis Diagram - 1



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3.0 PLANNING HISTORY

Following the receipt of comments provided by the Planning Service dated 14 September 2023, Planning Application Ref No 23/00527/APP, validated on 20 September 2023, on behalf of the applicants, Craig and Edna Rankin, Laigh Kyleston, Heads of Ayr Farm Park, Dunure Road, Ayr, KA7 4LD, was withdrawn by Nick Hobson, Hobson Architects, Seacliff, Eglinton Terrace, Skelmorlie, PA17 5EP.

We are grateful for the consideration given by the Service to the proposals now withdrawn, and the opportunity provided the applicants to take the matters raised into account in this reapplication.

The Service's primary concerns in relation to the proposals are as set out in the initial paragraph of the e-mail dated 14 September 2023, namely:

1. their location relative to the existing buildings of the Farm Park,
2. the design of the development and
3. Ecological Considerations,

all of which are further expanded.

1. The Location

The e-mail refers specifically to the Council's Rural Housing Policy, previously Supplementary Guidance: Rural Housing. The Service will be aware that, because of changes to the Development Plan as a result of the adoption of NPF4 in February 2023, the current Rural Housing policy currently has the status of 'guidance' only since it is related to LDP1, not LDP2. A revised SG is yet to be prepared.

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Notwithstanding the changes in policy status, the choice of location remains an important consideration and, substantially, is dictated by the requirements of the Animal Isolation Unit.

Taking this requirement into account, a detailed review of potential locations for the new development was undertaken within the Farm Park and the outcome of this is described elsewhere in this Statement.

In response to a number of points made in the text of the e-mail, we would make the following responses:

Comment

'... the case for an additional dwellinghouse to serve the farming operation ...'

Response

This implies a 'typical' farm, which the Farm Park, of course, is not.

Comment

'... it is understood that the existing buildings to the east of the site form the operational base and focus of the farm park enterprise ...'

Response

With consent granted for an extension to the Children's Nursery, the proposed development would be 150m from the edge of the existing physical development envelop.

The proposals include an Isolation Unit and, as the term implies, a degree of separation between the proposals and the existing developed area is a requirement.

Notwithstanding, finding a site for the proposals was based on a number of practical considerations, requiring taking into account all of the

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current operational areas and not just where the current operational headquarters might be locating.

Comment

'... rather than development being sited within an isolated peripheral location ...'

Response

The Isolation Unit needs to be in a relatively isolated location.

It is a fact that the Farm Park Manager will have general responsibility for the operation as a whole but to suggest that, being located a few hundred metres to the west of the 'core area' of the Park puts overall management of the facility at a disadvantage, is unfounded.

Comment

'... any proposed buildings or structures form or complement a coherent group of buildings and are not visually intrusive ...'

Response

The point about the requirement for isolation has been made and it is our intention that the proposals are not visually intrusive as is confirmed by Planning Application Drawing Nos P001, P002, SL001 and SL002. What therefore would be the basis for concluding that the proposals would be visually intrusive? And the evidence for this?

Comment

'... any additional dwellinghouse would require to be appropriately sited within, or in close proximity ...'

Response

The Planning Service is well aware that 'how close this might be' will depend on several factors, including the layout of a farm, the nature of

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its operation, especially the presence of livestock. These are factors to be taken into account and involve safety as well as standard residential amenity consideration. All of this means that an 'appropriate location' might not always be '... within or in close proximity ...'. We maintain therefore that, because of the nature of the Farm Park operation and the requirements of the proposals, they are, in our opinion, 'appropriately located'.

Comment

'... perhaps there is an opportunity to replace/update the existing facility with a new/improved isolation facility ...'

Response

The current facility is not purpose-built and not now fit for purpose, in part because of the generally higher standards required and of the significant expansion in the number of existing species now present in the Farm Park. The current site is not isolated and, as explained elsewhere, is no longer acceptable for a facility of this kind and, as a 24/7 requirement, needs to be near the Manager's House. It should be pointed out that the Isolation Unit not only deals with sick animals but also includes regulatory required isolation of imported animals, etc. The building has to meet the requirements of the Balai Directive administered by the Animal and Plant Health Agency and DEFRA.

Comment

'... need for greenfield development ...'

Response

The proposed site is within the Farm Park for which planning consent was granted in 1992.

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Comment

'... use of previously developed land ...'

Response

To be preferred perhaps but there are no opportunities of this kind within the Fig 1 area that satisfy the locational requirements.

2. Design and Siting of New Housing

Comment

'... planning policies controlling the siting and design of new housing development acknowledges that planning policies controlling the siting and design of new housing in the countryside, it is important that cognisance is taken of the heritage of an area in order to preserve and enhance the countryside ...'

Response

The Council's Rural Housing Policy also states that *'Contemporary design solutions will also be acceptable, where they can demonstrate the principles of good design set out in the design guidance'*. This is precisely the process gone through in the development of the proposals.

Indeed, an example of a contemporary design solution can be found approximately 2 miles from the proposed site, i.e. at Old Drumbain, Planning Application Ref No 22/00536/APP. The Report of Handling, in fact, describes the proposal as a *'contemporary dwelling'*.

The Design Statement accompanying Planning Application Ref No 22/00536/APP confirms an especially dramatic architectural solution that is clearly not typical of the 'area' and indeed, if built, would, in this case, involve the removal of Old Drumbain Cottage. In fact, the Drumbain proposals would not look out of place in a suburban location.

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Comment

'... other rural residential properties within the locale are noted to typically reflect the simplicity of scale and form of traditional rural domestic architecture ...'

Response

There is a certain vagueness and lack of precision on the part of the Planning Service here.

The 'locale' is nowhere defined by the Planning Service and, indeed, no guidance is provided as to how this idea might be interpreted and applied.

Indeed, experience suggests that the Service's use of these terms is a 'moveable feast'. We would, as do the applicants, for example, maintain that Old Drumbain is within the locale/area?

Comment

'... more akin to a suburban dwellinghouse, ... etc ...'

Response

The primary question here therefore is what do suburban dwellinghouses look like?

Again, the Development Plan and Supplementary Guidance/Guidance is unhelpful here. We have already made the point that the proposals for Old Drumbain could comfortably sit in an urban context, depending on the details of that context.

Suburban areas are locations that build up around the edge of cities. Because they are developed over time, the design, scale and massing of dwelling units will change, sometimes dramatically.

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The nearest example of where suburbs in the true sense of the word can be clearly identified is in the central part of the Clyde Conurbation. Typically, the most recently constructed suburbs comprise large housing estates dominated by two-storey single, semi-detached and short terrace units. Newton Mearns is probably where the closest example to South Ayrshire is to be found, comprising hundreds of units of 'modern design and appearance'. The proposals are clearly not therefore typically suburban. That said, the evidence suggests that the Planning Service has elsewhere been content to approve new houses in the countryside which could, in terms of scale, massing and materials, well fit into an urban and, indeed, suburban context (examples can be provided) and, on occasions, in highly visible locations.

Are the proposals for Old Drumbain 'less suburban' in appearance, etc because these too, in our opinion, could sit well within an urban context?

Comment

'... visual prominence of the site gives rise to concerns that the proposals are incongruous for the proposed location ...'

Response

As stated earlier, the location was eventually selected because of the particular requirements of the proposals and the extent of operational land and buildings within the Farm Park. This is not just a house. As already mentioned, it is important to note that the evidence suggests that the Planning Service has been less than consistent in its concern for 'visual prominence' of a number of new housing developments in the countryside.

Planning Application Drawing Nos P001, P002, SL001 and SL002 confirm that the proposals would not be visually prominent.

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Indeed, the assessment would benefit from details provided by the Planning Service re how they might have come to this conclusion.

Comment

'... to explore with the applicant to resite an alternatively designed dwellinghouse ...'

Response

The whole of the area of the Farm Park, as shown in Fig 1, was explored. Alternative locations were therefore investigated and discounted for the reasons explained elsewhere.

As the aforementioned will confirm, we are, on this occasion, otherwise unable to agree with the Planning Service's assessment and conclusions arrived at in relation to either the location or design of the development.

3. Ecological Considerations

The Ecological Review prepared by AECOM dated 2 August 2023 in relation to the withdrawn application states that *'The Proposed Development will be sited on what appears to be agricultural grassland likely to be of low ecological value'*. In its conclusions, the Review states that *'The current proposals are likely to be sufficient to achieve an overall enhancement from the Proposed Development'*.

These are not significantly changed and AECOM's comments remain valid.

AECOM advised that the applicants should undertake an Ecology Survey to confirm the existence or otherwise of *'protected ecological features (e.g. bat roots or badger setts)'*.

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JK Ecology of 22 North Dumgoyne Avenue, Milngavie, G62 7JT were instructed to undertake an Ecology Survey. Their report dated October 2023 forms part of the planning application.

Part 4.5 of the JK Ecology report provides a Summary of recommended mitigation measures.

We are in agreement with these and would expect them to form the basis of relevant planning conditions should a consent be achieved.

In addition, the AECOM Review makes the point that, while the previous Planning, Design and Access Statement suggests that native tree and shrub planting will be '*along the western and south-western edges of the site*' and will '*help reinforce the existing tree belt along the old railway line*' but that the PDAS is unclear whether there will be any tree planting within the disused railway line which, in AECOM's opinion '*... would be very beneficial and could enhance this green corridor*'.

The Review goes on to state '*... Although the current proposals are likely sufficient to provide an overall gain for biodiversity from the Proposed Development, should the Applicant wish, this could go even further by enhancing connectivity to the SSSI/LWS by extending tree/hedgerow planting further along the disused railway line and/or the field boundary to the north. This would deliver a significant overall biodiversity enhancement from the Proposed Development by linking areas of habitat in the wider landscape*'.

All of these locations are in the ownership of the applicants who are confirming their preparedness to undertake the aforementioned suggestions.

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4.0 ASSESSMENT / DESIGN PRINCIPLES

It is generally agreed that inevitably the eventual outcome regarding any proposal is influenced/underpinned by a range of considerations.

The principal ones, in our opinion, in this case are:-

- (i) the characteristics of the site, its location and setting within the broader and immediately surrounding landscape/countryside
 - (ii) the characteristics of the pattern of development in this part of the countryside
 - (iii) the requirements of the Development Plan and Supplementary Guidance, and
 - (iv) where applicable, relevant Material (planning) Considerations
- (i) **The characteristics of the site, its location and setting within the broader and immediately surrounding landscape/countryside**

As stated earlier, understanding and interpreting the characteristics of the site within its setting are vitally important to the delivery of a successful outcome. Details of the broader and local contexts, in order to establish a baseline for assessing the capacity of the site in landscape terms to absorb the proposals, are described in Part 2.0.

The response to these requirements is to be found in the details of the proposals as described in Part 5.0, Proposals, later, and in Planning Application Drawing Nos P001 and P002, copies of which are to be found in the Appendix.

Prepared for: Craig and Edna Rankin

(ii) The characteristics of the pattern of development in this part of the countryside

The immediate context is dominated by the two major developments, namely Craig Tara Holiday Park and the Farm Park. The relationship between the proposals and the rest of the Farm Park is described elsewhere but, while in architectural terms they represent a change, it is considered that, in terms of potential impact on the landscape setting, the 'low in the landscape, single-storey approach' to developments within the Farm Park elsewhere has been maintained. These details are confirmed in Part 5.0.

(iii) The requirements of the Development Plan and Supplementary Guidance

Section 25 of the Town and Country Planning (Scotland) Act 1997 (as amended) dictates that a planning application should be determined in accordance with the adopted Development Plan unless there are other material considerations to justify otherwise.

Development Plan

- The Development Plan for the site is the South Ayrshire Local Development Plan 2, adopted August 2022
- National Planning Framework 4 (NPF4), Scottish Government, adopted 13 February 2023

Other Planning Policy Guidance and Advice

- Guidance: Rural Housing
- Guidance: Open Space and Designing New Residential Developments
- Guidance: Rural Business Procedure Note

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- Planning Advice Note 61 – Sustainable Urban Drainage Systems, Scottish Government, July 2001
- Planning Advice Note 68: Design Statements, Scottish Government, August 2013
- Planning Advice Note 72: Housing in the Countryside, Scottish Government, February 2005
- Planning Advice Note 77: Designing Safe Places, Scottish Government, March 2006
- Planning Advice Note 73 – Rural Diversification
- Planning (Scotland) Act 2019

Other Relevant Material Considerations

Economic Development

- Carrick Economic Development Strategy and Action Plan, South Ayrshire Council, 2008
- South Ayrshire Economic Development Strategy, 2013 – 2023
- South Ayrshire Strategic Economic Plan Vision 2020 – 2030, January 2021
- Ayrshire Growth Deal
- National Strategy for Economic Development

Landscape

- NatureScot Environmental Assessment: Landscaping, November 2019
- South Ayrshire Landscape Capacity Study – Appendix, Updated August 2018

Prepared for: Craig and Edna Rankin

South Ayrshire Local Development Plan 2

In our opinion, the relevant policies and our response to their requirements are as follows:

Part 1 – The Strategy

The Priorities of LDP2

B – Our Communities

Core Principle B1 *'recognises the importance of existing ... business locations (within and outside towns).'*

Core Principle B7

'We will support flexible growth within the Carrick Investment Area ...'

Heads of Ayr Farm Park is a major local example of 'flexible growth' within the Carrick Investment Area. The proposals are a direct requirement arising out of the operations of the Farm Park which, if approved, will help underpin its sustainability as a business.

Core Principle B8

'We will support the development of rural ... business development and diversification in appropriate locations.'

'Support proposals for new housing in the countryside that accord with Development Plan Policy and SG: Rural Housing.'

The proposals are compatible with the requirements of Core Principle B8.

C – Our Environmental Responsibilities

'... we will be mindful of our responsibilities for the protection of our natural ... resources'

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The proposals are located within the Brown Carrick Hills and Coast Local Landscape Area, and a Transition Area in respect of the Galloway and Southern Ayrshire Biosphere Reserve. As the details of the assessment of environmental impact contained elsewhere in this Report confirm, the proposals would not impact adversely on the requirements of these policies.

In addition, the Council's Environment and Conservation Mapping confirms that the proposals would not negatively implicate any of the categories shown. Among the Core Principles, C - 'Our Environmental Responsibilities' is underpinned by a number of points in relation to 'Rationale' arising out of a range of concerns identified during consultation. Those of relevance to the proposals are:

- **Damage to the environment and ecosystems.** The Report prepared by AECOM for the Council re the withdrawn application, together with the Ecology Survey prepared by JK Ecology, confirm that the proposals would have no measurable negative impact on biodiversity. There is no evidence to suggest that the proposals would result in a biodiversity deficit.
- **Impacts of development on landscape quality.** Evidence provided elsewhere in this Statement confirms that there would be no measurable impact on landscape quality, as described in NatureScot's LCT59.

Core Principle C1

The key one in relation to the proposals is:

- **Ensure Local Landscape Areas, the Coastare treated with due respect.** Information provided elsewhere in this Statement re NatureScot's LCT59 will describe that this has been achieved.

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The Strategic Policies

A number of these are relevant, namely:

- **B1. Support the principle of sustainable economic development**

As the Farm Park has developed, the range of on-site species has expanded significantly and is now a major contributor to its attractiveness as a destination, with the number of visitors per annum reaching 200,000.

The new, replacement Animal Isolation Unit will, in turn, make a significance to strengthening the Park's animal welfare infrastructure and thereby the sustainability of the business as a whole.

The new house will improve on-site accommodation and, although from a different perspective, will also strengthen the overall infrastructure of the Farm Park.

- **B8. Support for rural ... business development and diversification**

Heads of Ayr Farm Park is probably the most successful example of the diversification of a rural development in South Ayrshire.

- **A1. Support for the aims of the Ayrshire Growth Deal**

As part of the overall Heads of Ayr Farm Park, the replacement Animal Isolation Unit and new Manager's House would contribute, if indirectly, to the AGS's aspirations to develop tourism further.

- **B7. Support for flexible growth in Carrick ...**

The development forms part of a successfully developed business within the Carrick Investment Area. The proposals therefore comply with the requirements of the relevant Strategic Policies.

Prepared for: Craig and Edna Rankin

Strategic Policy 1: Sustainable Development

States that the Council: '*... will support the principles of sustainable development by making sure that development meets the following standards:*

- **Respects, protects and, where possible, enhances natural, built and cultural heritage resources**

The Council's Environment and Conservation Mapping confirms that the proposals are nowhere near any of these identified resources.

- **Protects and safeguards the integrity of designated sites**

The Council's Environment and Conservation Mapping confirms that the proposals would not impact negatively on any designated sites, even though they are relatively close to an SSSI/LWS. AECOM have suggested that biodiversity enhancement on the proposed site could be linked by tree/hedgerow planting outwith the site.

- **Protects peat resources and carbon rich soils**

No implications.

- **Does not have a negative effect on air or water quality**

It is anticipated that the proposals would have no measurable consequences for either.

- **Incorporates sustainable urban drainage and avoids increasing (and where possible reduces) risks of, or from, all forms of flooding**

SEPA Flood Maps indicate that the site is not in an area at risk from river or surface water flooding.

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SUDS

The proposed Manager's House and Isolation Unit will discharge surface water run-off from the roof to appropriately sized soakaways. In addition, the proposals are for landscaping surfaces to be permeable to facilitate free drainage.

- **Respects the character of the landscape and the setting of settlements**

The proposals are some 1 mile from the southern boundary of the settlement of Ayr. In terms of the 'setting of settlements', the more relevant relationship is with the rest of the Farm Park and therefore development to the immediate west.

In relation to potential impact on the character of the landscape, LDP confirms that the site falls within the Brown Carrick Hills and Coast Local Landscape Area. It is otherwise within SNH's Natural Landscape Character Assessment, Landscape Character Type 59 – Raised Beach, Coast and Cliffs.

Both Craig Tara Holiday Park and Heads of Ayr Farm Park are, in LDP2, Appendix B: Coastal Development shown as Intensively Developed 'enclaves' within a 'Partly Developed' overall context.

The guidelines for 'Intensive' state:

Intensive	Intensive coastal locations are outwith the primary urbanised resort areas, often in highly sensitive landscapes, but which can nonetheless absorb a high level of visitor pressure through comprehensively managed facilities. Dispersal of activities beyond current limits would need to be fully justified by developers/operators. Enhancement works to existing facilities which improve visual amenity will be encouraged. Sensitive development for the provision of recreation and tourism visitor facilities is encouraged. Given the particularly sensitive nature of the surrounding landscape, it is not expected that development will extend beyond the boundaries as detailed in the Coastal Strategy Diagram.
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In terms of scale and massing, as Planning Application Drawing Nos SL001 and SL002 supported by the photographs earlier confirm, the scale will be such that the proposals will not detract from visual amenity. Care has been taken to literally insert the structures into the topography and to position the building on the backslope of the high ground and use the slope to minimise the impact. In addition, siting the buildings in front of the existing tree belt 'skylining' will be avoided.

The proposed buildings are therefore low lying, although not of a traditional rural nature.

- **Respects and, where possible, contributes to the Central Scotland Green Network**

The Council has yet to publish its proposals in relation to the above.

- **Makes efficient use of land and resources**

LDP2 provides no guidance as to what 'makes efficient use' entails. Currently, the site is in grass.

- **Ensures appropriate provision for waste water treatment, avoids the proliferation of private treatment systems and connects foul drainage to the public sewerage system wherever feasible**

Waste water from the new Manager's House and Isolation Unit will discharge to the existing waste water treatment plant and secondary reed bed located to the east of the site as indicated on Planning Application Drawing No SL001.

- **Contributes to an efficient use of, or provision for, public services, facilities and infrastructure**

LDP2 does not define public services or facilities but infrastructure is described as including roads, sewers, schools and supplies of gas,

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water, electricity and other services needed to allow the development to take place.

The proposed development would not require additional infrastructure investment.

Water supply would be taken from the adjoining Farm Park supply. The property will not require a gas supply due to the use of renewables for heating and hot water. Mains electricity will come from the existing supply to the Farm Park. However, the use of PV panels and battery storage will minimise the reliance.

- **Embraces the principles of 'Placemaking' and the '6 qualities of Place'**

Details are to be found in Part 5.0 but the underlying objective has been to relate the proposals to 'the place' that contains the concentration of Farm Park buildings to the east.

- **Wherever possible, is in an accessible location, with opportunities for the use of public transport, and other sustainable transport modes including cycling and walking**

Details provided later in response to the requirements of LDP policy: land use and transport.

- **Designed to maximise energy efficiency through building siting, orientation and materials**

Details are to be found in Part 5.0.

- **Helps mitigate and adapt to the effects of climate change**

SEPA maps confirm that the site is not in a flood risk area. On-site soakaways, in addition to permeable landscape surfaces, will attenuate rainwater discharge coupled with additional tree planting along the

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western boundary to provide both additional screening and improve biodiversity.

- **Includes the use of micro-renewables, wherever appropriate**

Due to the southerly aspect, the proposal is to locate a PV panel array on the south-facing roof with a battery storage. This would be complemented with an Air Source Heat Pump to provide both hot water and heating loads.

- **Respects the Scottish Government's Zero Waste Objectives**

The Zero Waste Plan for Scotland proposes long-term targets for recycling 70% of Scotland's waste and only 5% of all waste ending up in landfill in 2025.

The intention is to use materials in the construction that either use recycled materials or that can be easily recycled at the end of life, for example, timber-frame construction, natural insulation products, stonework, recycled slate roofing, etc.

The proposals can therefore be confirmed as adhering to the principles of sustainable development as set out in this policy.

Strategic Policy 2: Development Management

- **Promote and facilitate the ability of LDP2 to deliver and achieve its aim to 'make the most of sustainable economic growth that is supported by sound social and environmental objectives'**

This is a wide-ranging criterion but, specifically, the proposals will, via the role they will play vis-à-vis the Heads of Ayr Farm Park business, contribute to sustainable economic growth.

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- **Are in accordance with the site's land use as defined in the Proposals Map**
The site falls within the Countryside but is also within Heads of Ayr Farm Park which has been designated an area of 'Intensive Development' in LDP2, Coastal Strategy.
- **Are appropriate in terms of layout, scale, massing, design and materials in relation to their surroundings and surrounding land uses**
The details can be found in Part 5.0.
- **Do not have an unacceptable impact on the amenity of nearby land uses, or committed development proposals (with Planning Permission or allocated LDP development sites)**
Planning Application Drawing No SL001 confirms that the proposals would not compromise the amenity of other, and in particular, housing developments.
- **Are appropriate to the local area in terms of road safety, parking provision and effects on the transport network**
These matters are dealt with later in response to the requirements of LDP policy: land use and transport.
- **Are designed in a way that helps prevent crime**
The location, approach and layout of the proposals offer good overseeing to all approaches. Furthermore, windows and doors will be to Secure by Design standard and the property will be fitted with a monitored security system.
- **Are not within Health and Safety Executive safeguarding zones if this would lead to increased risk or danger**
The proposed site is not within or near a safeguarding zone.

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- **Address issues of land instability where they are identified as being present on the site**
There are no known stability issues, either historically or currently, within the development site.
- **Make appropriate provision for all infrastructure implications of the development**
Refer to earlier comments re levels of provision.
- **Are located within a settlement boundary or otherwise justified by LDP subject-specific policies or locational need**
The site, while in the Countryside, is otherwise within the boundary of Heads of Ayr Farm Park, which falls within an area shown as 'Intensive' in LDP2, Appendix B: Coastal Development Strategy.
- **Includes open space and landscaping that is appropriate for the location and use of the proposed development**
Details are to be found in Part 5.0
- **Do not result in the loss of an area of maintained amenity or recreational open space unless allocated for development in the Policy and Proposals Maps**
The proposals would have no negative consequences for areas of maintained amenity or recreational open space.
- **If contrary to specific LDP policies are justified to our satisfaction, on the basis they are (1) of overriding community interest, or (2) will contribute significantly to the implementation of the Ayrshire Growth Deal or the regeneration of Ayr, and will have no significant adverse environment effects**
The proposals, in our opinion, are not contrary to LDP2 policies and, specifically, they have a significant role to play within the context of the Heads of Ayr Farm Park business.

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LDP policy: delivering infrastructure

The policy states that the Council will expect all new development proposals to include:

'a. All on site infrastructure which is directly related to the proposed use and is required to allow the effective operation of the proposed use ...'

Existing infrastructure is considered sufficient.

LDP policy: Galloway and Southern Ayrshire Biosphere

The site falls on the north-west margin of the Transition Zone. The proposed development is of a very small scale and is not likely to impact negatively on the objectives of this policy.

LDP policy: landscape quality

None of the *'features that contribute to local distinctiveness'* as listed a. to f. inclusive would be affected by the proposals. The site is on the north-western edge of the Brown Carrick Hills and Coast Local Landscape Area and also falls within SNH's National Character Assessment, Landscape Character Type 59. The guidelines provided by the latter in relation to new developments have been applied, together with those of LDP2, Coastal Developments.

LDP policy: the coast

The guidelines provided by the Coastal Strategy Diagram and Coastal Development Guidance (contained in Appendix B of LDP2) have been recognised, along with the advice provided by SNH's National Character Assessment (see above).

LDP policy: green networks

Refer to earlier comments.

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LDP policy: water environment

The proposals are relatively close to the Carwinshoch Burn but surface water discharge will be to soakaways adjacent to the property and waste water will be discharged to the existing waste water treatment and reed bed.

LDP policy: flood and development

The site is not within a flood risk area as defined by SEPA, is not on a flood plain or would involve land raising. Proposed SUDS are described earlier.

LDP policy: agricultural land

No part of the site is used for agricultural purposes.

LDP policy: air, noise and light pollution

The proposals would not '*... expose people to unacceptable levels of air, noise or light pollution*'.

LDP policy: low- and zero-carbon buildings

The proposals, as described in Part 5.0, are designed to be compliant with the requirements of Building (Scotland) Amended Regulations, 15 June 2022.

LDP policy: renewable energy

The proposals are designed to be compliant with the requirements of Building (Scotland) Amended Regulations, 15 June 2022.

LDP policy: natural heritage

The proposals would have no detrimental effect on designated sites. There are otherwise no features of conservation value. The overall aim, as described elsewhere, is to enhance the biodiversity within the site.

LDP policy: land use and transport

In response to the requirements of policy, it can be concluded that:

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- the application site is located in close proximity to well-established pedestrian routes to the east along the A719
- designated cycle routes pass along the A719 to the south of the application site
- existing bus stops are located on the A719 to the south of the application site, providing access to an hourly bus service
- the development proposals contain a number of on-site measures to enhance accessibility to the site
- the site lies in close proximity and with good access to both the local and strategic road networks

National Planning Framework 4 (NPF4)

On 13 February 2023, NPF4 became part of the statutory Development Plan.

Part 2 of NPF4 sets out the policies of the Plan. Many of the policies have interrelated objectives but, in our opinion, those that are of more direct relevance to the proposals are:

Sustainable Places

Policy 1: Tackling the climate and nature crises

This states that '*when considering **all** development proposals, significant weight will be given to the global climate and nature crises*'.

In relation to 'Policy impact', the proposals can be seen to be sustaining the objectives of 'Local living' by not resulting in travel to work requirements and 'Rural revitalisation'.

Policy 2: Climate mitigation and adaptation

Details to be found in Part 5.0, Proposals.

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Policy 3: Biodiversity

Policy Intent is *'to protect biodiversity, reverse biodiversity loss, deliver positive effects from development and strengthen nature network'*.

The Policy states that proposals for local development will include appropriate measures to conserve, restore and enhance biodiversity in accordance with national and local guidance.

In commenting on the now withdrawn Planning Application Ref No 23/00527/APP, the Planning Service instructed AECOM to undertake an Ecological Review of the proposals as they stood at the time and which remain substantially unaltered.

Out response to the outcome of the Review is detailed in Part 3.0 earlier. The current application includes an Ecology Survey prepared by JK Ecology which provides a response to the AECOM Review and this is also dealt with in Part 3.0 earlier.

The proposals aim to create an additional native species tree belt along the western and south-western edges of the site. This will not only provide shelter from the prevailing winds but also provide protection for additional shrub/ground cover underneath and help reinforce the existing tree belt along the old railway line, although these are currently outwith the red line boundary.

As stated earlier in response to the AECOM Review, the applicants are amenable to delivering ways of strengthening the potential green corridor to the north.

Policy 5: Soils

The Policy Intent is *'to protect carbon-rich soils ... minimise disturbance to soils from development'*.

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The policy states that development proposals will only be supported if they are designed and constructed to minimise the amount of disturbance to soils on undeveloped land. Otherwise however, development on prime agricultural land should, through LDPs, be supported if they are small scale and directly linked to a rural business.

Policy 6: Forestry, woodland and trees

Refer to response to Policy 3.

Policy 10: Coastal Development

The proposals are shown in SEPA maps to be unaffected by coastal flooding and would otherwise comply with the requirements of this policy.

Policy 12: Zero Waste

Section 5 of this Report notes the intention to use materials in the construction of the buildings which are natural and environmentally friendly, wherever possible, are sourced within Scotland the UK and can be easily recycled at the end of life.

Policy 13: Sustainable Transport

Refer to response to LDP2 policy: land use and transport earlier in this Statement.

Liveable Places

Policy 14, Design, quality and place

Response to the requirements of this policy is to be found in Part 5.0.

Policy 16: Quality Homes

Response to the requirements of this policy is to be found in Part 5.0.

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Policy 17: Rural Homes

The proposals are compatible with criterion (v), i.e.: *'... it is demonstrated to be necessary to support the sustainable management of a viable rural business ...to live permanently at or near their place of work.*

As confirmed elsewhere, the proposal 'is suitable in terms of location, access and environmental impact'.

Productive Places

Policy 26: Business and Industry

The proposals are intended to strengthen the viability/sustainability of a business that takes account of local economic strategies and is compatible with the surrounding area.

Policy 29: Rural Development

The Policy Intent is to encourage rural economic activity, innovation and diversification.

The proposals contribute to the strengthening of the sustainability of Heads of Ayr Farm Park as described elsewhere. The business is a prime example of innovation and diversification.

The proposals otherwise comply with the requirements of:

- 'a) Development proposals that contribute to the viability, sustainability and diversity of rural communities, etc will be supported, including:*
 - ii) diversification of existing businesses*
- b) Should be suitably scaled, sited and designed to be in keeping with the character of the area'*

They should also consider how the development will contribute towards local living and take into account the transport needs of the development as appropriate for a rural location.

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In our opinion, the proposals would comply with these requirements.

Guidance: Rural Housing

Previously accorded the status of Supplementary Guidance and therefore forming part of the Local Development Plan which marks a downgrading of materiality since the adoption of LDP2. Nevertheless, in constructing the proposals, reference has been made to this document.

Part 1 states that 'Guidance for new houses in rural areas is not intended to ensure only traditional design solutions will be acceptable. Contemporary design solutions will also be acceptable where they can demonstrate the principles of good design set out in the design guidance'.

A detailed response to the Planning Service's concerns about the approach taken to the scale and massing of the proposals is to be found in Part 3.0.

PAN 73: Rural Diversification

Heads of Ayr Farm Park, as a whole, is a particularly good example of sustainable rural diversification.

Economic Development Policy Context

The South Ayrshire Economic Development Strategy 2013 – 2023 confirms the need for improving economic growth with South Ayrshire performing at levels below the Scottish average. The Strategy also emphasises the need for further diversification and the need to foster an entrepreneurial culture. Heads of Ayr Farm Park delivers on both of these.

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Concerns were also expressed about the resilience of the South Ayrshire economy. The Farm Park is an important example of resilience, having grown and developed in the face of significant challenges to the local economy over the last fifteen years or so, and especially so more recently. It is a prime example of an injection of much-needed private-sector investment by an indigenous company.

The South Ayrshire Strategic Economic Plan: Vision 2030, June 2021, in its Introduction, details the challenges ahead for the economy. The Plan aims to '*create capacity to respond to economic shocks*'.

Heads of Ayr Farm Park with its innovatory approach to the development, in this instance of a tourist/leisure destination, but with a difference, has confirmed its agility to cope with change and robustly respond to '*economic shocks*'.

The proposals represent an upgrading of the Manager's House accommodation and the Animal Isolation Unit, both contributing to enhancing the viability and resilience of the business overall and thereby help to fulfil the ambitions of:

- Carrick Economic Development Strategy and Advice Plan
- Ayrshire Growth Deal

Prepared for: Craig and Edna Rankin

5.0 PROPOSALS

Part 5.0 is intended to provide/set out the response for which we consider to be the 'principal considerations' affecting any eventual development outcome, as set out at the beginning of Part 4.0 earlier.

Landscape Context

The broad landscape context and settlement pattern are described in Part 2.0, together with the detailed characteristics of the site. Part 4.0 identifies what, in our opinion, are the relevant policy considerations.

Concept

The proposals are for the erection of a single-storey detached Farm Park Manager's House alongside a dedicated Animal Isolation Unit positioned on the backslope of the high ground in the centre of the existing paddock.

Access to the dwellinghouse would be via the existing opening on the southern edge of the existing Nursery access road linking to the A719.

The proposals are indicated on Drawing Nos P001 and P002.

This is an in principle application and the details by implication are indicative. The opportunity has nevertheless been taken to provide sufficient information based on a detailed assessment of the landscape context, the site itself and the requirements of planning policy, etc to confirm that a development might be delivered here that is compatible with these requirements.

While the proposals have more directly been influenced than elsewhere within the Farm Park by the topography of the site and the aim to minimise the visual impact from the main road and approaches both west and east, the low

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in the landscape single-storey approach to the development with the Farm Park elsewhere has been maintained.

The overall aesthetic is therefore single storey, low-pitched roofs, broken roofscape to break up massing and a rural palette of materials, but expressed in a more modern manner, for example timber cladding with feature stone panels, slate roofing but with some feature grey zinc roofing to some areas and larger window openings to living areas to respond to the orientation and views.

Requirements of NPF4

In relation to the six qualities set out in NPF4, Policy 14, 'Design, quality and place', the indicative proposals address the points as follows:

Healthy: *Supporting the prioritisation of women's safety and improving physical and mental health.*

The proposals will be welcoming and fully accessible for both occupiers and visitors alike, with a close association to the adjoining landscape and the visual link to the existing Farm Park.

Pleasant: *Supporting attractive natural and built spaces.*

Proposed planting will screen the proposals from the prevailing weather but also increase the biodiversity of the site. The design of the building will provide sheltered spaces to the private amenity ground but also offer a close physical relation to the existing landscape.

Connected: *Supporting well connected networks that make moving around easy and reduce car dependency.*

Despite the fact that an Isolation Unit should not be close to other uses within the Farm Park, the new development will be easily walkable to the main complex. It will also have direct access to the A719.

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Distinctive: *Supporting attention to detail of local architectural styles and natural landscapes to be interpreted, literally or creatively, into designs to reinforce identity.*

The buildings have been designed in a more contemporary style whilst utilising traditional materials such as stonewalling, timber cladding and slate roofing.

The design and layout respond to its immediate setting by maintaining a low profile, orientated to maximise the views to the enhanced tree belt along the disused railway line whilst shielding the more private garden grounds from the prevailing weather.

The proposed planting along the south-western boundary will improve the biodiversity of the site as well as provide additional screening from both the weather and the approach from the south west.

Sustainable: *Supporting the efficient use of resources that will allow people to live, play, work and stay in their area, ensuring climate resilience, and integrating nature positive, biodiversity solutions.*

The building will be built to the highest level of thermal performance and air tightness coupled with sustainable energy generation via PV panels and heating via ASHP. Locating the Manager's House here along with the Isolation Unit will allow the redevelopment and refurbishment of the vacant buildings into additional accommodation for Farm Park managers and employees.

Adaptable: *Supporting commitment to investing in the long-term value of buildings, streets and spaces by allowing for flexibility so that they can be changed quickly to accommodate different uses as well as maintained over time.*

By relocating the Senior Manager's House and the Isolation Unit outwith the existing Farm Park complex allows the vacant buildings to be adapted to the changing demands of the business going forward.

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Landscaping and Parking

Positioning the building on the backslope of the high ground allows the building to be built into the slope, thereby reducing its visual impact on approaches. In addition, the cut material will be used to form stepped landscaping terraces off the main living areas to the north while retaining walls to the south, into the slope will demark parking and access routes, both for the House and the adjoining Isolation Unit and afford a degree of privacy and screening, both for the manager, staff and animals using the buildings.

The proposed Landscape Plan is shown in the Planning Application Drawing No SL002 in the Appendix.

Structural Considerations

The proposed new dwellinghouse would likely be timber-frame structure sitting on masonry underbuilding, bearing on reinforced concrete strip foundations.

The roof structures would be prefabricated or engineered timber trusses supported directly by the timber kits.

Sustainability and Energy Efficiency

The aim would be to achieve, as a minimum, an EPC rating of Band A. To reduce heating loads, the walls, floors and roofs of the new build housing would be heavily insulated with triple-glazed windows to minimise heat losses.

The proposals would utilise micro-renewable technology and with potentially, specifically, an air source heat pump providing hot water and underfloor heating.

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Designs would incorporate PV panels on the south-facing roof slopes.

Foul Sewerage

The dwellinghouse would be served by private foul water discharge to a primary and secondary treatment plant, with surface water linked to either on-site soakaways.

Both foul and surface water systems would be developed with a suitably qualified drainage consultant at subsequent stages in accordance with Scottish Water, SEPA and SAC requirements.

Materials

Although the proposals are indicative at this stage, the following is suggested:

New dwellinghouse

Substructure:

- Insulated ground-bearing concrete slab with concrete strip founds and masonry underbuilding

Superstructure (including Roof Panels):

- Prefabricated timber-panel system with high-performance woodfibre wool insulation supplemented with woodfibre insulation internally

External Finishes (Wall):

- Silicone-based wet dash render system or natural stone walling panels to new dwellinghouse with feature panels in sustainable, Scottish-sourced timber boarding.

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External Finishes (Roof):

- Recycled slate roofing with feature dark grey zinc standing seam roofing panels.

Windows and Screens:

- Timber triple-glazed high-performance windows exterior

Electricity, Heating and Hot Water:

- Mains electricity
- Air source heat pump: underfloor heating and hot water storage
- MHRV system
- PV panels on south-facing roofs with battery storage

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6.0 SUMMARY / CONCLUSIONS

(a) Economic Significance

- The South Ayrshire Economic Development Strategy 2013 – 2023 confirms the need for improving economic growth, with South Ayrshire consistently performing at levels below the Scottish Average

The Strategy also emphasises the need for further diversification and the need to foster an entrepreneurial culture.

Heads of Ayr Farm Park has delivered in respect of both and, provided that the realisation of further opportunities will be encouraged and supported, will continue to do so. The Farm Park opened in May 1993 and has been subject to an ongoing diversification process since then.

- The Strategy also expressed concerns about the resilience of the South Ayrshire economy. The Farm Park is an important example of resilience, having grown and developed when frequently overall economic circumstances have posed significant challenges
- **The importance of the proposals' contribution to the further strengthening of the robustness of the overall operation of the Farm Park therefore cannot be underestimated**
- The Farm Park is a prime example of an ongoing investment by a locally owned and locally rooted company with a commitment to the local area
- The South Ayrshire Strategic Economic Plan: Vision 2030, in its Introduction, details the challenges ahead for the economy. The

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Plan aims to '*create capacity to respond to economic shocks*'. Heads of Ayr Farm Park, with its widely recognised innovatory approach, has confirmed its agility to cope with change and robustly respond to '*economic shocks*' which have, in reality, been virtually ongoing for up to fifteen years

- The Ayrshire Growth Deal emphasises the need to enhance '*the existing tourism offer*' to make Ayrshire a highly desirable destination
- South Ayrshire Local Development Plan 2 confirms that 13% of those in employment have jobs in tourism and states that: '*We will look favourably on proposals which will provide or improve tourist and leisure infrastructure and we will support keeping and improving existing significant leisure, recreation and tourist facilities*'
- Heads of Ayr Farm Park, with its 200,000 visitors per annum, providing 37 full-time and 80 part-time jobs, is quite clearly a significant leisure/tourist facility, with an ongoing improvement programme of which the proposals form an important part

As a consequence of the significant and continuing increase in both the number and range of exotic species, animal welfare requirements have become more complex through need for care on a 24/7 basis and has otherwise intensified.

- Heads of Ayr Farm Park has been one of the major economic development success stories in South Ayrshire. The winner of a range of awards, the most recent of these being the NFAN's Large Farm Attraction of the Year award 2022. Specifically recognised by the Scottish Parliament and Westminster as an asset to the community and local tourism, the facility cannot 'stand still' and

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further investment of the kind mentioned in this report is required, albeit within sustainable limits

- With its origins in a traditional farm in the countryside, the Farm Park represents one of the most successful examples of rural diversification in Ayrshire

The overall context for these proposals is set out in the Heads of Ayr Farm Park Development Context Statement, January 2023, which forms part of this application.

(b) Emerging Housing Requirement

- While the new House would provide accommodation for the overall manager, who currently would be the applicant and who is one of the company directors, three other directors are employed full-time in the various activities located within the Farm Park. Currently, the situation is therefore that all three are required to travel to work. Ideally, all three would be housed within the Farm Park. The construction of the Manager's House and the Isolation Unit would allow occupation by one of them of the vacated Farmhouse.

(c) The Proposals

- Currently, the existing 'Manager's House', i.e. Laigh Kyleston Farmhouse, and current Animal Isolation Unit are not adjacent.
- It is generally agreed that inevitably the eventual outcome regarding any proposal is influenced/underpinned by a range of considerations.

The principal ones in this case are:-

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- (i) the characteristics of the site, its location and setting within the broader and immediately surrounding landscape/ countryside
 - (ii) the characteristics of the pattern of development in this part of the countryside
 - (iii) the requirements of the Development Plan and Supplementary Guidance, and
 - (iv) where applicable, relevant Material (planning) Considerations
- On 22 September 1992, consent for 'Change of use of agricultural land and outline planning permission to form Children's Farm' was granted, Planning Application Ref No P/92/0708. This was for the area shown in Fig 1
 - In terms of planning policy, the Farm Park, along with Craig Tara, are in LDP2 Appendix B: Coastal Development – Intensively Developed. While LDP2 policy elsewhere confirms that encouragement will be given to improving existing significant tourist facilities, Appendix B refers to the likely sensitive nature of the landscape surrounding 'Intensively Developed'
 - In this regard, most of the Farm Park buildings were traditional farm buildings pertaining to Laigh Kyleston and all have been relatively low. The only relatively significant new development in the interim has been the Nursery/Nursery Extension and, in terms of its scale, massing, etc., guidance was provided by the farm/former farm buildings to the east
 - The current proposals similarly, therefore, are being guided substantially by the predominance of low-lying structures

Like any development, the proposals have been influenced to a degree by the topography of the site. The aim has been to

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minimise the visual impact from the main road and approaches both west and east. The low in the landscape single-storey approach to the development within the Farm Park elsewhere has been maintained.

- Although not entirely traditional in concept, the Council's Rural Housing policy allows for more contemporary solutions as long as the principles of good design have been adhered to, as has been the case, in our opinion, here

The overall aesthetic is therefore single storey, low-pitched roofs, broken roofscape to break up massing and a rural palette of materials, but expressed in a more modern manner, for example timber cladding with feature stone panels, slate roofing but with some feature grey zinc roofing to some areas and larger window openings to living areas to respond to the orientation and views.

(d) Choice of Location

- Scrutiny of the area within the boundary shown in Fig 2 confirmed the absence of suitable alternative locations that could satisfactorily accommodate the dual requirements of the House and Animal Isolation Unit

Two of the underlying locational requirements have been that, because of the 24/7 operational needs of the Isolation Unit, a new building would need to be close to the Manager's House.

At the same time, the Isolation Unit required to be – as the name suggests – isolated.

Fig 2 confirms that the vast bulk of the defined area of the Farm Park shown in Fig 1 is in operational use, the exception being a

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relatively small area within the extreme north-west corner. Satisfying, as it does, the precise locational requirements, it was concluded that this is where the proposals would be located.

APPENDIX

to accompany:

**PLANNING, DESIGN AND ACCESS STATEMENT (PDAS)
IN SUPPORT OF PLANNING APPLICATION FOR
THE ERECTION OF A MANAGER'S HOUSE AND
REPLACEMENT ANIMAL ISOLATION UNIT
ON LAND WITHIN HEADS OF AYR FARM PARK,
DUNURE ROAD, AYR, KA7 4LD**

**PREPARED ON BEHALF OF
CRAIG AND EDNA RANKIN,
HEADS OF AYR FARM PARK,
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February 2024

Appendix to Accompany Planning, Design and Access Statement (PDAS) in Support of Planning Application for the Erection of a Manager's House and Replacement Animal Isolation Unit on Land within Heads of Ayr Farm Park, Dunure Road, Ayr, KA7 4LD

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- ***Planning Application Drawing Nos SL001 – SL003 and P001 – P002***
- ***The Proposals – Early Concept Drawings***

Appendix to Accompany Planning, Design and Access Statement (PDAS) in Support of Planning Application for the Erection of a Manager's House and Replacement Animal Isolation Unit on Land within Heads of Ayr Farm Park, Dunure Road, Ayr, KA7 4LD

Prepared for: Craig and Edna Rankin

Planning Application Drawing No SL001: Location Plan



<p>HOUSON ARCHITECTS</p>		<p>The Client: Craig Rankin Edna Rankin Ayr, KA7 4LD</p>		<p>Project: Development options at Heads of Ayr Farm Park South Ayrshire</p>		<p>Job No: 2206</p>		<p>Drawing: Site location plan</p>		<p>Job No: SL001</p>		<p>Rev: A</p>	
<p>HOUSON ARCHITECTS</p>		<p>Project: M. Craig Rankin</p>		<p>Sheet: 1 of 1</p>		<p>Scale: 1:2000</p>		<p>Client: 1-2000</p>		<p>Date: 12/03/2022</p>		<p>Author: EJ</p>	

Notes:

- 1. This drawing is for information only and does not constitute a contract.
- 2. The client is responsible for ensuring that all necessary permissions are obtained.
- 3. The client is responsible for ensuring that all necessary permissions are obtained.
- 4. The client is responsible for ensuring that all necessary permissions are obtained.
- 5. The client is responsible for ensuring that all necessary permissions are obtained.

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Planning Application Drawing No SL002: Proposed Site Plan – Scale 1:500



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Planning Application Drawing No SL003: Proposed Site Plan – Scale 1:1000

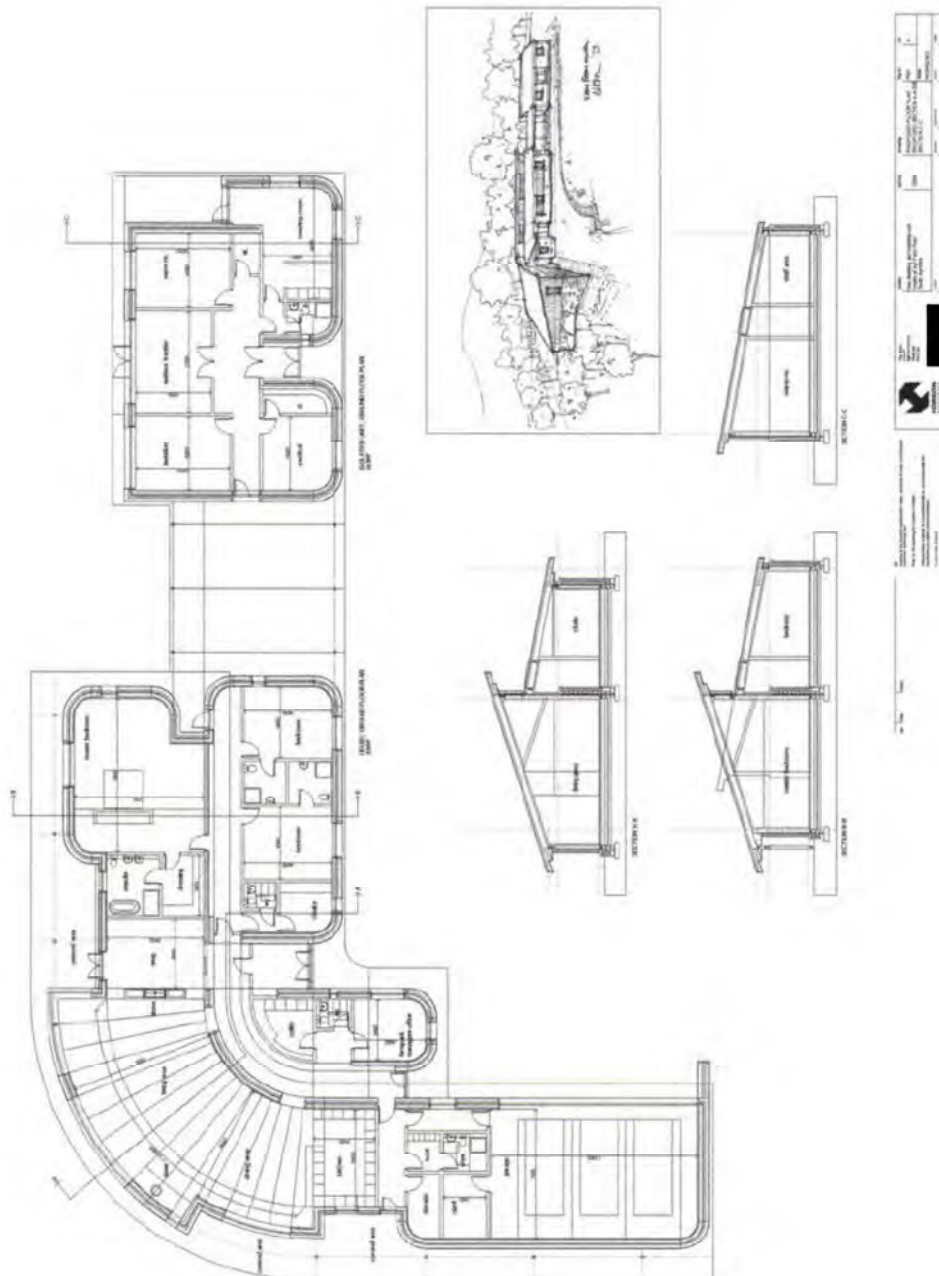


<p>Project: Development options at Heads of Ayr Farm Park, South Ayrshire</p> <p>Client: Mr Craig Rankin</p>		<p>Job no: 2204</p>	<p>Drawing: PROP SITE PLAN</p>	<p>Dwg no: SL003</p>	<p>Rev: A</p>
<p>Author: [Redacted]</p> <p>Check: [Redacted]</p> <p>Drawn: [Redacted]</p> <p>Scale: 1:1000 @ A3</p> <p>Date: Feb 2022</p>		<p>Drawn: [Redacted]</p>	<p>Checked: [Redacted]</p>	<p>Scale: 1:1000 @ A3</p>	<p>Date: Feb 2022</p>
<p>HOBSON PLANNING & DESIGN</p>					

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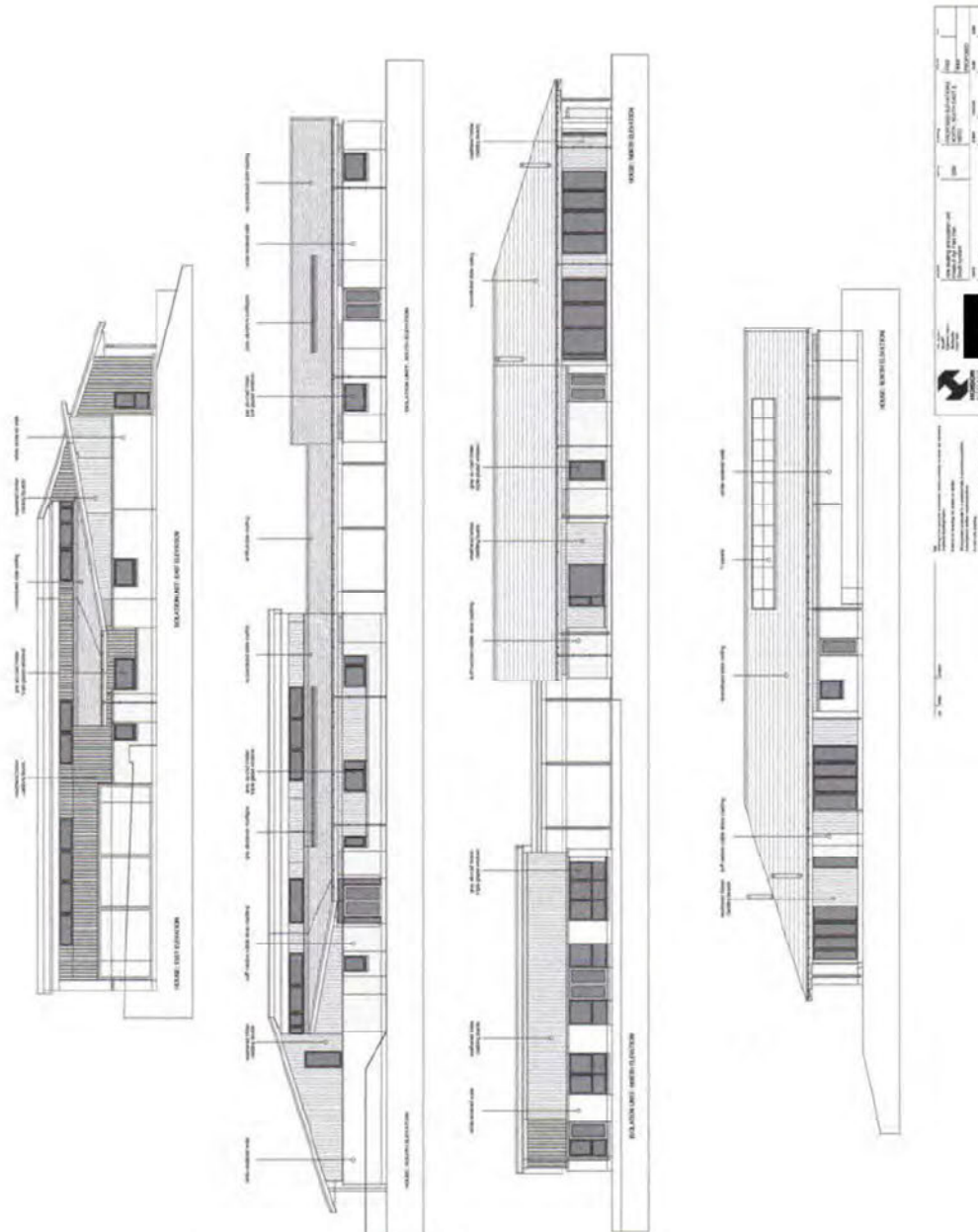
Planning Application Drawing No P001: Proposed Floor Plan and Sections



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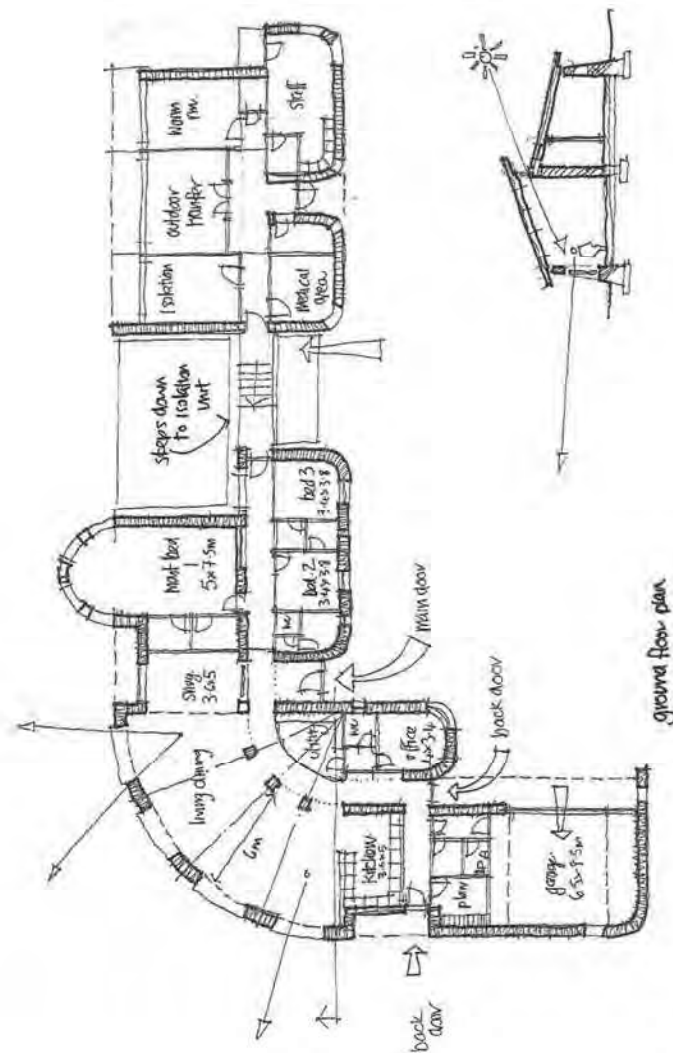
Planning Application Drawing No P002: Proposed Elevations



Appendix to Accompany Planning, Design and Access Statement (PDAS) in Support of Planning Application for the Erection of a Manager's House and Replacement Animal Isolation Unit on Land within Heads of Ayr Farm Park, Dunure Road, Ayr, KA7 4LD

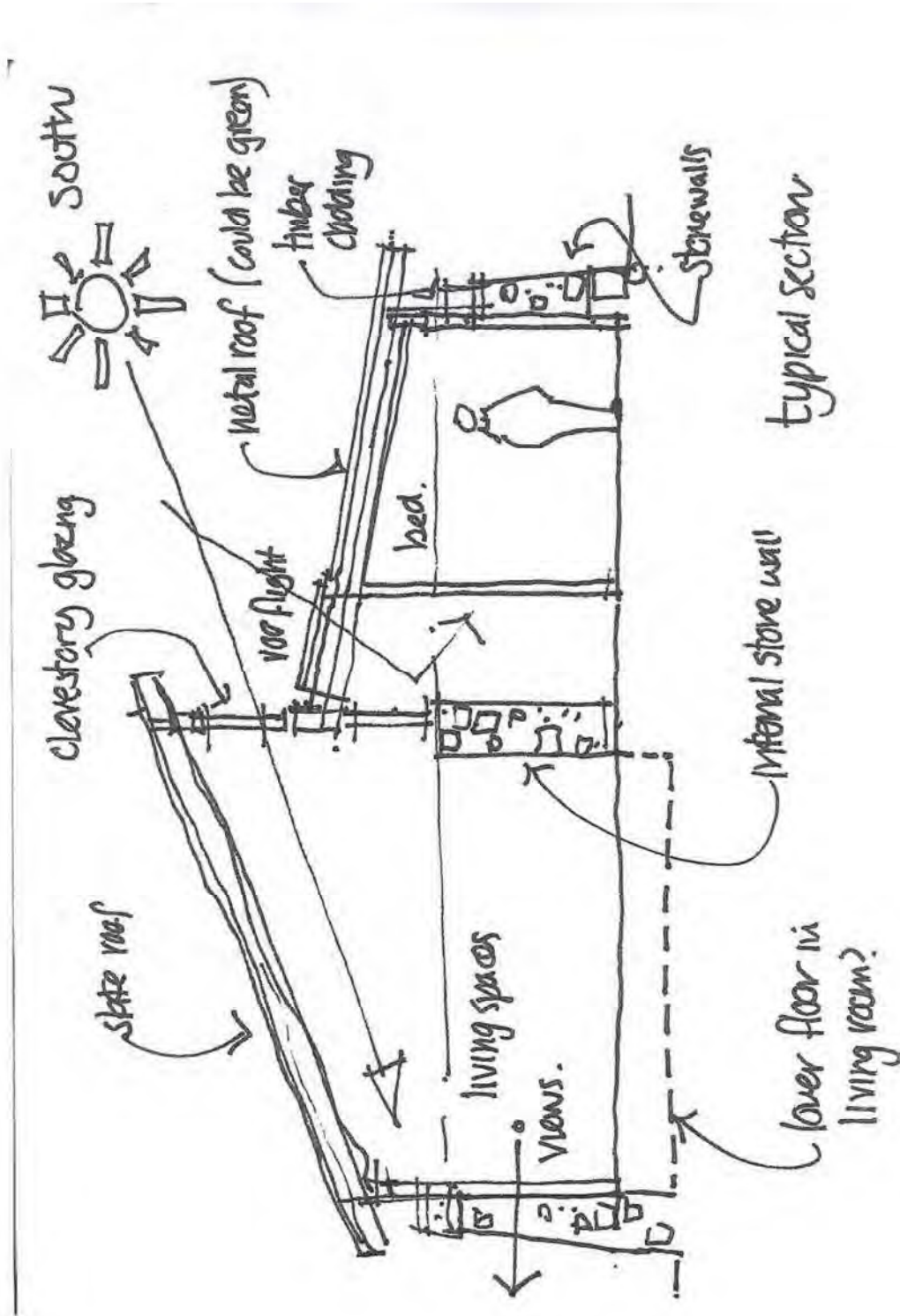
Prepared for: Craig and Edna Rankin

Early Concept Sketches



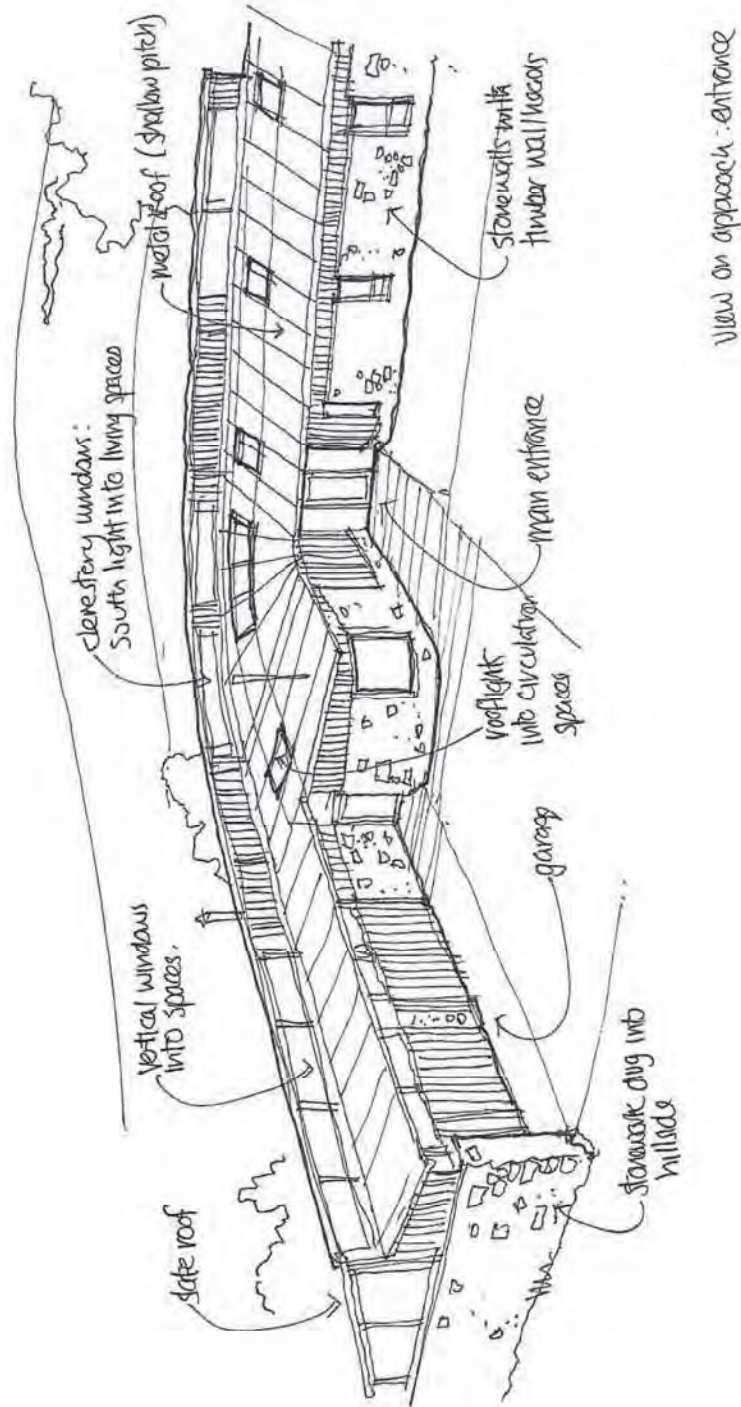
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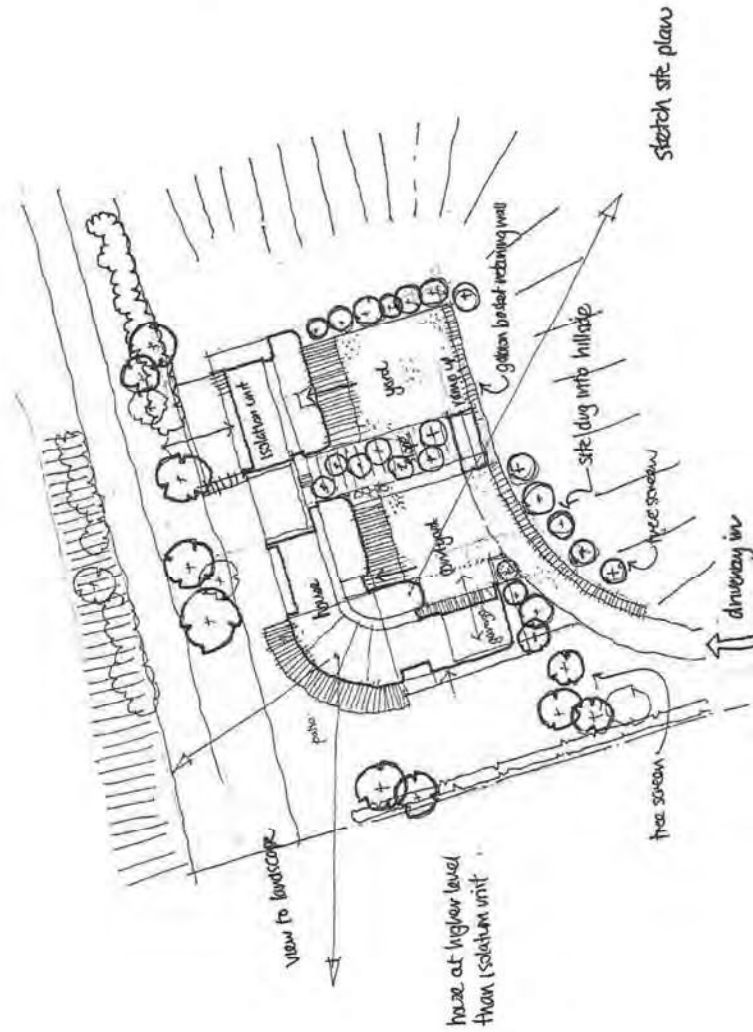
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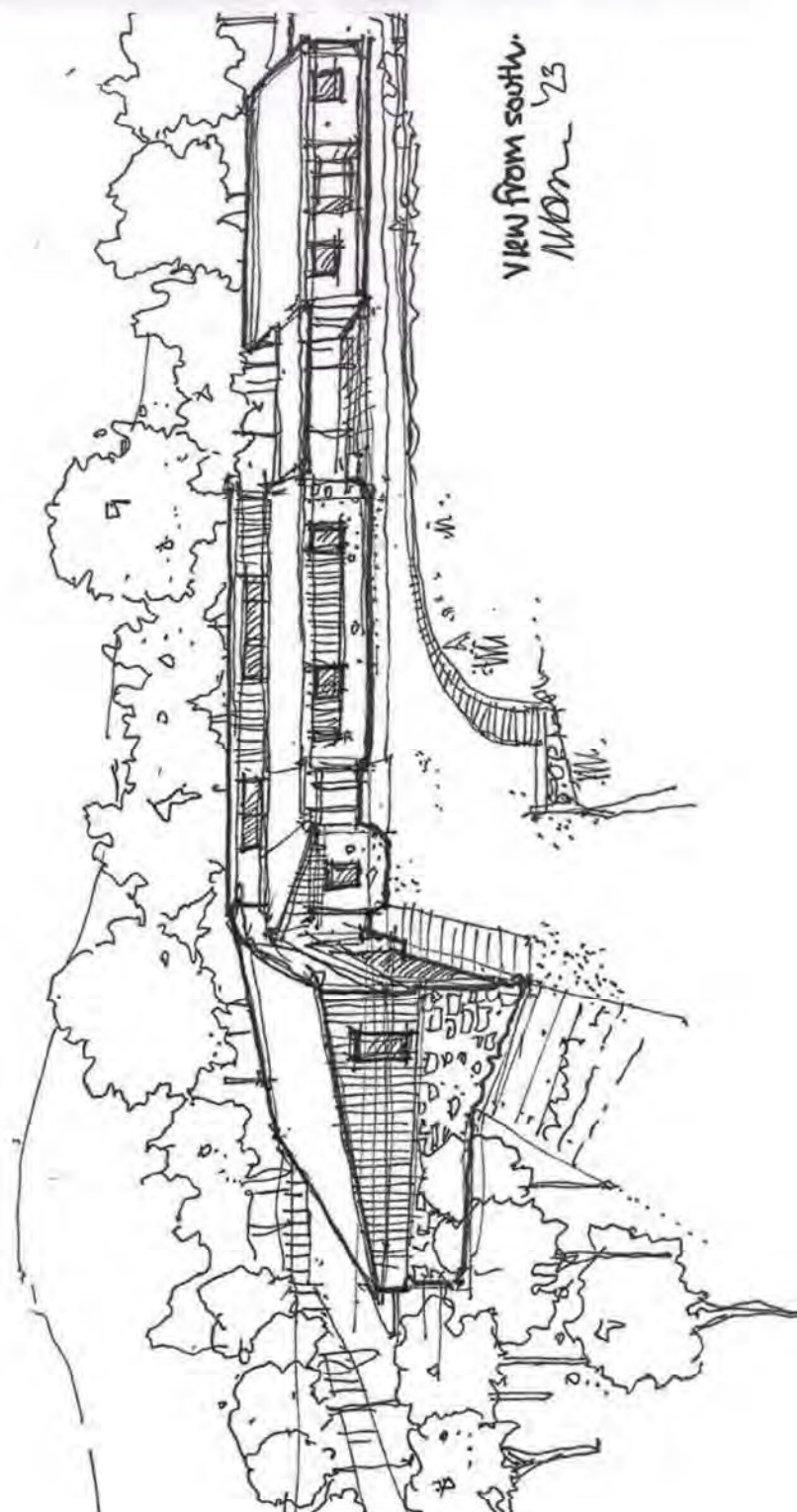
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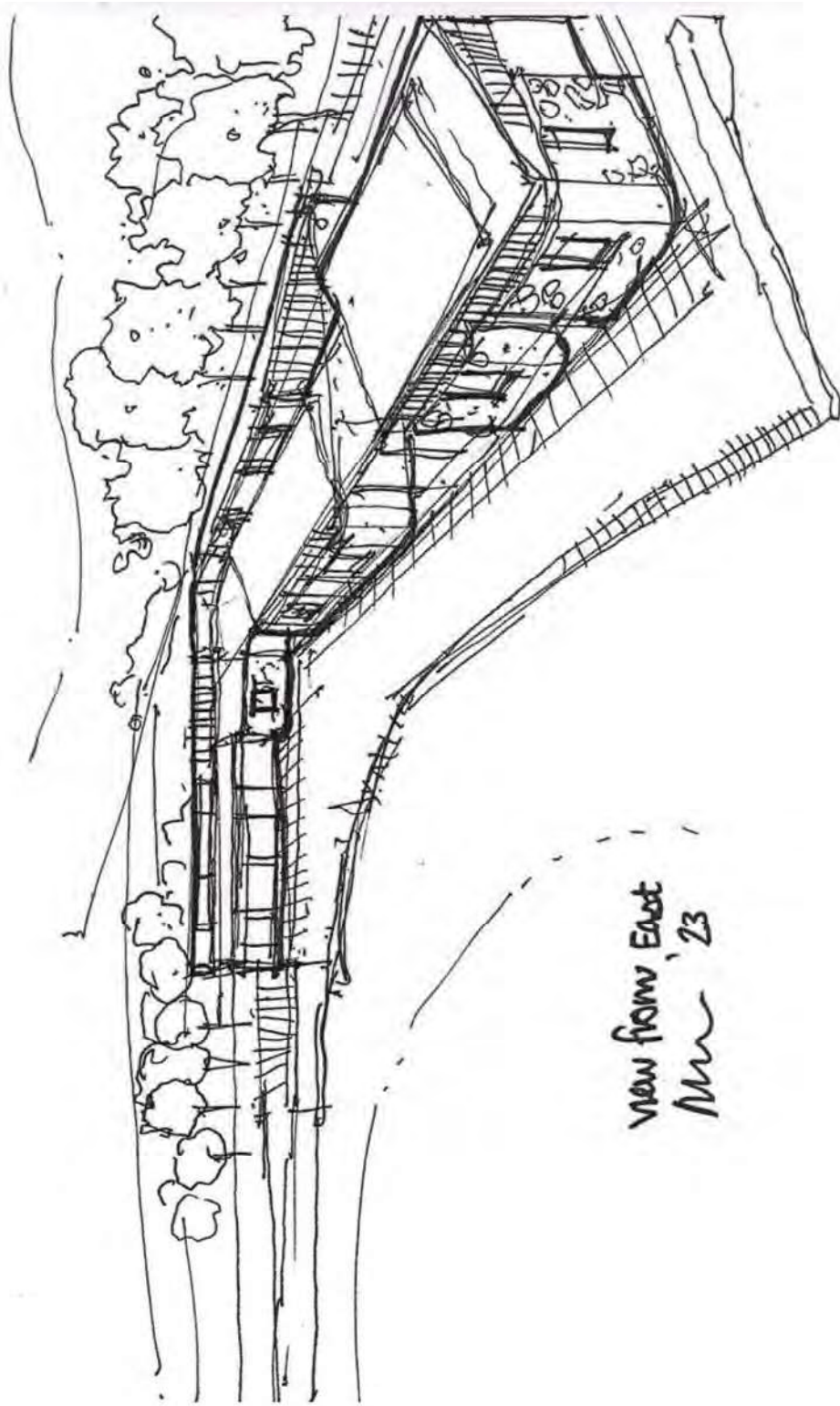
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Heads of Ayr



Ecology Survey

October 2023





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Gus Keys



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1 Introduction

JK Ecology Ltd. was commissioned by Heads of Ayr Farm Park Ltd. (the 'Client') to undertake an ecology survey of land at Laigh Kyleston Farm, Heads of Ayr, South Ayrshire. The site (hereafter the 'Proposed Development') is located on agricultural land adjacent to Heads of Ayr Farm Park, west of Doonfoot (central Ordnance Survey Grid Reference of NS 29405 18096).

A planning application for the erection of a dwelling house and replacement animal isolation unit at the farm was submitted (*23/00527/APP: Erection of dwellinghouse and replacement of animal isolation unit at Laigh Kyleston Farm, A719 from Dunure Road Ayr to Ayr Road Fisherton, KA7 4LD*) and an ecological review the planning application was undertaken in August 2023 by AECOM at the request of South Ayrshire Council (*Ecological Review of 23/00527/APP: Erection of dwellinghouse and replacement of animal isolation unit at Laigh Kyleston Farm, A719 from Dunure Road Ayr to Ayr Road Fisherton, KA7 4LD*).

The Proposed Development is comprised of grazed agricultural grassland surrounded by improved agricultural land on all sides.

1.1 Background

The Proposed Development will seek to develop a dwelling house and animal isolation unit at Heads of Ayr Farm. Site plans are presented in Appendix A. No previous ecological reports are known at the time of completing this report.

1.2 Scope of report

This ecological survey and has been undertaken following recommendations received from AECOM following their review of the planning application on behalf of South Ayrshire Council dated 2nd August 2023. This states that:

'An ecological survey of the site of the Proposed Development and surrounding area should be carried out to confirm the presence or likely absence of protected or notable habitats and species. If protected / notable ecological features are identified which could be subject to adverse effects from the Proposed Development, appropriate mitigation should be provided. The results of this work should be reported to South Ayrshire Council in a suitable report'.

1.3 Relevant legislation and policy

The report has been compiled with reference to the following relevant nature conservation legislation.

- ☑ The Conservation (Natural Habitats, &c.) Regulations 1994 (as amended);
- ☑ The Wildlife and Countryside Act 1981 (as amended) (WCA);
- ☑ The Protection of Badgers Act 1992;
- ☑ Nature Conservation (Scotland) Act 2004;
- ☑ Wildlife and Natural Environment (Scotland) Act 2011;
- ☑ Protection of Wild Mammals (Scotland) Act 2002;
- ☑ Scottish Biodiversity List (SBL);
- ☑ 2020 Challenge for Scotland's Biodiversity (Scottish Government, 2013); and
- ☑ Ayrshire Local Biodiversity Action Plan (LBAP) 2008.

2 Methods

2.1 Overview

This report has been prepared following current good practice guidance published by the Chartered Institute for Ecology and Environmental Management (CIEEM, 2017).

The ecological survey encompassed the footprint of the Proposed Development and surrounding area including:

- ☑ tree and scrub habitat north of the Proposed Development; and
- ☑ improved grassland and arable fields surrounding the Proposed Development to the north, east and west.

The survey was undertaken by Ecologist Gus Keys (MCIEEM) of JK Ecology Ltd on 25th October 2023.

The area was assessed for signs of ecological constraints, such as potential nesting bird habitat, Invasive Non-Native Species (INNS), high value trees, potential bat roost features, and signs of protected mammals such as badger and red squirrel.

2.2 Desk study

Although a desk study was undertaken by AECOM as part of their ecological review, a brief desk study was also carried out by JK Ecology to inform the survey, using freely available maps and data sources, including the following:

- ☑ NatureScot's SiteLink online mapping portal was used to search for nature conservation sites in the area;
- ☑ The South Ayrshire Council website was searched for information relating to Tree Preservation Orders (TPOs) and other designated sites in the area; and
- ☑ The Ancient Woodland Inventory Scotland was checked for the presence of designated Ancient Woodland in the area.

2.3 Limitations

Ecological surveys are limited by a variety of factors which affect the presence of fauna such as season, climate, migration patterns and species behaviour. Even though evidence of a species is not always discovered during the survey, this does not mean that such a species is not present.

The survey met the following constraints:

- ☑ The survey was undertaken outwith the optimal period for vegetation growth which restricted the identification of some species; and
- ☑ The assessment of trees for their suitability for roosting bats was a ground-level tree assessment – no at-height inspections were undertaken.

3 Results

3.1 Desk study

3.1.1 Designated sites

The previous ecological review of the planning application undertaken by AECOM identified designated sites within the local area. Maidens to Doonfoot Site of Special Scientific Interest (SSSI) lies approximately 250m north of the Proposed Development. The SSSI is also designated as Goatsgreen to Katie Gray's Rocks / Dunure to Drumblane Burn Local Wildlife Site (LWS) by South Ayrshire Council.

There is a limited connectivity between the Proposed Development and the SSSI, with the only connecting features being scattered scrub and a broken line of mature trees.

3.1.2 Ancient woodland

An area of designated Ancient Woodland, of semi-natural origin, is situated several kilometres west of the farm, but this has no connectivity with the Proposed Development.

3.1.3 Tree Preservation Orders

The closest TPOs are located on the edge of Alloway approximately 2km east of the farm. There are no TPO trees within in the area immediately surrounding the Proposed Development.

3.1 Survey results

Photos and target notes referenced below can be found in Appendices B and C respectively.

3.2.1 Habitats

The main habitat type on the Proposed Development is improved grassland of low species diversity (Photo 1, TN1). The sward is short and well-grazed by livestock, making identification of grass species was more difficult, but the flora appears to consist largely of common agricultural species. Vascular plants present include meadow buttercup and ribwort plantain.

Arable and improved grassland fields surround the Proposed Development on all sides, with livestock present in several of them at the time of survey (Photos 2 and 3). Improved pasture to the north and east showed a similar species make-up and diversity to that present within the Proposed Development.

A line of mature and semi-mature trees and scrub is present immediately north of the Proposed Development along the line of a disused railway embankment (Photo 4, TN2). This links to areas of woodland and scrub present to the east along the disused railway line. Although this was described as "*mature woodland*" within AECOM's ecological review, this was found to be a treeline with heavily grazed pasture below, offering no understory or woodland structure, limiting its biodiversity value. Ash and hawthorn are the two dominant species present, and the majority of the ash trees inspected during the survey showed signs of ash dieback disease (*Hymenoscyphus fraxineus*), a fungus which is projected to kill up to 80% of ash trees in the UK. The ground flora along the railway line consists of a short grassy sward, with regular patches of nettles.

Scattered scrub and a line of beech trees are present along part of the fenceline running north from the Proposed Development, but these are not directly connected to it (Photo 5, TN3).

The adjacent Heads of Ayr Farm Park which is situated to the east of the Proposed Development consists of a mix of amenity and improved grassland as well as scattered trees.

3.2.2 Protected and notable species

Bats

A total of nine ash trees along part of the disused railway immediately north of the Proposed Development have potential bat roost features present within them, such as holes, cracks and other cavities (Photos 6-14, TNs 4-12). All features identified were of a size and extent that they are likely to only be used opportunistically by small numbers or individual bats in the 'active season' (April to September inclusive).

A diseased, almost dead ash tree with potential bat roost features is situated approximately 3m from the northern boundary of the Proposed Development and approximately 10m from the closest area of any construction works (TN12). A semi-mature ash with potential roost features was located approximately 5m from the Proposed Development fence line, but more than 10m from the closest area of any construction works (TN11). The remaining seven trees with potential roost features are located approximately 20-30m from the Proposed Development boundary.

Bats require suitable habitats to commute to and from their roost sites and foraging areas, often following linear features in the landscape such as lines of trees, hedgerows or stone walls. Trees and scrub along the disused railway offer a potential commuting and foraging route to more valuable habitats such as woodland to the east of the Proposed Development, and a discontinuous route is present along scattered scrub and a broken line of mature trees to woodland to the north and northeast, mostly within Maiden and Doonfoot SSSI.

Protected mammals

No signs of protected mammals such as badger were found during the survey. The surrounding habitat looks suitable for badger, particularly in larger areas of woodland to the east and north of the Proposed Development, and suitable foraging habitat is present in fields surrounding the site.

Digging signs and numerous burrows were present along the northern edge of the disused railway embankment, but these were identified as rabbit burrows (Photo 15, TN13).

Amphibians and reptiles

The habitat present within the Proposed Development and surrounding land is mostly unsuitable for reptile and amphibian species, being either arable land or grazed by livestock.

Birds

No bird species were observed using the land within the Proposed Development. The only notable species recorded during the survey were starling and mistle thrush, both Red-listed Bird of Conservation Concern (BOCC), which were recorded flying over and feeding in the arable field immediately to the west. Several other common species, often associated with farmland habitats were recorded in fields, trees and scrub adjacent to the Proposed Development including brambling, goldfinch, chaffinch, robin and black-headed gull.

The land within the Proposed Development is unlikely to offer any suitable habitat for nesting birds but trees and scrub immediately to the north and northeast offer nesting opportunities to a range of common farmland species as well as red-listed species such as starling. While not seen during the survey, there is the potential for yellowhammer and linnet (both Red-listed BOCC) to nest in scrub habitat present along the disused railway line to the east.

Invasive Non-Native Species (INNS)

No INNS were recorded during the survey.

4 Discussion and Recommendations

4.1 Designated sites

The Proposed Development does not overlap with any statutory or non-statutory designated sites.

4.2.1 Statutory designated sites

The desk study identified one designated site of national importance approximately 250m from the Proposed Development. Maidens to Doonfoot SSSI is designated for its maritime cliff, shingle and upland mixed ash woodland habitats, and its invertebrate assemblage. A broken line of trees and scattered scrub are present along a fence line running north from the western boundary of the Proposed Development, providing a very limited connection to the SSSI. Given this weak linkage, the SSSI is very unlikely to be impacted by the Proposed Development.

4.2.2 Non-statutory designated sites

The desk study identified a non-statutory designated sites of nature conservation interest within 250m of the farm. Goatsgreen to Katie Gray's Rocks / Dunure to Drumblane Burn LWS overlaps the Maidens to Doonfoot SSSI boundary and there is a limited connection between the Proposed Development and LWS, as described above. However, the LWS is very unlikely to be impacted by the Proposed Development.

4.3 Habitats

There are no notable or priority habitats present within or around the Proposed Development and are therefore do not pose a constraint.

Areas of improved grassland and arable surrounding the Proposed Development are likely to provide only limited value for biodiversity. Adjacent areas of trees and scrub are likely to offer nesting and foraging opportunities for birds, invertebrates and potentially, roosting and foraging bats.

4.4 Protected and notable species

4.4.1 Bats

The Proposed Development offers limited habitat for foraging bats, although there are adjacent linear features leading to more valuable woodland habitats in the wider area. A total of nine mature and semi-mature ash along the disused railway north of the Proposed Development were identified as having potential roost features present which could support individual bats or small numbers of bats in the active season. None of the mature hawthorn along the disused railway line had any potential roost features present. There are no trees located within the Site and there is no risk of potential bats roost being destroyed by the Proposed Development.

However, due to the level of grazing by livestock along the disused railway line, and the presence of improved agricultural fields surrounding the Site, the line of trees and scrub immediately north of the Proposed Development are likely to be sub-optimal to roosting and foraging bats.

Noise disturbance in relation to bat roosts adjacent to construction works is difficult to quantify. Noise is generally airborne in nature and, depending on frequency and duration, can cause

disturbance to roosting bats. In addition, noise associated with house building is not likely to be of a constant nature or frequency and are likely to reduce over time as construction works progress. This is likely to be the case where works are internal, rather than external, providing an element of soundproofing between the works and any potential bat roosts.

Seven of the trees identified as having potential roost features present are located approximately 20-30m from where construction phase works from the Proposed Development would take place (TN4-TN10), and therefore at low risk of disturbance.

The remaining two trees with potential roost features sit closer to the boundary of the Proposed Development; a diseased, mature ash is located close to the boundary fence, approximately 10m from the Proposed Development (TN12), and a semi-mature ash sits approximately 15m from the Proposed Development (TN11). While any bats utilising either of these trees for roosting would be closer to construction works associated to the Proposed Development, it is unlikely that any potential bat roosts would be at a significant level of disturbance.

There is a risk that the diseased ash tree (TN12) could suffer from further limbs falling from the tree, or even failure of the whole tree given its current condition. From a health and safety perspective (particularly if the Proposed Development is granted planning approval) the Client reports that it may be necessary to fell the tree. An alternative option would be to monolith the tree - removing the branches and main limbs to leave the trunk in situ as standing deadwood and at a reduced risk of falling. Felling has the potential to result in the destruction of a bat roost and therefore a pre-felling endoscope check by a licenced bat specialist is required prior to works to confirm the absence of roosting bats or their signs. Any works to monolith the tree would retain the features with bat roost potential if occupied during the 'active season' only. Monolithing could proceed without the pre-felling endoscope check mentioned above, provided it was carried out over the winter months when the feature is unlikely to be occupied. If the tree is monolithed during the 'active season' then a pre-felling check is recommended to ensure that no bats are present.

Artificial illumination can have an impact on nearby habitats used by bats for roosting, foraging, and commuting. Poorly installed lighting can discourage bats from leaving their roosts; affect their feeding behaviour when foraging; increase their risk of predation by avian predators; and create barriers to commuting through the landscape.

Artificial lighting both during, and particularly post-construction, should be carefully designed to ensure that light spill does not illuminate nearby habitats used by bats, such as the line of trees and scrub along the disused railway line.

Bats are considered a low risk constraint to the Proposed Development, if appropriate mitigation measures with regards to potential inspection surveys, noise and lighting are implemented.

4.4.2 Badger

No badger signs were recorded during the survey and this species is not considered a constraint to the Proposed Development. The habitat within the Proposed Development and the surrounding land is broadly suitable for badgers and this species could forage on the farm. Good practice mitigation measures should therefore be implemented during construction to protect any badgers which might move through the area.

4.4.3 Breeding birds

Two notable Red-listed BOCC, starling and mistle thrush, were observed on land adjacent to the Proposed Development, but no suitable breeding habitat is present within the field itself.

Given its size, current land use and the uniformity of habitats within it, it is unlikely that the Proposed Development area supports any breeding bird populations. It is unlikely the loss of habitat caused by the Proposed Development would significantly impact the populations of the species listed above, and therefore their conservation status.

Breeding birds are therefore not considered to pose a constraint to the Proposed Development, though if the mature ash tree suffering from die-back discussed in Section 4.4.1 above (TN12) is felled or monolithed during the bird breeding season (March to September inclusive), the tree surgeons must ensure that no active nests are present.

4.4.4 Amphibians and reptiles

No amphibians or reptiles were recorded during the survey and the habitat within the Proposed Development is unsuitable for these species, therefore they do not pose a constraint.

4.4.5 Invasive Non-native Species (INNS)

No INNS were recorded during the survey, and they are not considered a constraint to the Proposed Development.

4.5 **Summary of recommended mitigation measures**

The following mitigation measures are recommended to minimise any potential impacts on species and habitats as a result of the Proposed Development.

4.5.1 Bat survey inspection

A potential roost feature (PRF) inspection survey of the diseased ash (TN12) is recommended to determine the presence or absence of roosting bats prior felling or monolithing during the bat active season. If monolithing retains the trunk which contains the PRF, this can be carried out without a pre-start check during the winter months.

Any inspection survey should be undertaken by a licensed bat worker, who may recommend further mitigation measures depending on the results of the survey.

The remaining trees with PRF's immediately to the north are sufficiently far away from the Proposed Development that noise and disturbance from construction works are unlikely to cause significant disturbance to roosting bats.

4.5.2 Bat mitigation measures

The following mitigation measures are recommended in relation to bats during the construction phase of the Proposed Development, and also post-construction.

Lighting

- ☑ Maintain an appropriately sized buffer between the house and treeline, as per the site plans provided;
- ☑ Only install external lighting where necessary;
- ☑ Avoid any light spill onto the trees along the disused railway;

- ☑ Use LED lights where possible, which produce less intense light and are dimmable;
- ☑ Avoid lights with ultra-violet elements, as these tend to attract night-flying insects;
- ☑ Restrict timings of external light settings when possible, e.g. avoiding dusk;
- ☑ Avoid installing lighting at height if possible, with low-level lighting preferable; and
- ☑ Where appropriate, lights should have lighting hoods and cowls to avoid light spillage.

Noise

Avoid construction works around / after dusk and before dawn.

These measures should be written into RAMS and communicated to construction operatives through a pre-start toolbox talk.

4.5.3 Protected mammal mitigation measures

The following mitigation measures are recommended in relation to protected mammals, such as badger, during the construction phase of the Proposed Development. While evidence of badger was not recorded during the survey, the farmland and woodland habitats within the wider area are generally suitable for this species, and therefore best practice regarding protected mammals should be followed during construction works:

- ☑ Cover any excavations left overnight or, where deep excavations occur, install a mammal ladder to allow any trapped animal a means of escape;
- ☑ Cap any open pipes overnight to prevent possible entry by protected mammals;
- ☑ Construction and residential lighting should be directed away from areas of woodland; and
- ☑ Where appropriate, lights should have lighting hoods and cowls to avoid light spillage.

These measures should be written into RAMS and communicated to construction operatives through a pre-start toolbox talk.

5 References

- ☑ Bibby, C.J., Burgess, N.D., Hill, D.A. & Mustoe, S.H. (2000). Bird Census Techniques, Second Edition. Academic Press, London
- ☑ BSI (2012). BS 5837:2012 Trees in relation to design, demolition and construction – Recommendations. BSI, London.
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- ☑ CIRIA (2015). Environmental good practice on site (fourth edition) (C741) Charles, P., Edwards, P (eds). CIRIA, London.
- ☑ Collins J. (ed.) (2023). Bat Surveys for Professional Ecologists, Good Practice Guidelines (4th Edition). The Bat Conservation Trust, London.
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- ☑ Reason, P.F. and Wray, S. (2023). UK Bat Mitigation Guidelines: a guide to impact assessment, mitigation and compensation for developments affecting bats. Chartered Institute of Ecology and Environmental Management, Ampfield.
- ☑ Scottish Badgers (2018). Surveying for Badgers Good Practice Guidelines [online]. Available at:https://www.scottishbadgers.org.uk/userfiles/file/planning_guidelines/Surveying-for-Badgers-Good-Practice-Guidelines_V1.pdf
- ☑ Stace C. A. (2019). New Flora of the British Isles. Fourth Edition. C&M Floristics, Suffolk.

6 Appendices

Appendix A: Site plans



100' Scale

1. All drawings are to be read in conjunction with the project description and specifications.
 2. Refer to the drawings for details of all work.
 3. All proposed work shall be in accordance with the applicable codes and regulations.
 4. All work shall be done in accordance with the applicable codes and regulations.



The Client
 [Redacted]
 [Redacted]
 [Redacted]

1. Development options at
 the site of the former
 South of the River
 South of the River

2004

2004

2004

2004

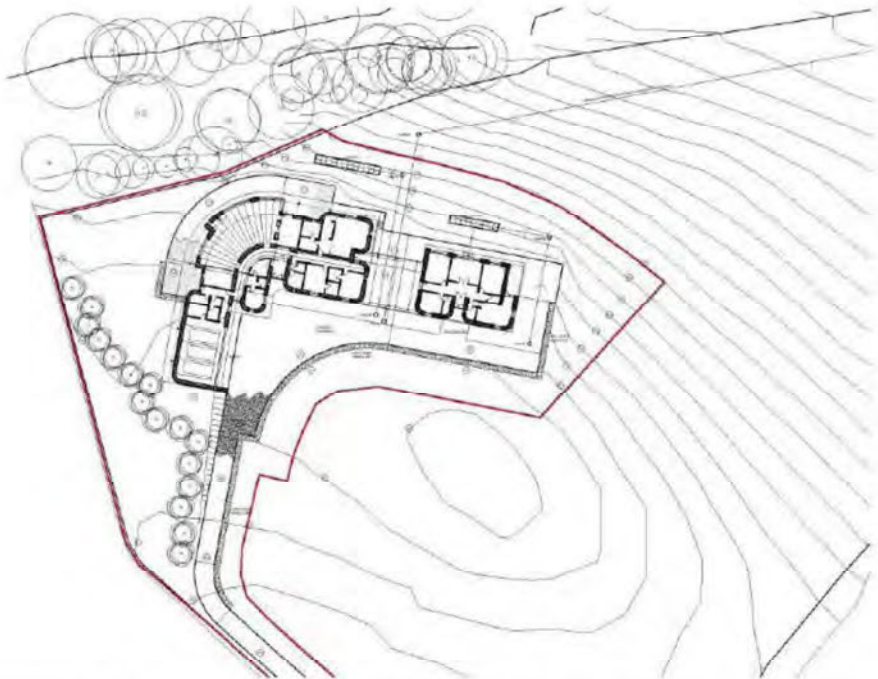
2004

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100' Scale

1. All drawings are to be read in conjunction with the project description and specifications.
 2. Refer to the drawings for details of all work.
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The Client
 [Redacted]
 [Redacted]
 [Redacted]

1. Development options at
 the site of the former
 South of the River
 South of the River

2004

2004

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Appendix B: Photographs



Photo 1:
Improved grassland habitat
within the Proposed
Development (TN1).



Photo 2:
Looking south along western
site boundary. Arable field
immediately west of the
Proposed Development.



Photo 3:
Improved grassland field north
of the Proposed Development.



Photo 4:
Line of mature and semi-mature
trees and scrub along the
disused railway line north of the
Proposed Development (TN2).



Photo 5:
Line of mature beech and
scattered hawthorn scrub along
part of fence line running north
to the edge of Maidens to
Doonfoot SSSI (TN3).

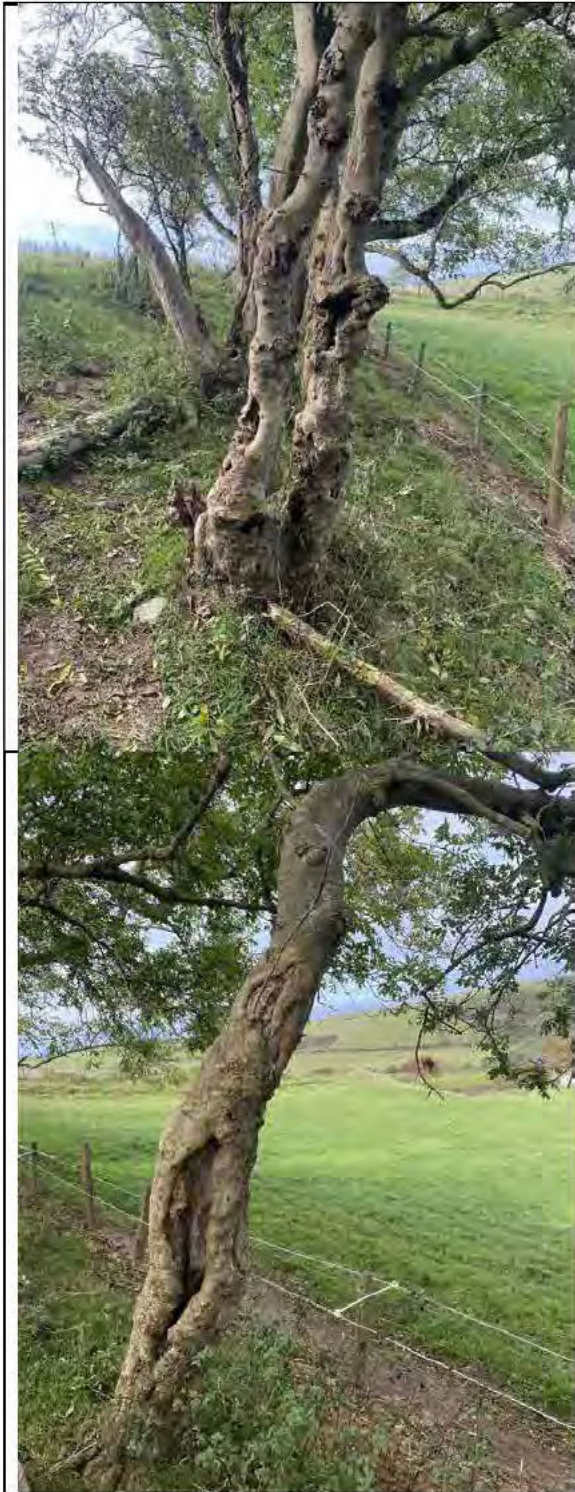


Photo 6:
Coppiced ash with potential bat roost features, along northern edge of disused railway embankment (TN4).

Photo 7:
Semi-mature ash with potential roost feature, on northern edge of disused railway embankment (TN5).



Photo 8:
Mature coppiced ash with potential root features, on northern edge of disused railway embankment (TN6).



Photo 9:
Mature ash along northern boundary of disused railway, with potential root feature present on main trunk (TN7).



Photo 10:
Semi-mature ash with potential roost feature, on northern edge of disused railway embankment (TN8).



Photo 11:
Mature ash with several potential roost features, northern edge of disused railway embankment (TN9).



Photo 12:
Mature ash with potential roost feature (TN10)



Photo 13:
Semi-mature ash with potential roost features, southern side of disused railway, approximately 5m from Proposed Development boundary fence (TN11).



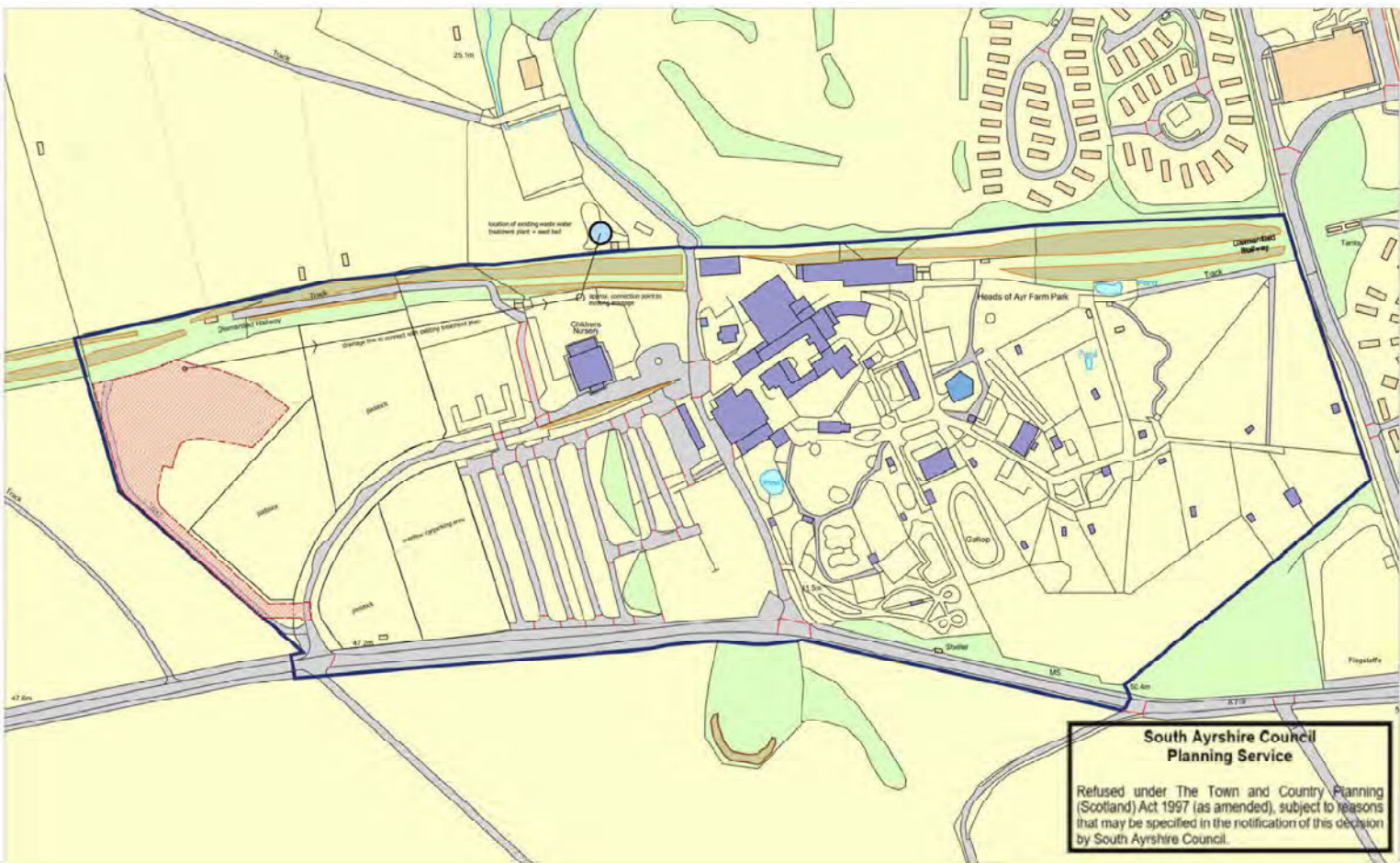
Photo 14:
Mostly dead, mature ash with potential roost features on southern side of disused railway, approximately 3m from Proposed Development boundary fence (TN12).



Photo 15:
One of several rabbit burrows along northern boundary of disused railway (TN13).

Appendix C: Target notes

TN No.	Grid reference	Description
01	NS 29373 18088	Improved grassland within Proposed Development boundary.
02	NS 29393 18135	Mature and semi-mature ash and hawthorn on disused railway line immediately north of Proposed Development.
03	NS 29298 18313	Line of mature beech trees and scattered hawthorn along fence line between Site and Maidens to Doonfoot SSSI.
04	NS 29381 18134	Coppiced ash with PRF's – cankers and internal rot in both limbs.
05	NS 29383 18134	Semi-mature ash with PRF – internal rot in main trunk.
06	NS 29396 18135	Mature coppiced ash with single PRF – cavity leading to hollow limb.
07	NS 29404 18135	Mature ash with single PRF – cavity leading to partially hollow trunk.
08	NS 29404 18139	Semi-mature ash with PRF's – opening leading to partially hollow trunk.
09	NS 29441 18147	Mature ash with PRF's – numerous cankers and crevices on main limbs.
10	NS 29407 18128	Mature ash with PRF – large opening on lower trunk revealing internal rot.
11	NS 29407 18125	Semi-mature ash with PRF's – cankers and partially hollow limb.
12	NS 29393 18115	Mature, almost dead ash with PRF's – two knot holes on main trunk.
13	NS 29384 18139	Rabbit burrow along north edge of disused railway.



**South Ayrshire Council
Planning Service**

Refused under The Town and Country Planning (Scotland) Act 1997 (as amended), subject to reasons that may be specified in the notification of this decision by South Ayrshire Council.

rev date notes

NB:
Drawing to be read with construction notes, available at www.hobson-architects.com
engineers drawings/spec.
Refer to CA drawings for location of assets
All preparatory materials to be retained fully in accordance with the
manufacturer's written recommendations
Do not scale drawings
Information on this drawing is the subject of copyright: hobson architects.



**HOBSON
ARCHITECTS**

The Studio:
Schoff
Fogarty, Fenwick
Garmrie
Aberystwyth

project
development options at
Heads of Ayr Farm Park
South Ayrshire

client
Mr Craig Kanen

job no
2204

drawing
site location plan

drawn
rjh

checked
rjh

DD no	REV
SL001	A
status:	EXISTING
scale	1:2000 @A3
date	Feb 2022



**South Ayrshire Council
Planning Service**

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rev: date: notes:

NB:
 Drawing to be read with construction notes, schedule of works and structural engineers drawings/spec.
 Refer to CA drawings for location of assets
 All preparatory materials to be installed fully in accordance with the manufacturer's written recommendations
 Do not scale drawings
 Information on this drawing is the subject of copyright: hobson architects.

 <p>The Studio: Saxcil Fogarty, Fenwick Garmrie PA17 5JF</p>	<p>project: development options at Halls of Ayr Farm Park South Ayrshire</p>	<p>job no: 2204</p>	<p>drawing: PROP SITE PLAN</p>	<p>DD no: S1.002</p>	<p>rev: A</p>
	<p>client: Mr Craig Kamen</p>	<p>drawn: rjh</p>	<p>checked: rjh</p>	<p>scale: 1:250 (3/4" = 1')</p>	<p>date: Feb 2022</p>



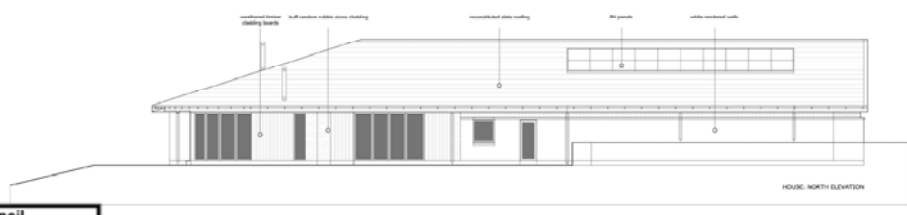
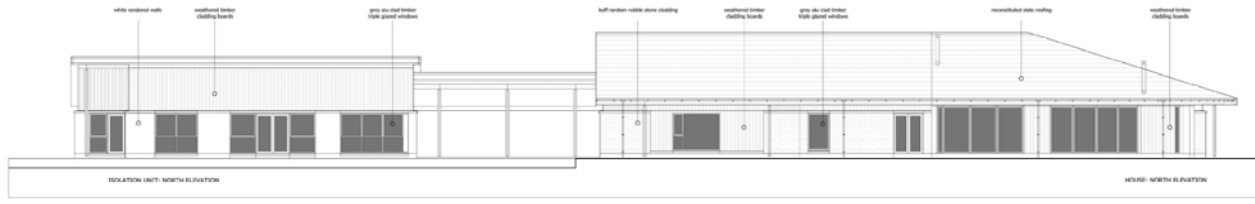
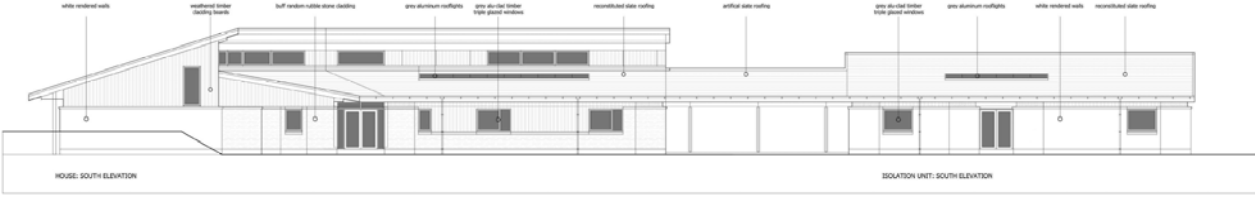
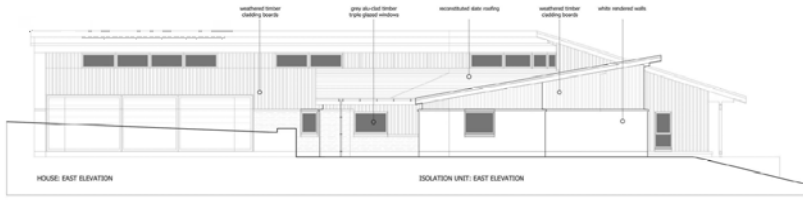
**South Ayrshire Council
Planning Service**

Refused under The Town and Country Planning
(Scotland) Act 1997 (as amended), subject to reasons
that may be specified in the notification of this decision
by South Ayrshire Council.

rev | date | notes

NB:
Drawing to be read with construction notes, available at links with structural
engineers drawings/notes.
Refer to CA drawings for location of assets
All preparatory materials to be retained fully in accordance with the
manufacturer's written recommendations
Do not scale drawings
Information on this drawing is the subject of copyright: hobson architects.

 HOBSON ARCHITECTS The Studio, 500/51 Fogarty Terrace, Glasgow, G4 7 9JH	project development options at Halls of Ayr Farm Park South Ayrshire	job no 2204	drawing PROP SITE PLAN	dtd no SL003	rev A
	client Mr Craig Ranken	drawn rjh	checked rjh	status PROPOSED	scale 1:1000 @A3



**South Ayrshire Council
Planning Service**

Refused under The Town and Country Planning (Scotland) Act 1997 (as amended), subject to reasons that may be specified in the notification of this decision by South Ayrshire Council.

1. Name of the applicant: [Redacted]
 2. Name of the site: [Redacted]
 3. Name of the proposed development: [Redacted]
 4. Address: [Redacted]
 5. Date of submission: [Redacted]

The South Ayrshire Council Planning Service logo and a table with columns for 'APPlicant', 'DATE', 'STATUS', 'ACTION', and 'BY WHOM'. The table contains several rows of data, some of which are partially obscured or redacted.

LOCAL DEVELOPMENT

**REFUSAL OF APPLICATION FOR PLANNING PERMISSION
(Delegated)**

Ref No: 24/00127/APP

SOUTH AYRSHIRE COUNCIL

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

**To: Heads Of Ayr Farm Park (Scotland) Ltd
per Hobson Architects
Nicholas John Hobson
Seacliff
Eglinton Terrace
Skelmorlie
PA17 5EP**

With reference to your **Application for Planning Permission** dated **22nd February 2024**, under the aforementioned Regulations, for the following development, viz:-

Erection of dwellinghouse and replacement of animal isolation unit

at: Laigh Kyleston Farm A719 From Dunure Road Ayr To Ayr Road Fisherton Ayr South Ayrshire KA7 4LD

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

The reason(s) for the Council's decision are as follows:

NOTE: Reasons will be numbered and prefixed with an 'R'

- (1R) That the development proposal is contrary to National Planning Framework 4 (NPF4), specifically National Policy 14 Design, Quality and Place; National Policy 17 Rural Homes; South Ayrshire Local Development Plan (LDP2) Core Principle B8, LDP policies Rural Housing and Landscape Quality; South Ayrshire Council's Rural Housing Guidance and the provisions of Scottish Planning Advice Note PAN 72 in relation to Housing in the Countryside, as the proposed dwellinghouse does not form or complement a coherent group of buildings so as to reinforce the existing operational base of the farmpark enterprise at Laigh Kyleston Farm, is visually prominent and uncharacteristic to the detriment of the rural landscape setting at the locality and no robust justification having been provided for a departure from these policies.
- (2R) That the development proposal is contrary to the Adopted South Ayrshire Local Development Plan Rural Housing policy due to the proposed dwellinghouse and isolation facility not forming or complementing a coherent group of buildings so as to reinforce the existing operational base of the farmpark enterprise at Laigh Kyleston Farm, and not being visually intrusive, and no justification having been provided for a departure from this policy.
- (3R) That the development proposal is contrary to the Planning Guidance in relation to Rural Housing due to not being sited so as to reinforce the existing operational base of the farmpark enterprise at Laigh Kyleston Farm, and due to not constituting development within an existing cluster or the sensitive infilling of an available gap site which consolidates existing properties within a cluster, and no justification having been provided for a departure from the Rural Housing planning guidance.

List of Refused Plans:

Plan Type	Reference	Version No.	Received Date
Drawing	P001	rev A	22.02.2024
Drawing	P002		22.02.2024
Drawing	SL001	rev A	22.02.2024
Drawing	SL002	rev A	22.02.2024
Drawing	SL003	rev A	22.02.2024
Supporting Information	Design & Access Statement		22.02.2024
Supporting Information	Development Context		22.02.2024
Supporting Information	Ecology Survey		22.02.2024

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

Dated: 28th May 2024

.....
Craig Iles
Service Lead – Planning and Building Standards

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

From: Marshall, Tony [REDACTED]
Sent: Monday, April 8, 2024 10:27 AM
To: Sharp, Fiona [REDACTED]
Cc: McBride, Sara [REDACTED]
Subject: RE: South Ayrshire Council Planning Consultation - 24/00127/APP

 External email >

Dear Fiona,

I hope you had a very nice weekend.

Please find attached letter setting out our review of the above application. If you have any questions or would like to discuss further, please don't hesitate to get in touch.

Best regards,

Tony

Tony Marshall CEcol MCIEEM



AECOM
1 Tanfield
Edinburgh, United Kingdom
aecom.com

Delivering a better world
[LinkedIn](#) | [Twitter](#) | [Facebook](#) | [Instagram](#)



From: [REDACTED]
Sent: Friday, March 8, 2024 10:25 AM
To: Marshall, Tony [REDACTED]; Boston, Emma [REDACTED];
Dunne, Susanne [REDACTED]
Subject: South Ayrshire Council Planning Consultation - 24/00127/APP

Please find consultation request attached.

This email and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed. If you have received this email in error please notify South Ayrshire Council, [REDACTED]

This footnote also confirms that this email message has been swept by websense for the presence of computer viruses.

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08 April 2024

Your Reference
24/00127/APPFiona Sharp
Supervisory Planner
South Ayrshire Council
County Buildings
Wellington Square
Ayr
KA7 1DR**Ecological review of 24/00127/APP – Erection of dwellinghouse and replacement of animal isolation unit at Laigh Kyleston Farm, A719 From Dunure Road Ayr to Ayr Road Fisherton, KA7 4LD.**

Dear Fiona,

On 08 March 2024, South Ayrshire Council requested that AECOM conduct an ecological review of the above planning application. The proposed 'Erection of dwellinghouse and replacement of animal isolation unit' is referred to hereafter in this letter as the 'Proposed Development'.

The Proposed Development is on the site of an application previously submitted but now withdrawn (application reference 23/00527/APP), and this application was originally reviewed by AECOM as described in a letter dated 02 August 2023.

As now withdrawn, the documents relating to 23/00527/APP are no longer available to view on the planning portal. However, it seems applications 24/00127/APP and 23/00527/APP are very similar and therefore the previous AECOM review and the recommendations made are still relevant. Those AECOM recommendations are also specifically referred to in the new application documentation for the Proposed Development.

Given the above, and for clarity, a summary of the original AECOM recommendations from 02 August 2023 are provided below.

- *An ecological survey of the site of the Proposed Development and surrounding area should be carried out to confirm the presence or likely absence of protected or notable habitats and species. If protected / notable ecological features are identified which could be subject to adverse effects from the Proposed Development, appropriate mitigation should be provided.*
- *The Proposed Development should seek to maintain a suitable buffer between itself and the disused railway line to the north. South Ayrshire Council may wish to request a lighting design statement / assessment to demonstrate that this habitat, which is likely to function as an ecological green corridor, will not be artificially illuminated by the Proposed Development once constructed.*
- *South Ayrshire Council may wish to request clarification / further detail on the proposals for native tree / shrub planting. The current proposals are likely to be sufficient to achieve an overall enhancement from the Proposed Development. However, the Applicant may wish to consider increasing this further by extending planting to provide an improved network of treelines / hedgerows linking Maldens to Doonfoot SSSI / Goatsgreen to Katie Gray's Rocks / Dunure to Drumblane Burn LWS to the wider landscape.*

The Proposed Development (erection of a dwellinghouse and animal isolation unit) is understood to consist of construction of a private dwelling and several other buildings to provide animal care. There will also be associated access tracks and landscaping. The site of the Proposed Development is an improved grassland agricultural field bounded to the north by a disused railway with trees, and to the west by a post and wire fence with further agricultural land beyond. On all other sides is continued agricultural field.

In support of the Proposed Development, the applicant has submitted an Ecology Survey report authored by JK Ecology.

The AECOM review found the Ecology Report to follow best practice guidance, present a satisfactory description of the baseline ecological features present on site, and that the assessment described in the Ecology Report is sufficient for a development of this nature and size.

Our only minor comments on this report relate to the reporting of the survey methodology. It would be preferable if a more detailed survey methodology was described, to accord with Chartered Institute of Ecology and Environmental Management (CIEEM) best practice reporting guidance (which is cited in the Report), specifically:

- The ecology / habitat survey approach (e.g. extended JNCC Phase 1) is not described in the methods section.
- It is briefly noted in the Methods / Limitations section (2.3) that "*the assessment of trees for their suitability for roosting bats was a ground-level tree assessment*". It is assumed this means a full Ground Level Tree Assessment was carried out as per Bat Conservation Trust (BCT) best practice guidance, but this is not described in the survey methods section.

South Ayrshire Council may wish to request clarification on the above points, although we reiterate that they are minor.

The Ecology Report recommends a series of ecological mitigation measures which should be carried out in full. In summary these are:

- Bat survey / inspection of one tree (reference TN12) by a licenced bat ecologist prior to any works directly affecting it in the active season (i.e., between March and November).
- Construction and operational mitigation regarding bats – including sensitive lighting design to reduce the impacts of operational lighting on notable species, particularly in the area of the disused railway line to the north.
- Construction mitigation to avoid effects on common native mammals which may use the site.

All ecological recommendations (see Ecology Report for full detail) should be written into the relevant construction and design documentation (e.g., Method Statements, building plans) and followed in full during construction and operation of the Proposed Development.

The Ecology Report does not include any recommendations for ecological enhancement. However, in accordance with local and national planning policy, the Proposed Development should seek to deliver enhancements for biodiversity. Such measures would be relatively easy to integrate into the design. For example, as suggested in the AECOM response from 02 August 2023, South Ayrshire Council could discuss with the Applicant the proposals for native tree / shrub planting and the extension of any planting to provide an improved network of treelines / hedgerows linking Maidens to Doonfoot SSSI / Goatsgreen to Katie Gray's Rocks / Dunure to Drumblane Burn LWS to the wider landscape.

It is noted in the Planning, Design and Access Statement (PDAS) submitted with the application that the Applicant is in ownership of the relevant lands to facilitate the above suggestion, and that this is something which the Applicant is willing to accommodate. Further details of proposals for biodiversity enhancement should be submitted to South Ayrshire Council, for example in the form of a clear plan with accompanying statement. South Ayrshire Council may wish to secure this through a suitable planning condition.

Should you have any questions or require any further information, please don't hesitate to get in touch.

Yours sincerely,

Sara McBride
Principal Ecologist
AECOM Limited

[Redacted signature block]

cc: Tony Marshall (AECOM)
Erin Goldie (South Ayrshire Council)



Contact: [REDACTED]

ARA Case Officer: AP

Planning Case Officer: F Sharp

Planning Application No: 24/00127/APP

Location: Laigh Kyleston Farm A719, Ayr

Date Received: 08/03/2024

Date Returned: 22/03/2024

Recommendation: No Objection

The following response has been prepared following a review of the information made available through South Ayrshire Council's Planning portal website at the time of writing.

Expository Statement (if applicable):

The proposed Managers House and replacement animal isolation unit will have a negligible impact on the existing traffic network and therefore the ARA offer no objections.

Tuesday, 19 March 2024



Local Planner
Planning Service
South Ayrshire Council
Ayr
KA7 1UT

Development Operations
The Bridge
Buchanan Gate Business Park
Cumbernauld Road
Steps
Glasgow
G33 6FB

Development Operations
Freephone Number - [REDACTED]
E-Mail - [REDACTED]
www.scottishwater.co.uk



Dear Sir/Madam,

**Laigh Kyleston Farm A719, From Dunure Road Ayr To Ayr Road, Fisherton
Ayr, KA7 4LD
Planning Ref: 24/00127/APP
Our Ref: DSCAS-0106077-NW9
Proposal: Erection of dwellinghouse and replacement of animal isolation unit**

Please quote our reference in all future correspondence

Audit of Proposal

Scottish Water has no objection to this planning application; however, the applicant should be aware that this does not confirm that the proposed development can currently be serviced. Please read the following carefully as there may be further action required. Scottish Water would advise the following:

Water Capacity Assessment

Scottish Water has carried out a Capacity review and we can confirm the following:

- ▶ There is currently sufficient capacity in the BRADAN Water Treatment Works to service your development. However, please note that further investigations may be required to be carried out once a formal application has been submitted to us.

Please Note

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

Surface Water

For reasons of sustainability and to protect our customers from potential future sewer flooding, Scottish Water will not accept any surface water connections into our combined sewer system.

There may be limited exceptional circumstances where we would allow such a connection for brownfield sites only, however this will require significant justification from the customer taking account of various factors including legal, physical, and technical challenges.

In order to avoid costs and delays where a surface water discharge to our combined sewer system is anticipated, the developer should contact Scottish Water at the earliest opportunity with strong evidence to support the intended drainage plan prior to making a connection request. We will assess this evidence in a robust manner and provide a decision that reflects the best option from environmental and customer perspectives.

General notes:

- ▶ Scottish Water asset plans can be obtained from our appointed asset plan providers:
 - ▶ Site Investigation Services (UK) Ltd
 - ▶ Tel: [REDACTED]
 - ▶ Email: [REDACTED]
 - ▶ www.sisplan.co.uk
- ▶ Scottish Water's current minimum level of service for water pressure is 1.0 bar or 10m head at the customer's boundary internal outlet. Any property which cannot be adequately serviced from the available pressure may require private pumping arrangements to be installed, subject to compliance with Water Byelaws. If the developer wishes to enquire about Scottish Water's procedure for checking the water pressure in the area, then they should write to the Customer Connections department at the above address.
- ▶ If the connection to the public sewer and/or water main requires to be laid through land out-with public ownership, the developer must provide evidence of formal approval from the affected landowner(s) by way of a deed of servitude.
- ▶ Scottish Water may only vest new water or waste water infrastructure which is to be laid through land out with public ownership where a Deed of Servitude has been obtained in our favour by the developer.
- ▶ The developer should also be aware that Scottish Water requires land title to the area of land where a pumping station and/or SUDS proposed to vest in Scottish Water is constructed.
- ▶ Please find information on how to submit application to Scottish Water at [our Customer Portal](#).

Next Steps:

▶ All Proposed Developments

All proposed developments require to submit a Pre-Development Enquiry (PDE) Form to be submitted directly to Scottish Water via [our Customer Portal](#) prior to any formal Technical Application being submitted. This will allow us to fully appraise the proposals.

Where it is confirmed through the PDE process that mitigation works are necessary to support a development, the cost of these works is to be met by the developer, which Scottish Water can contribute towards through Reasonable Cost Contribution regulations.

▶ Non Domestic/Commercial Property:

Since the introduction of the Water Services (Scotland) Act 2005 in April 2008 the water industry in Scotland has opened to market competition for non-domestic customers. All Non-domestic Household customers now require a Licensed Provider to act on their behalf for new water and waste water connections. Further details can be obtained at www.scotlandontap.gov.uk

▶ Trade Effluent Discharge from Non-Domestic Property:

- ▶ Certain discharges from non-domestic premises may constitute a trade effluent in terms of the Sewerage (Scotland) Act 1968. Trade effluent arises from activities including; manufacturing, production and engineering; vehicle, plant and equipment washing, waste and leachate management. It covers both large and small premises, including activities such as car washing and laundrettes. Activities not covered include hotels, caravan sites or restaurants.
- ▶ If you are in any doubt as to whether the discharge from your premises is likely to be trade effluent, please contact us on [REDACTED] or email [REDACTED] using the subject "Is this Trade Effluent?". Discharges that are deemed to be trade effluent need to apply separately for permission to discharge to the sewerage system. The forms and application guidance notes can be found [here](#).
- ▶ Trade effluent must never be discharged into surface water drainage systems as these are solely for draining rainfall run off.
- ▶ For food services establishments, Scottish Water recommends a suitably sized grease trap is fitted within the food preparation areas, so the development complies with Standard 3.7 a) of the Building Standards Technical Handbook and for best management and housekeeping practices to be followed which prevent food waste, fat oil and grease from being disposed into sinks and drains.
- ▶ The Waste (Scotland) Regulations which require all non-rural food businesses, producing more than 5kg of food waste per week, to segregate that waste for separate collection. The regulations also ban the use of food waste disposal units that dispose of food waste to the public sewer. Further information can be found at www.resourceefficientscotland.com

I trust the above is acceptable however if you require any further information regarding this matter please contact me on [REDACTED] or via the e-mail address below or at [REDACTED]

Yours sincerely,

Carly Gourlay
Development Operations Analyst
[REDACTED]

Scottish Water Disclaimer:

"It is important to note that the information on any such plan provided on Scottish Water's infrastructure, is for indicative purposes only and its accuracy cannot be relied upon. When the exact location and the nature of the infrastructure on the plan is a material requirement then you should undertake an appropriate site investigation to confirm its actual position in the ground and to determine if it is suitable for its intended purpose. By using the plan you agree that Scottish Water will not be liable for any loss, damage or costs caused by relying upon it or from carrying out any such site investigation."

From: Robins, Paul (NRS) [REDACTED]

Sent: Friday, March 8, 2024 1:31 PM

To: Planning Development [REDACTED]

Subject: 24/00127/APP -

OFFICIAL

Dear Sir/Madam,

I refer to the above application for planning consent downloaded recently by the West of Scotland Archaeology Service for comment.

As for the previous, this application lies in an area of archaeological sensitivity based on the presence of recorded sites and monuments in the surrounding landscape of prehistoric and medieval date. The Ayrshire coastal plain generally has a raised sensitivity due to the richness of the archaeological records both existing and as generated by more recent investigations in the landscape such as at the nearby holiday park and housing developments. Although there are no recorded sites within the application area, with the recorded extensive and multi-phase evidence for prehistoric activity in the surrounding landscape the area has potential to produce buried archaeology. Any buried remains that survive would be affected or destroyed by the scale of the excavations required by the proposals and so a potential archaeological issue is raised.

Government policy as set out in National Planning Framework 4 is that planning authorities should ensure that prospective developers arrange for any archaeological issues raised by their proposals to be adequately addressed. Since there is potential for more discoveries in this area any piece of new ground disturbance stands a reasonable chance of encountering buried remains and hence some form of archaeological mitigation is required for this proposal. In order to effect this a condition relating to the archaeological issue should be placed on any consent granted by your Council for these or future proposals. The suggested wording of such a condition is given below. This is based on current best practice and experience, and reflects the principles outlined in Planning Advice Note 2/2011:-

No development shall take place within the development site as outlined in red on the approved plan until the developer has secured the implementation of a programme of archaeological works in accordance with a written scheme of investigation which has been submitted by the applicant, agreed by the West of Scotland Archaeology Service, and approved by the Planning Authority. Thereafter the developer shall ensure that the programme of archaeological works is fully implemented and that all recording and recovery of archaeological resources within the development site is undertaken to the satisfaction of the Planning Authority in agreement with the West of Scotland Archaeology Service.

This condition would be implemented by means of the developer appointing a professional archaeological contractor to prepare the written scheme of investigation (WSI) required by the condition. This is basically a project design document, which should set out the various phases of work that may be required to suitably address the impact of the proposal on archaeological material. As the first stage of this process, the archaeological contractor would be required to undertake an archaeological evaluation of the application site ahead of any proposed ground disturbance. Depending on the scale and significance of the deposits encountered, further stages of archaeological

work may be required such as watching brief or open area excavation either before or during construction as necessary. Any such discoveries will have to be excavated before their destruction by the development including any post excavation analyses and publication required.

Please contact me by email if you require any further information or advice.

Regards

Paul

Paul Robins, Senior Archaeologist, West of Scotland Archaeology Service, 231 George Street, Glasgow, G1 1RX, email: [REDACTED]


24/00127/APP

Development Management Service comments for LRB

The Report of Handling and reasons for refusal should be read in full.

The key issues as captured within the report of handling can be summarised as follows:

- the proposed standalone dwellinghouse and animal isolation unit is remote and disconnected physically and visually from the operational base and buildings of the farmpark to which they are proposed to support and serve.
- There is an existing and established animal isolation unit located within the operational base of the farmpark, alongside other buildings which reinforces that there is no reason to why a replacement or upgraded animal isolation unit could not be provided in an around the farm park base. There is sufficient land to accommodate this.
- Similarly, there is no reason why a dwellinghouse could not be sited in closer proximity to the existing group of buildings that form the farmpark operational base – there is sufficient land.
- The proposal is not justified in terms of a need for the development in this remote location on the periphery of the farmpark.
- The proposal introduces sporadic and prominent development in the landscape where there is no development at present.
- The access driveway is 170 metres long and uncharacteristic in the local and would contribute irreversibly to the suburbanisation of the countryside.
- The development will result in daily and potentially numerous vehicle trips to and from the animal isolation unit which would not occur otherwise if a dwellinghouse and animal isolation unit were sited closer to the existing Farm Park and operational base.
- The design of the dwellinghouse and animal isolation unit are suburban in nature rather than being reflective of a more traditional scale and proportions of rural development and local vernacular.
- The proposal is contrary to National Planning Framework 4 and Local Development Plan 2 and also the Council's Policy Guidance in relation to Rural Housing.


26/09/24

From: Marshall, Tony [REDACTED]
Sent: Monday, September 30, 2024 11:40 AM
To: Local Review Body [REDACTED] Boston, Emma
[REDACTED] Craven, Rick [REDACTED] Davidson, Jenny
Subject: RE: LRB/24/00127/APP - Appointed Officer Comments

Good morning,

Thank you for your email.

We have no further comments to make.

Best regards,

Tony

Tony Marshall CEcol MCIEEM

Technical Director
[REDACTED]

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MICHAEL S EVANS, BA (Econ), Dip TP, MRTPI, MCIM

Planning Consultant



“TY-NEWYDD”
11 MURCHIE DRIVE
KINGS MEADOW
PRESTWICK
KA9 2ND

Tel: [REDACTED]

E-mail: [REDACTED]

Your Ref: LRB/24/00127/APP

8 October 2024

Ms Karen Briggs
Service Lead – Legal and Licensing
Chief Executive’s Office
South Ayrshire Council
County Buildings
Wellington Square
AYR
KA7 1DR

Dear Ms Briggs

South Ayrshire Local Review Body

Application Ref No: 24/00127/APP

Applicant: Hobson Architects

Site Address: Laigh Kyleston Farm, A719 from Dunure Road, Ayr to Ayr Road, Fisherton, Ayr, South Ayrshire, KA7 4LD

Description: Erection of Dwellinghouse and Replacement of Animal Isolation Unit

I enclose, for your consideration, our response to the Case Officer’s Comments.

Should you require any information regarding this submission, please don’t hesitate to get in touch.

Yours faithfully



**Michael S Evans
Planning Consultant**

enc

HEADS OF AYR FARM PARK

Dunure Road, Ayr, KA7 4LD

www.headsofayrfarmpark.co.uk



Application Ref No: LRB/24/00127/APP; Appointed Officer's Comments

In response to the matters raised, my comments are as follows:

1. General

- LRB Members will note that the Planning Service on page 8 of the Report of Handling states that ***'It is accepted that the farm park enterprise might potentially benefit from an additional residential property'***. The matter therefore appears to be not one of principle but one of choice of location
- Local Development Plan 2, Coastal Strategy Diagram, confirms that, in terms of 'type of development', **both Heads of Ayr and Craig Tara fall within the 'intensive' category**
- This therefore, in our opinion, provides the appropriate policy context for the assessment of the proposals. At the detailed level, the proposals would be implemented within the boundary shown in Figs 1 and 2 established in 1992 (Application No P/92/0708)
- The 'standard' rural housing guidelines would therefore not apply
- As Board Members will no doubt be aware, Heads of Ayr Farm Park has become established as a 'significant leisure/tourism facility' destination:
 - Farm Park awarded Top 10% of Highest Rated Visitor Attractions Worldwide by Tripadvisor
 - Heads of Ayr Nursery awarded status as Top 20 Nurseries in Scotland by Daynurseries – the only Ayrshire Nursery to achieve Top 20 status
 - Awarded Best Visitor Attraction in Glasgow and the West of Scotland by VisitScotland
 - Awarded Best Rural Attraction in the UK by National Farm Attractions Networkand many other awards.
 - Around 110 employees during peak season and 50 permanent full-time staff, and growing
 - Around 200,000 visitors per year, with 87% of visitors coming to the area from outside Ayrshire
 - Ayrshire's only licensed zoo, displaying rare and critically endangered animals and providing education to visitors and school groups
 - Providing educational experience to student vets and other similar fields within Ayrshire



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- The proposals therefore are critical for the growth of the business. The Isolation Unit will provide future security for both the animals (which is a requirement of the zoo license) and for staff

2. Specific

Reason for Refusal

'The proposed standalone dwellinghouse and animal isolation unit is remote and disconnected physically and visually from the operational base and buildings of the farmpark to which they are proposed to support and serve'

Response

Its role and function mean that the Isolation Unit has to be isolated to provide the range of services currently required from a unit of this kind. The existing unit was given its role by Heads of Ayr Management purely on the availability of space at the time, i.e. the mid/late 1990s. The requirements of animal welfare and the whole approach to the delivery of these have changed out of all recognition since then, with significant implications for the choice of location.

Reason for Refusal

'There is an existing and established animal isolation unit located within the operational base of the farmpark, alongside other buildings which reinforces that there is no reason to why a replacement or upgraded animal isolation unit could not be provided in and around the farmpark base. There is sufficient land to accommodate this'

Response

Figs 1 and 2 (attached), which show the current use of the land/site as a whole, confirm, as has consistently been pointed out, that the choice of alternative sites is limited – very limited and, in fact, confined to the site that was chosen.

Reason for Refusal

'Similarly, there is no reason why a dwellinghouse could not be sited in closer proximity to the existing group of buildings that form the farmpark operational base – there is sufficient land'

Response

The proposed Dwellinghouse will be the manager's base and needs to be located close to the Isolation Unit. Figs 1 and 2 confirm that, in fact, there was only one location available that could also satisfy the requirements of isolation as well as the need for House/Isolation Unit proximity. The proposals for a House, in this instance, should not therefore be viewed as an incongruous outlier in an otherwise 'rural area' but should be recognised as a necessary development within the recognised Farm Park boundary and within an area recognised in policy terms as 'intensively' developed in the Council's Coastal Strategy.



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Reason for Refusal

'The proposal is not justified in terms of a need for the development in this remote location on the periphery of the farmpark'

Response

The word 'remote' is used to create the impression of great distance between the proposals and the nearest building, where this would be, in fact, approximately 100 yards once the Nursery extension is constructed. Figs 1 and 2 show the extent of current uses within the Farm Park. A combination of the absence of alternative sites and the specific requirements for the Isolation Unit to be isolated from most uses means that a peripheral location for the proposals is inevitable.

Reason for Refusal

'The proposal introduces sporadic and prominent development in the landscape where there is no development at present'

Response

While the location is peripheral – and the reasons for this have been explained – the proposals are certainly not 'sporadic' and have been designed along with associated landscaping to have a low overall profile.

Reason for Refusal

'The access driveway is 170 metres long and uncharacteristic in the locale and would contribute irreversibly to the suburbanisation of the countryside'

Response

The proposed access will occupy the route of a track currently used for Farm Park/farm management purposes. While located within the Farm Park, the fact that it is adjacent to the wider countryside to the west has been recognised in the overall approach taken to potential impact. 170-yard approaches are not untypical of countryside locations and to suggest that the detail of the proposals will 'contribute irreversibly to the suburbanisation of the countryside' is a gross exaggeration. See Fig 3 attached at the end.

Reason for Refusal

'The development will result in daily and potentially numerous vehicle trips to and from the animal isolation unit which would not occur otherwise if a dwellinghouse and animal isolation unit were sited closer to the existing Farm Park and operational base'

Response

Important to note that Ayrshire Roads Alliance – the Council's advisers on transport matters – made no objection to the proposals. Actual level of movement within the Farm Park to and from the Isolation Unit is going to be numerically small and will not, as a result, lead to problems of vehicle/pedestrian conflict.



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Reason for Refusal

'The design of the dwellinghouse and animal isolation unit are suburban in nature rather than being reflective of a more traditional scale and proportions of rural development and local vernacular'

Response

The Planning Authority provides no guidance as to what 'suburban' actually means. The proposals are low and long which is typical of many houses in rural Ayrshire. That said, the Planning Service seemed unconcerned about the 'traditional scale and proportions of rural development' when consenting proposals at Drumbain or, indeed, elsewhere in the countryside in the recent past.

Reason for Refusal

The proposal is contrary to National Planning Framework 4 and Local Development Plan 2 and also the Council's Policy Guidance in relation to Rural Housing'

Response

The policies of NPF4 and LDP2 must be read as a whole and, in our opinion therefore, the proposals are aligned with the overall aims and objectives of both.

Michael S Evans
Planning Consultant



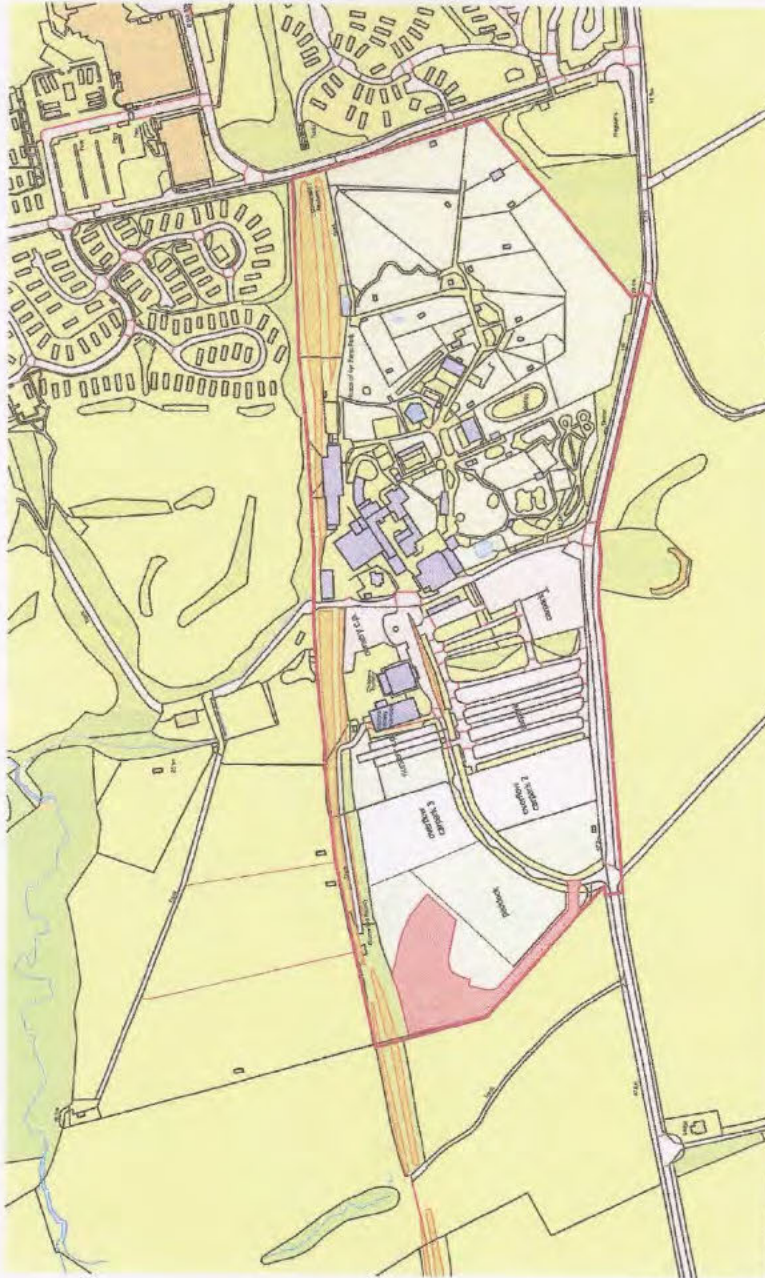
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Fig 1: Range and Extent of Uses with Heads of Ayr Farm Park



HEADS OF AYR FARM PARK

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Fig 2: Search Area for Site of the Proposals



HEADS OF AYR FARM PARK

Dunure Road, Ayr, KA7 4LD

www.headsofayrfarmpark.co.uk



Fig 3: Satellite Image of Existing Traditional Driveways of Neighbouring Properties



From: Sharp, Fiona [REDACTED]
Sent: Monday, October 28, 2024 12:20 PM
To: Local Review Body [REDACTED]
Subject: FW: LRB - Laigh Kyleston Farm

Apologies,

A slide was omitted from the earlier version. Please see attached updated version.

Regards

Fiona

From: Sharp, Fiona
Sent: Monday, October 28, 2024 11:19 AM
To: Local Review Body [REDACTED]
Subject: LRB - Laigh Kyleston Farm

Hello Rebecca,

Please refer to the attached photographs in relation to the above LRB. As you might recall, the Service submission was provided while I was on annual leave. It seems that the photographs were omitted in error. Please see attached photographs – please not this is not new information, but to assist members to understand the setting of the site, and therefore to aid understanding and consideration.

Regards

Fiona

Please Note:
Planning and Building Standards Staff are now working remotely.

Regards

Fiona Sharp (MRTPI) | Supervisory Planner | Housing, Operations and Development | Planning Service – Development Management | [REDACTED] Tel: [REDACTED] | South Ayrshire Council | County Buildings, Wellington Square, Ayr, KA7 1DR | Fiona Sharp | Dealbhadair Sgrudaidh (Dealbhadh Àite) | Inbhean Dealbhaidh is Togail | Cuir togalaichean na sgìre | [REDACTED] | Tel: [REDACTED] | www.south-ayrshire.gov.uk

Web: www.south-ayrshire.gov.uk
Web: <http://www.south-ayrshire.gov.uk/planning>
Submit Planning Applications online at;
<https://www.eplanning.scot/ePlanningClient/>

Application 24/00127/APP

Laigh Kyleston Farm



View of application site and surroundings, as taken from site access in south-western corner (Google image)

A – Application site

B – Existing nursery school

C – Western periphery of farm park and operational building grouping



Application site in part (right) and view of intervening land to east
Taken from nursery school grounds
A – A719 coastal road
B – application site
(Case officer photo's)



Operational buildings associated with farm park and adjacent nursery to east as viewed from access road
(Case officer photograph)



View from A719 coastal road to west (Google image)

A – Application site

From: Kelly, Sabrina [REDACTED]
Sent: Wednesday, October 30, 2024 12:18 PM
To: Local Review Body [REDACTED]
Subject: FW: LRB/24/00127/APP - Case Officer Photographs

Good Afternoon,

I can advise that Environmental Health have no further comment to make.

Best Regards,

Sabrina

Sabrina Kelly | Environmental Health Officer | Environmental Health | Chief Executive's Office | [REDACTED] | Telephone: [REDACTED] | South Ayrshire Council | Trading Standards & Environmental Health, 5-7 River Terrace, Ayr, KA8 0BJ | www.south-ayrshire.gov.uk

Sabrina Kelly | Oifigear Slàinte Àrainneachd | Inbhean Malairt agus Slàinte Àrainneachd | Àrd-oifigear Roinn
Barraid na h- Aibhne | [REDACTED]
Tel: [REDACTED] | www.south-ayrshire.gov.uk

From: Local Review Body [REDACTED]
Sent: Tuesday, October 29, 2024 11:23 AM
To: Environmental Health [REDACTED]
Cc: Local Review Body [REDACTED]
Subject: LRB/24/00127/APP - Case Officer Photographs

Good morning,

I hope this email finds you well.

The local Review Body has received further information from planning regarding their comments. There are a set of photographs which have just been received by the local Review Body yesterday for circulation.

If you could please respond with any comments you may have on the attached on/before the 12th of November, that would be much appreciated.

For your information, it is considered likely that the Local Review Body will consider this review at its meeting on 3 December 2024, however this date cannot be guaranteed, and you will be advised further in due course.

Kind regards,

South Ayrshire Council Local Review Body

County Buildings, Wellington Square, Ayr, KA7 1DR
E: [REDACTED]
T: [REDACTED]
W: www.south-ayrshire.gov.uk

MICHAEL S EVANS, BA (Econ), Dip TP, MRTPI, MCIM

Planning Consultant



“TY-NEWYDD”
11 MURCHIE DRIVE
KINGS MEADOW
PRESTWICK
KA9 2ND

Tel: 01292 475206
E-mail: meicplan@hotmail.com

Your Ref: LRB/24/00127/APP

6th Nov. 2024

Ms Karen Briggs
Service Lead – Legal and Licensing
Chief Executive’s Office
South Ayrshire Council
County Buildings
Wellington Square
AYR
KA7 1DR

Dear Ms Briggs

South Ayrshire Local Review Body
Application Ref No: 24/00127/APP
Applicant: Hobson Architects
Site Address: Laigh Kyleston Farm, A719 from Dunure Road, Ayr to Ayr Road, Fisherton, Ayr, South Ayrshire, KA7 4LD
Description: Erection of Dwellinghouse and Replacement of Animal Isolation Unit

We refer to and thank you for your further letter of 29th October 2024 and the latest submission made by the Planning Service which has to be treated as new information?

My comments are as follows:

1. As a general statement initially, and as an overall response to the images created by the Planning Service, we are extremely disappointed at the lengths gone to produce what is in effect an exaggerated impression of the situation. As our detailed comments on each image, set out in our Appendix 1 indicate there must surely be serious misgivings about the technique and the reliability/voracity of the “product”. These are not actual photographs.
2. The Planning Services appears to be fixated with proving the “extremely isolated” nature of the proposals whilst clearly continuing to ignore the reasons set out in the documentation submitted by us previously concerning the matter of location.

MICHAEL S EVANS, BA (Econ), Dip TP, MRTPI, MCIM

Planning Consultant

3. The facts of the matter are (and we apologize to the Board members for repeating information that they will have already received, on more than one occasion!) are as follows:

- *LRB Members will note that the Planning Service on page 8 of the Report of Handling states that:*

'It is accepted that the farm park enterprise might potentially benefit from an additional residential property'.

The matter therefore appears to be not one of principle but one of choice of location.

- *Indeed, on that point, Local Development Plan 2, Coastal Strategy Diagram, confirms that, in terms of 'type of development', **both Heads of Ayr and Craig Tara fall within the 'intensive' category.***
- *This, therefore, in our opinion, provides the appropriate policy context for the assessment of the proposals. At the detailed level, the proposals would be implemented within the boundary of the Farm Park as shown in Figs 1 and 2 established initially in 1992 (Application No P/92/0708)*
- *The 'standard' rural housing guidelines would therefore not apply.*
- *An extensive/intense search for a site that responded to the requirements of a house (Managers House) and animal Isolation unit in combination was undertaken.
As figure 1 & 2 confirm, because of the use made of the various parts of the Farm Park, the options were limited. In fact, limited to the location eventually "selected".
We have also consistently maintained that the actual impact on the landscape will be minimal.*

In the final analysis the images submitted by the Planning Service do not represent the facts on the ground.

We look forward to hearing from you in due course.

Yours faithfully



Michael S Evans
Planning Consultant

Enc

MICHAEL S EVANS, BA (Econ), Dip TP, MRTPI, MCIM

Planning Consultant

Appendix 1.0

- Figure 1: Heads of Ayr Farm Park Boundary
- Figure 2: Search Area for site of the Proposals
- Overmarked copy of Site Photograph document issued on the 29th October 2024

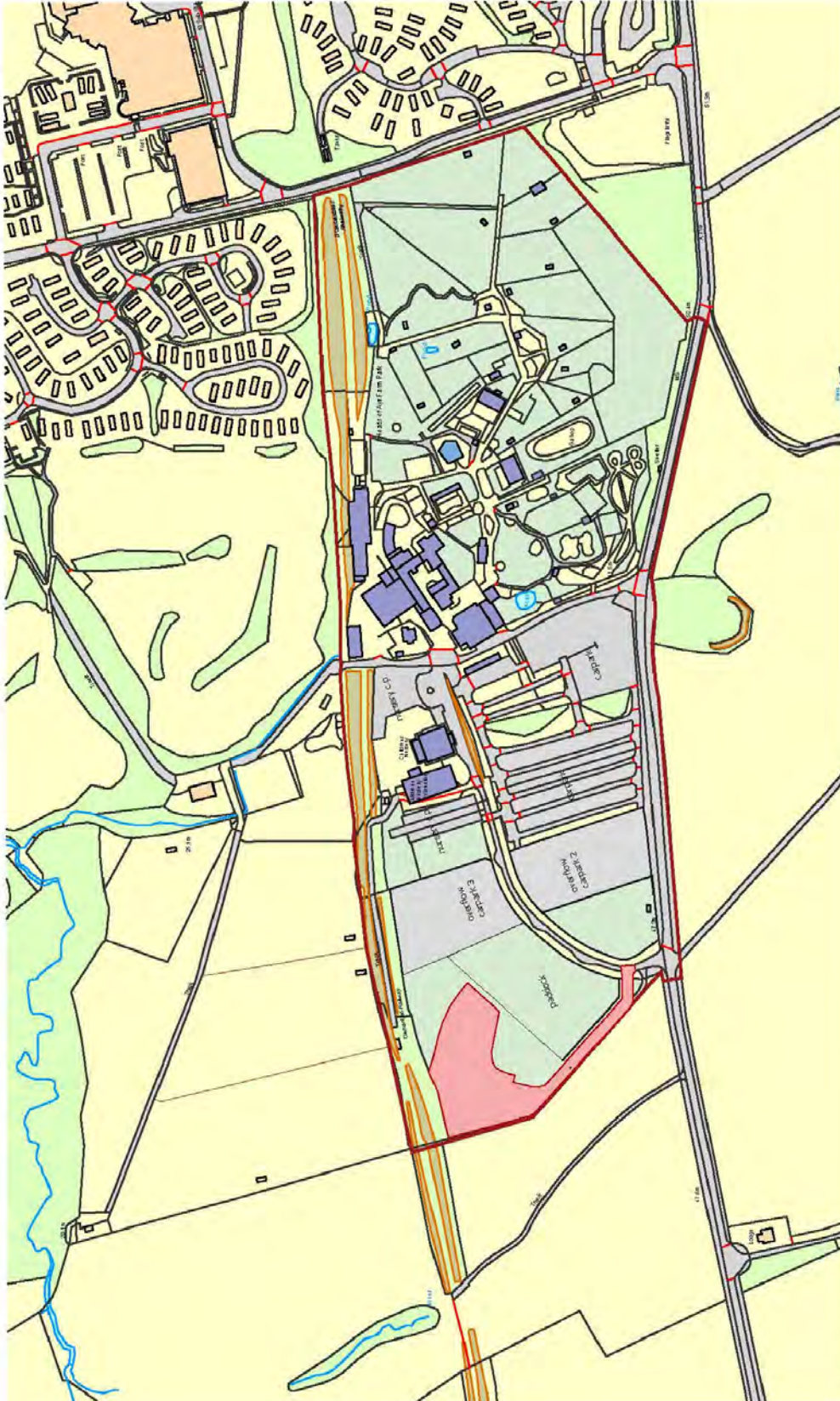


Figure 1: Heads of Ayr Farm Park Boundary

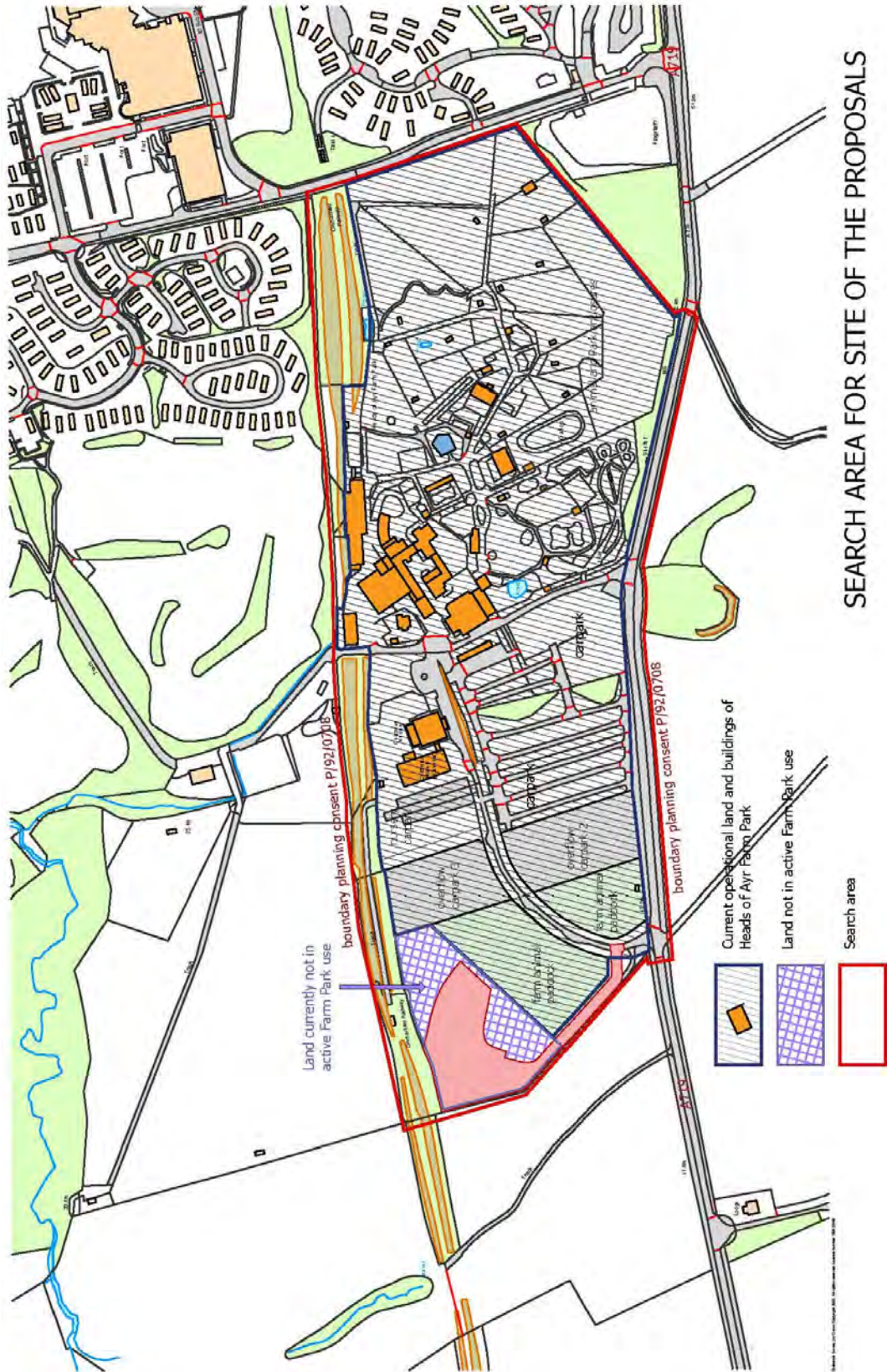


Figure 2: Search Area for site of the Proposals

Comparison between Planning Service "photographs" issued on the 29th October

and

Actual site photographs taken on the 31st October using the same viewpoint.

We would add the following commentary on the photographs issued by the case officer.

Image 1

This photograph has been downloaded from Google Streetview and as such it shows a distorted and "stretched" visualization of the site access which makes it appear that the site is further away from the Farmpark than it actually is.

Furthermore all Google Streetview images are taken using a vehicle with an elevated camera and as such it does not offer a realistic view of the site from standard pedestrian eye level.

I'm not convinced they've properly attributed the use of the image to Google.

Image 2

This "panorama" has been compiled by joining two photographs together and as such it portrays a distorted view of the site from the Farmpark.

Image 3

Not sure what this photograph is demonstrating.

Image 4

Again, This photograph has been downloaded from Google Streetview and as such it shows a distorted and "stretched" visualization of the site from further down the A719.

Furthermore all Google Streetview images are taken using a vehicle with an elevated camera and as such it does not offer a realistic view of the site from standard pedestrian eye level.

Finally we are not convinced that the Planning Service have properly attributed the use of the Streetview image to Google, and consequently might be breach of Copyright

Application 24/00127/APP

Laigh Kyleston Farm



View of application site and surroundings, as taken from site access in south-western corner (Google image)
A – Application site
B – Existing nursery school
C – Western periphery of farm park and operational building grouping





Application site in part (right) and view of intervening land to east
Taken from nursery school grounds
A – A719 coastal road
B – application site
(Case officer photo's)





Operational buildings associated with farm park and adjacent nursely to east as viewed from access road
(Case officer photograph)





View from A719 coastal road to west (Google image)

A – Application site



24/00127/APP

Conditions should the LRB be minded to approve the application.

- 1.) The development to which this permission relates must be commenced no later than **five 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 The Planning etc. (Scotland) Act 2006.

- 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.

Reason:

To ensure that the development is carried out in accordance with the approved plans unless otherwise agreed.

- 3.) No development shall take place within the development site as outlined in red on the approved plan until the developer has secured the implementation of a programme of archaeological works in accordance with a written scheme of investigation which has been submitted by the applicant, agreed by the West of Scotland Archaeology Service, and approved by the Planning Authority. Thereafter the developer shall ensure that the programme of archaeological works is fully implemented and that all recording and recovery of archaeological resources within the development site is undertaken to the satisfaction of the Planning Authority in agreement with the West of Scotland Archaeology Service.

Reason:

This application site lies in an area of archaeological sensitivity based on the presence of recorded sites and monuments in the surrounding landscape of prehistoric and medieval date. With the recorded extensive and multi-phase evidence for prehistoric activity in the surrounding landscape the area has potential to produce buried archaeology.

- 4.) That prior to the commencement of development, samples, or a brochure of all materials to be used on external surfaces including building elevations, roofs and driveway, in respect of type, colour and texture, shall be submitted for the prior written approval of the Planning Authority. Thereafter, the development shall be finished in the materials approved under the terms of this condition.

Reason:

To ensure that materials are appropriate for the site and in the interests of visual amenity.

- 5.) That prior to the commencement of development, 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 thereafter shall be implemented as approved.

Reason:

To ensure that the design, height and materials are appropriate for the site and in the interests of visual amenity.

- 6.) The recommended ecological mitigation measures set out within the Ecology Survey by jkecolgy dated October 2023 shall be implemented in full during the construction phase of the development and operation of the development hereby permitted.

Reasons:

To ensure no adverse impact on European Protected Species including bats and other native mammals.

- 7.) In addition to the planting as illustrated on drawing no.SL002, an enhanced scheme of biodiversity planting shall be submitted for the approval in writing of the Planning Authority and shall include proposals for native tree/ shrub planting to enhance and improve the existing network of tree lines/ hedgerows to the north of the site. Thereafter, the planting illustrated within drawing no. SL002 and the enhanced scheme of biodiversity planting to the north of the site shall be implemented in full within the first planting season following occupation of the development, unless otherwise agreed in writing. All planting required under the terms of this condition shall be permanently retained and any planting which, within a period of 5 years from the occupation of the development, in the opinion of the Planning Authority, is dying, damaged or becoming seriously diseased, shall be replaced by plants of similar size and species to those originally required to be planted.

Reason:

To ensure compliance with Policy 3 – Biodiversity of National Planning Framework 4 and to provide an improved biodiversity network and links to nearby Sites of Scientific Interest and Local Wildlife.

- 8.) Prior to the commencement of development, a lighting plan and design statement shall be submitted for the approval in writing of the Planning Authority and thereafter shall be implemented as approved. The lighting plan and design statement shall include details of the siting and design of all lighting and demonstrate that it will not artificially illuminate the disused railway area to the north of the site.

Reason:

To protect the ecologically green corridor to the north of the site from disturbance.

- 9.) Prior to the commencement of development, existing and proposed cross section drawings and finished floor levels shall be submitted for the approval in writing of the Planning Authority and thereafter shall be implemented as approved.

Reason:

To demonstrate any level changes within the site and any associated retention is acceptable and does not adversely impact the surrounding area or landscape.

10.) The integral garage hereby permitted shall be used solely for domestic purposes incidental to the use of the dwellinghouse and no commercial activities shall be undertaken to the satisfaction of the Planning Authority.

Reason:
To define the terms of this permission.

11.) The animal isolation unit shall be used solely for this purpose and shall not be used for commercial activities or be accessible to visiting members of the public.

Reason:
To define the terms of this permission.

Advice notes:

- 1.) Scottish Water: There is currently capacity at the BRADAN Water Treatment Works to service the development however Scottish Water are unable to reserve capacity. A formal connection application requires to be submitted to Scottish Water.
- 2.) Scottish Water: They will not accept any surface water connections to their combined sewer system unless in exceptional circumstances. Scottish Water should be contacted if a connection request is being made.
- 3.) Surface water from the development should be treated through Sustainable Urban Drainage Systems (SUDS).

██████████
26/09/24

List of Plans Determined:

Plan Type	Reference	Version No.	Received Date
Drawing	P001	rev A	22.02.2024
Drawing	P002		22.02.2024
Drawing	SL001	rev A	22.02.2024
Drawing	SL002	rev A	22.02.2024
Drawing	SL003	rev A	22.02.2024
Supporting Information	Design & Access Statement + Appendix		22.02.2024
Supporting Information	Development Context Statement		22.02.2024
Supporting Information	Ecology Survey		22.02.2024

██████
16/10

SOUTH AYRSHIRE COUNCIL

LOCAL REVIEW BODY

NOTE OF CURRENT POSITION

Site Address:	38 PARK CIRCUS, AYR, SOUTH AYRSHIRE, KA7 2DL
Application:	FORMATION OF ACCESS, REPLACEMENT OF WALL, RAILINGS AND GATES

Appointed Officer's Decision:	Refused
Date Notice of Review Received:	5 November 2024

Current Position:	New Case for Review
Documentation:	<p>The following documents in relation to the review are attached:</p> <p>Pages 1 to 6 - Report of Handling</p> <p>Pages 7 to 11 - Notice of Review (November 2024)</p> <p>Pages 12 to 19 - Review Statement – (October 2024)</p> <p>Pages 20 to 31 - Original Planning Application and plans (June 2024)</p> <p>Pages 32 to 46 - Supporting statement and plans (May 2024)</p> <p>Pages 47 to 48 - Decision Notice</p> <p>Pages 49 to 50 - Consultation responses (ARA)</p> <p>Pages 51 to 52 - Interested Parties Representations on Planning Application</p> <p>Pages 53 to 56 - Case Officer Photographs and Comments.</p>

	Pages 57 to 58 - Applicant's Representations Following Case Officer Photographs and Comments. Pages 59 to 60 - Draft Conditions
New Material:	No
Additional Material Any other Comments:	N/A
Dated:	January 2025

Report of Handling of Planning Application

The Council's Scheme of Delegation can be viewed at <https://www.south-ayrshire.gov.uk/planning-application-process>

Reference No:	24/00431/APP
Site Address:	38 Park Circus Ayr South Ayrshire KA7 2DL
Proposal:	Formation of access, replacement of wall, railings and gates
Recommendation:	Refusal

REASON FOR 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 has been determined 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 7 June 2024.
- The application was validated on 7 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 June 2024.
- A Site Visit was carried out by the Planning Authority on 26 June 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 18 June 2024.
- A Public Notice, under The Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 (as amended) was placed in the Local Press on 18 June 2024.

1. Site Description:

The application site relates to a two-storey end of terrace traditional sandstone dwellinghouse located at 38 Park Circus Ayr. The site forms part of a historic continuous uniform terrace which extends to number 22 and is characterised by undeveloped front gardens and continuous boundary treatment. The site is bound to the north by a carriageway with residential dwellings beyond, by residential dwellings to the east and west and by an access lane to the south with residential properties beyond. The lane in situ to the south allows access to the garage which is situated to the rear of the property.

The site is located within the Ayr II Conservation Area.

2. Planning History:

18/00867/APP - Formation of vehicular access, removal of boundary wall, erection of gates/fence and associated hardstanding – Refused November 2018 – Application was then subsequently appealed to the Council's Local Review Body – The Local Review Body upheld the reasons for refusal in May 2019.

3. Description of Proposal:

Planning permission is sought for the formation of a vehicular access, the removal of a section of boundary wall, the erection of a replacement boundary wall, gates and railings and the formation of hardstanding. The works are proposed to accommodate an electric vehicle charging point to the front of the property, although this does not form part of the application proposal. Full details of the proposals are set out within the submitted plans.

The applicant has submitted a supporting statement which states that the existing boundary wall is comprised of a brick wall rendered to give the appearance of sandstone but not original to the property. It is being proposed to replace this with a sandstone wall with metal railings. The reduction in general CO2 emissions stated by the Scottish Government is also detailed, with the use of electric vehicles aiding this target. It is stated that there are examples within Park Circus and neighbouring Bellevue Crescent with off street parking in situ.

4. **Consultations:**

Ayrshire Roads Alliance – No objections, subject to conditions.

5. **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.

6. **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.

7. **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.

8. **Representations:**

2 representations have been received. 1 in support of and 1 which object to the proposed development. All representations can be viewed online at www.south-ayrshire.gov.uk/planning

In summary, the objector has expressed concerns relating to the proposed vehicular access, primarily the:

- Adverse impact on the character and appearance of the terrace within the Conservation Area and potential to create a dangerous precedent.
- The property is served by a lane which allows access to the rear which could be utilised by the applicant.

The following response is offered in relation to the objection raised:

- *Adverse impact on the character and appearance of the terrace within the Conservation Area and potential to create a dangerous precedent* – this point is addressed elsewhere within this report.
- *The property is served by a lane which allows access to the rear which could be utilised by the applicant.* – noted.

The representation in support of the application relates to the proposed erection of railings along the front boundary of the application site. The representee is of the view that this element of the proposals would enhance the appearance of the conservation area.

9. Development Plan:

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 (The 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.

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):

With regard to development in conservation areas, Policy 7(d) states that development proposals in or affecting conservation areas will only be supported where the character and appearance of the conservation area and its setting is preserved or enhanced. Relevant considerations include the:

- i. architectural and historic character of the area;
- ii. existing density, built form and layout; and
- iii. context and siting, quality of design and suitable materials.

With regard to householder development proposals, Policy 16(g) outlines that such proposals will be supported where they:

- I. do not have a detrimental impact on the character or environmental quality of the home and the surrounding area in terms of size, design and materials; and
- II. do not have a detrimental effect on the neighbouring properties in terms of physical impact, overshadowing or overlooking.

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.

The development proposal has been assessed against the above policies and is considered to be in accordance with NPF4, as outlined further below.

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):

- LDP 2 Policy: Strategic Policy 1: Sustainable Development
- LDP 2 Policy: Strategic Policy 2: Development Management
- LDP 2 Policy: Residential Policy within Settlements, Release Sites and Windfall Sites
- LDP 2 Policy: Historic Environment

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.

The development proposal has been assessed against the above policies and is considered to be in accordance with LDP2, as outlined further below.

10. Other Relevant Policy Considerations (including Government Guidance):

Historic Environment Policy for Scotland (HEPS)

Policy HEP2 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. Opportunities for enhancement should be identified where appropriate. If detrimental impact on the historic environment is unavoidable, it should be minimised. Steps should be taken to demonstrate that alternatives have been explored, and mitigation measures should be put in place.

Historic Scotland also offers guidance through its 'Managing Change' series.

The Managing Change document on Setting defines setting as the way in which the surroundings of a historic asset contributes to how it is experienced, understood and appreciated, and indicates that the setting of a historic structure often extends beyond the immediate property boundary of that structure into the broader landscape. Less tangible elements can also be important in understanding the setting. These may include function, sensory perceptions or the historical, artistic, literary and scenic associations of places or landscapes. Planning authorities are expected to take into account the setting of historic assets in the determination of applications for planning permission.

In respect of 'Boundaries' the Managing Change document considers that boundaries;

- Create a sense of place,
- Create a sense of enclosure,
- Have formal design relationships with buildings or garden/landscape, and
- Street characteristics - continuity or uniformity of a boundary can characterise a whole street or area of the same period, style - showing historical development or original ownership.

It is considered that the formation of hardstanding within the front garden of the property does not meet the requirements set out within Historic Environment Policy for Scotland and the aforementioned Managing Change documents. The proposed formation of hardstanding would require the removal of a section of boundary wall from the continuous boundary wall which extends from 22 Park Circus to the application site at number 38, which creates a uniform terrace comprising a continuous frontage of front gardens and a low boundary wall. It is considered that the proposal would have a detrimental visual impact on the character and appearance of the Ayr II Conservation Area due to no other property within the terrace having undertaken such works. It is regarded that the development is incongruous and unsympathetic to the character and setting of the area and would adversely alter the character and setting of the streetscape, which is defined by the terraced properties in the locale having no off-street parking to the front, which retains the uniformity and character of this part of the Conservation Area.

11. Assessment (including other material considerations):

The proposal under consideration is for the formation of a vehicular access, the removal of a section of boundary wall, the erection of a replacement wall, railings and gates and the formation of hardstanding to the front of the dwellinghouse. The proposal involves the removal of the existing brick front wall and the installation of a replacement sandstone wall with metal railings. An opening of approximately 2.8 metres would be gated. The applicant has submitted a supporting statement which outlines that the proposed off-street parking is proposed to accommodate an electric vehicle to the front of the property.

It is considered that the formation of an area of hardstanding to accommodate a driveway to the front of the property would be at odds with the character of this part of the conservation area, with the application site forming part of an attractive uniform historic terrace in which no other property has undertaken development of this nature. It is regarded that if approved, the application would be to the detriment of the character and setting of the conservation area. It is noted that no other property within the uniform terraced block of which the application site forms part has been altered in such a manner. Further, this is also the case within the uniform terrace on the opposite side of Park Circus from numbers 5-25 and within Bellevue Crescent, which continues from Park Circus, from numbers 27-63 and 18-52. Whilst the applicant states that other properties within Park Circus and Bellevue Crescent have off street parking, these properties are not comparable to the application site as they are either semi-detached or located to the side of the property where there is sufficient space for a garage.

It is noted that the supporting statement has made reference to two other vehicular accesses at end-terraced properties in the locale, in particular at 3 Park Circus and 27 Bellevue Crescent. Other vehicular accesses have been referenced on both Park Circus and Bellevue Crescent but, as these properties are

either detached or semi-detached, it is not considered that these are relevant to the application being considered. The vehicular access formed at 3 Park Circus was formed in 1958, which is some 11 years prior to the designation of Ayr II Conservation Area. As the formation of this access pre-dates the designation of the conservation area, it is considered that this cannot be held up as a comparable example in the consideration of the current planning application. With regard to the vehicular access formed at 27 Bellevue Crescent, the Planning Service have been unable to establish whether planning permission exists, and note that this conclusion has similarly been drawing within the applicant's supporting statement. However, according to Google Streetview, this access has been in-situ since at least 2009 and would therefore be immune from enforcement action. Notwithstanding, the Planning Service are of the view that this access cannot be held up as a comparable example of a vehicular access insofar as the vehicular access at 27 Bellevue Crescent appears to serve as the pedestrian access from the street as well, and the parking arrangements at this property differ from that proposed at the application site.

It is acknowledged that the proposal is intended to facilitate parking for an electric vehicle. However, the formation of hardstanding within the front garden of the property is considered to create irreversible damage and have an adverse impact on the character and setting of the conservation area. It is noted that the property is served by a garage to the rear, and it is considered that this could be utilised for the purpose of installing a charging point for an electric vehicle, and for providing off-street parking. The applicant has been advised of the concerns of the Planning Service wishes to proceed with the current proposals to determination. The Council as Planning Authority recognise the benefits of securing new technologies in the interest of promoting sustainable transport; however, this requires to be balanced against other objectives and it should be made clear that there is no objection to the installation of a charging point (which forms no part of this application).

Additionally, as noted above, planning permission was previously refused at this address – ref. 18/00867/APP - for the formation of vehicular access, removal of boundary wall, erection of gates/fence and associated hardstanding. This decision was then subsequently upheld at appeal by the Council's Local Review Body. Both decisions are considered to be materially significant in the assessment of the current application. It is considered that the proposals remain largely unchanged from this previous application and there have been no material changes which would address the concerns raised and warrant a different recommendation in this instance.

Overall, it is therefore considered that the proposal does not meet the policy provisions NPF4, LDP2, Historic Environment Policy for Scotland and the HES Managing Change documents on Setting and Boundaries. Given the above assessment, and having balanced the applicant's rights against the general interest, it is recommended the application be refused for the reasons below.

12. **Recommendation:**

It is recommended that the application is refused.

Reasons:

- (1R) That the proposal is contrary to National Planning Framework 4 National Policy 7: Historic Assets and Places and Policy 16: Quality Homes, the South Ayrshire Local Development Plan 2 Policies: Sustainable Development and Historic Environment as the formation of an opening within the boundary wall to form the proposed access on the front public elevation of the property and formation of hardstanding will result in a detrimental visual impact on the character and appearance of the Ayr II Conservation Area and would be incongruous within and unsympathetic to the setting of the locale.
- (2R) The proposal is contrary to Historic Environment Policy for Scotland and Historic Environment Scotland's Managing Change in the Historic Environment documents on Boundaries and Setting, as the formation of an opening and removal of the boundary wall to form the proposed access disrupts the uniformity of the existing boundary wall within the uniform terrace which contributes towards the character and setting of the street and Ayr II Conservation Area, thus resulting is a detrimental visual impact on the character and appearance of the Ayr II Conservation Area and the existing boundary which defines the curtilage and streetscape.

Advisory Notes:

None.

List of Plans Determined:

Plan Type	Reference	Version No.	Received Date
Drawing	23021/01		07.06.2024
Drawing	23021/02		07.06.2024
Drawing	23021/03		07.06.2024
Drawing	23021/04		07.06.2024
Drawing	23021/05		07.06.2024
Drawing	23021/06		07.06.2024
Supporting Information	Design Statement		07.06.2024

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.

<i>Decision Agreed By:</i>	<i>Appointed Officer</i>
<i>Date:</i>	<i>2 August 2024</i>



County Buildings Wellington Square Ayr KA7 1DR Tel: [REDACTED] 107 Email: [REDACTED]

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100673773-002

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

Applicant or Agent Details

Are you an applicant or an agent? * (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

Applicant Agent

Agent Details

Please enter Agent details

Company/Organisation:	Donald Hunter Architects		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Donald	Building Name:	
Last Name: *	Hunter	Building Number:	41a
Telephone Number: *		Address 1 (Street): *	Beresford Terrace
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	Ayr
Fax Number:		Country: *	Scotland
		Postcode: *	KA7 2HD
Email Address: *			

Is the applicant an individual or an organisation/corporate entity? *

Individual Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:	Mr	You must enter a Building Name or Number, or both: *	
Other Title:		Building Name:	
First Name: *	Andrew	Building Number:	38
Last Name: *	Williamson	Address 1 (Street): *	Park Circus
Company/Organisation		Address 2:	
Telephone Number: *		Town/City: *	Ayr
Extension Number:		Country: *	Scotland
Mobile Number:		Postcode: *	KA7 2DL
Fax Number:			
Email Address: *			

Site Address Details

Planning Authority:

South Ayrshire Council

Full postal address of the site (including postcode where available):

Address 1:

38 PARK CIRCUS

Address 2:

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

AYR

Post Code:

KA7 2DL

Please identify/describe the location of the site or sites

Northing

621248

Easting

233673

Description of Proposal

Please provide a description of your proposal to which your review relates. The description should be the same as given in the application form, or as amended with the agreement of the planning authority: *
(Max 500 characters)

Formation of access, replacement of wall, railings and gates at 38 Park Circus, Ayr, KA7 2DL

Type of Application

What type of application did you submit to the planning authority? *

- Application for planning permission (including householder application but excluding application to work minerals).
- Application for planning permission in principle.
- Further application.
- Application for approval of matters specified in conditions.

What does your review relate to? *

- Refusal Notice.
- Grant of permission with Conditions imposed.
- No decision reached within the prescribed period (two months after validation date or any agreed extension) – deemed refusal.

Statement of reasons for seeking review

You must state in full, why you are seeking a review of the planning authority's decision (or failure to make a decision). Your statement must set out all matters you consider require to be taken into account in determining your review. If necessary this can be provided as a separate document in the 'Supporting Documents' section: * (Max 500 characters)

Note: you are unlikely to have a further opportunity to add to your statement of appeal at a later date, so it is essential that you produce all of the information you want the decision-maker to take into account.

You should not however raise any new matter which was not before the planning authority at the time it decided your application (or at the time expiry of the period of determination), unless you can demonstrate that the new matter could not have been raised before that time or that it not being raised before that time is a consequence of exceptional circumstances.

Please refer to separate Review Request Statement submitted as supporting document.

Have you raised any matters which were not before the appointed officer at the time the Determination on your application was made? *

Yes No

If yes, you should explain in the box below, why you are raising the new matter, why it was not raised with the appointed officer before your application was determined and why you consider it should be considered in your review: * (Max 500 characters)

Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review and intend to rely on in support of your review. You can attach these documents electronically later in the process: * (Max 500 characters)

23021-01 Location Plan, 23021-02 Houses With Driveways, 23021-03 Existing Site Plan, 23021-04 Existing Drive Plan, 23021-05 Proposed Site Plan, 23021-06 Front Wall Elevations, 240603 38 Park Circus Design Statement, 241024 38 Park Circus Review Statement.

Application Details

Please provide the application reference no. given to you by your planning authority for your previous application.

24/00431/APP

What date was the application submitted to the planning authority? *

07/06/2024

What date was the decision issued by the planning authority? *

06/08/2024

Review Procedure

The Local Review Body will decide on the procedure to be used to determine your review and may at any time during the review process require that further information or representations be made to enable them to determine the review. Further information may be required by one or a combination of procedures, such as: written submissions; the holding of one or more hearing sessions and/or inspecting the land which is the subject of the review case.

Can this review continue to a conclusion, in your opinion, based on a review of the relevant information provided by yourself and other parties only, without any further procedures? For example, written submission, hearing session, site inspection. *

Yes No

Please indicate what procedure (or combination of procedures) you think is most appropriate for the handling of your review. You may select more than one option if you wish the review to be a combination of procedures.

Please select a further procedure *

By means of inspection of the land to which the review relates

Please explain in detail in your own words why this further procedure is required and the matters set out in your statement of appeal it will deal with? (Max 500 characters)

A site visit should be undertaken to review the surrounding context of the conservation area in the absence of a formal South Ayrshire Council Conservation Character Appraisal for the area. Example photos given in supporting statement of neighbouring boundary walls and the existing driveways to terraced properties contradict the site description in the planning officer's report of handling which suggest the character of the area has been incorrectly represented.

In the event that the Local Review Body appointed to consider your application decides to inspect the site, in your opinion:

Can the site be clearly seen from a road or public land? *

Yes No

Is it possible for the site to be accessed safely and without barriers to entry? *

Yes No

Checklist – Application for Notice of Review

Please complete the following checklist to make sure you have provided all the necessary information in support of your appeal. Failure to submit all this information may result in your appeal being deemed invalid.

Have you provided the name and address of the applicant?. *

Yes No

Have you provided the date and reference number of the application which is the subject of this review? *

Yes No

If you are the agent, acting on behalf of the applicant, have you provided details of your name and address and indicated whether any notice or correspondence required in connection with the review should be sent to you or the applicant? *

Yes No N/A

Have you provided a statement setting out your reasons for requiring a review and by what procedure (or combination of procedures) you wish the review to be conducted? *

Yes No

Note: You must state, in full, why you are seeking a review on your application. Your statement must set out all matters you consider require to be taken into account in determining your review. You may not have a further opportunity to add to your statement of review at a later date. It is therefore essential that you submit with your notice of review, all necessary information and evidence that you rely on and wish the Local Review Body to consider as part of your review.

Please attach a copy of all documents, material and evidence which you intend to rely on (e.g. plans and Drawings) which are now the subject of this review *

Yes No

Note: Where the review relates to a further application e.g. renewal of planning permission or modification, variation or removal of a planning condition or where it relates to an application for approval of matters specified in conditions, it is advisable to provide the application reference number, approved plans and decision notice (if any) from the earlier consent.

Declare – Notice of Review

I/We the applicant/agent certify that this is an application for review on the grounds stated.

Declaration Name: Mr Donald Hunter

Declaration Date: 05/11/2024

PLANNING APPLICATION

CLIENT:
Mr & Mrs Williamson

PROJECT TITLE:
Proposed Formation of Vehicular Access,
Replacement boundary wall, reinstatement
of railings and new gates,
38 Park Circus,
Ayr,
KA7 2DL

DOCUMENT:
Review Request Statement

DATE:
October 2024

1. Client:

Mr & Mrs Williamson
38 Park Circus,
Ayr,
KA7 2DL

2. Purpose:

2.1 This Review Request Statement has been prepared by Donald Hunter Architects on behalf of Mr & Mrs Williamson who are “the Applicants” and owners of 38 Park Circus, Ayr, KA7 2DL (“the property”).

2.2 This statement has been prepared in support of a request to review the decision of the Appointed Planning Officer in relation to planning application reference number 24/00431/APP for a proposed new vehicle access, replacement front boundary wall, erection of new gates/fence and changes to the landscaping at the above address. This review statement is to be read in conjunction with the supporting design statement and all other supporting information submitted as part of the planning application, which have been re-uploaded as part of this review request.

2.3 We dispute the planning officer’s reasons for refusing the application and respectfully request the Council’s Local Review Body overturn the decision and approve the application.

3. Summary of Applicant’s Reason For Review:

1. Reasons for refusal deemed to be that the proposed works would impact on the character and appearance of the local Ayr II conservation area. No conservation area appraisal is available for Ayr II Conservation Area, or a character appraisal for Park Circus in particular therefore we do not have a formal agreed character appraisal of the conservation area to assess the proposals against.
2. The Site description in the report of handling is incorrect in its description of the Park Circus Terraces including the boundary walls as “uniform” and has been copied over from the previous report of handling from application reference 18/00867/APP. In the absence of a conservation area or character appraisal of Park Circus for reference, and despite our supporting statement providing evidence to show the continuous wall is not uniform, this site description has been used as the basis of the area character in the refusal.
3. Example provided in supporting statement of neighbouring end of terrace property at 3 Park Circus being granted planning approval for a driveway ruled out as justification by planning officer due to the approval being granted and work being completed prior to conservation area status. If this driveway was in place prior to the designation of conservation area, then it is part of the character of the area.
4. Reason 1 for refusal states that proposed works are not in accordance with NPF4 Policies 7 and 16 however report of handling Section 9 states the proposals are in accordance with these policies.
5. Reason 1 for refusal states that proposed works are not in accordance with South Ayrshire Council LDP2 policies however report of handling section 9 states the proposals are in accordance with LDP2.
6. Works proposed have been designed to improve the overall look of the boundary wall of the property and the terrace. The proposed design is specifically in keeping with the original wall designs of the immediately neighbouring properties, which the current boundary wall at the property is not. The opening for vehicle access has been positioned at the end of the boundary wall so the wall maintains the character of the continuous wall and in reference to that at 3 Park Circus. The proposed vehicle access creates a new end to the boundary wall rather than a new opening in the middle of the wall as suggested in the report of handling.

7. The proposed landscaping materials including gravel area for parking are in line with neighbouring properties in the terrace as has been shown in our supporting statement. Report of handling continually refers to hardstanding that is out of character with the area which suggests paving or tar finish, however this is incorrect in its assessment.
8. The applicant seeks to upgrade their home to meet the energy efficient policies that are being brought in regarding car ownership. Following the previous refusal of application ref 18/00867/APP they have been trying to work around the issues of the rear lane access to get to their charger however constant blockages of the lane by vehicles and other obstacles mean the rear access is not suitable for day to day access. Consideration should be given towards sensitive alterations in conservation areas to allow for ease of electric car charging if update is to increase.

4. Response to Report of Handling

4.1 The supporting design statement prepared as part of this planning application set out to address the issues identified in the report of handling for the applicant's previous planning application as well as assessing the proposals against the latest planning policies. Due to there being no character appraisal available for Park Circus or the wider conservation area, it also went in depth to the history and development of the terrace to ensure that the character of the area was established for the planning officer to assess against.

4.2 Upon receiving the refusal of this application we reviewed the report of handling and found issues identified in the previous report had not been corrected, instead being copied and pasted across which we would argue has contributed to the refusal of the application. This section highlights those areas we would dispute and ask to be reviewed.

Site description

"The application site relates to a two-storey end of terrace traditional sandstone dwellinghouse located at 38 Park Circus Ayr. The site forms part of a historic continuous uniform terrace which extends to number 22 and is characterised by undeveloped front gardens and continuous boundary treatment. The site is bound to the north by a carriageway with residential dwellings beyond, by residential dwellings to the east and west and by an access lane to the south with residential properties beyond. The lane in situ to the south allows access to the garage which is situated to the rear of the property."

4.3 The above text is the Site Description from the report of handling which has been copied and pasted from the previous application ref 18/00867/APP report of handling despite being highlighted as incorrect within sections 3 and 5 of our supporting statement. We disagree with this description which has been used as the basis for assessing the proposals.

4.4 The assessment within the report of handling has been written on the basis that the terrace houses are uniform and the continuous boundary walls are all uniform, with this being the only proposed change on the street.

4.5 The Oxford dictionary defines uniform, used in this context as an adjective as; *"not varying; the same in all parts and at all times."* It then gives an example of the word in use with; *"uniform lines of terraced houses (= they all looked the same)"*.

4.6 Section 5 of the supporting statement with reference to figures 6, 7, 8 and 9, shows in detail how the existing boundary wall running along the terrace from 22 to 38 Park Circus varies in material choice, material finish, cope detail, fence design above the wall, wall height, wall form, gate post design and gate position relative to the house entrance. In summary; they do not look the same therefore,

while the wall is “continuous” in plan, it is not uniform in appearance.

4.7 As noted in section 3 of the supporting statement, the house designs within the terrace running from 22-38 are also not uniform in appearance, with the terrace being built in four sections. These four sections differ in scale, ornamentation, floor levels, window heights, eaves height, and roof design.

4.8 In our opinion it has been clearly demonstrated in the supporting statement submitted that the houses and their respective boundary walls vary in design, finish, opening positions and materials so do not look “the same in all parts at all times”. Therefore by definition the terrace houses and boundary walls are not uniform. We assume the planning officer for this application will have noted this on their site visit on the 26th June 2024 as noted in the key information section of the report of handling.

4.9 In addition to the boundary walls, and houses, the site description also refers to the terrace being “characterised by undeveloped front gardens”. As can be seen in figures 6, 7, 8 and 9 and as noted in the supporting statement, the front gardens from 22-36 from 22-36 have a mix of landscaping finishes; some with lawn and planting, others purely gravel but all have a hard landscaped path to the front door. The location of the paths relative to the front doors of the houses also varies. The proposals indicate that gravel has been chosen for the area to park due to the amount of gravel used in neighbouring properties. This also allows for ease of reinstatement if it were ever desired.

4.10 The reason for detailing the surrounding houses, boundary walls and front garden finishes was to establish the character of the area for the planning officer to assess in the absence of a character appraisal for Park Circus. In our opinion the “character” as defined in the Site Description and then subsequent assessment areas of the report of handling taken from the previous application, has been misrepresented. The result of this is that the proposals are then deemed to not be sympathetic to the character of the area which is used as the basis for refusal. If the proposals were assessed against the character evidence we have shown we believe it would show it they are in keeping with the area, the policy documents referenced and therefore should be approved.

Assessment (including other material considerations)

“It is considered that the formation of an area of hardstanding to accommodate a driveway to the front of the property would be at odds with the character of this part of the conservation area, with the application site forming part of an attractive uniform historic terrace in which no other property has undertaken development of this nature. It is regarded that if approved, the application would be to the detriment of the character and setting of the conservation area. It is noted that no other property within the uniform terraced block of which the application site forms part has been altered in such a manner. Further, this is also the case within the uniform terrace on the opposite side of Park Circus from numbers 5-25 and within Bellevue Crescent, which continues from Park Circus, from numbers 27-63 and 18-52. Whilst the applicant states that other properties within Park Circus and Bellevue Crescent have off street parking, these properties are not comparable to the application site as they are either semi-detached or located to the side of the property where there is sufficient space for a garage.”

4.11 This text has been directly copied from the previous report of handling from application reference 18/00867/APP and pasted into the report for application reference 24/00431/APP despite evidence being provided that the numbering of the terraces in Park Circus go from 3 to 25, not 5 to 25. 3 Park terrace is the end of terrace property which as shown in our supporting statement, has an existing driveway access. This was completely disregarded from the assessment of the applicant’s previous planning application. Evidence is provided within section 6 of our supporting statement of the planning

application being approved for the driveway at 3 Park Circus in 1958, including figures 12 and 13 which are photos of the original approved plans. This is addressed briefly in the following paragraph:

“It is noted that the supporting statement has made reference to two other vehicular accesses at end-terraced properties in the locale, in particular at 3 Park Circus and 27 Bellevue Crescent....The vehicular access formed at 3 Park Circus was formed in 1958, which is some 11 years prior to the designation of Ayr II Conservation Area. As the formation of this access pre-dates the designation of the conservation area, it is considered that this cannot be held up as a comparable example in the consideration of the current planning application.”

4.12 We would argue that as the approval was granted and the work completed at 3 Park Circus prior to the designation of the conservation area, then this would have been an existing feature of the street at that time and therefore part of the character of the conservation area. At the time of designation, the end of terrace from 3-25 Park Circus featured a drive way access that is at the end of the continuous boundary wall as can be seen in figure 14 of our supporting statement. The opening at 3 Park Circus is located to the side of the terrace property in a wider plot; our proposed opening is located to the side of 38 Park Circus which sits in a wider plot as detailed in Section 6 and 7 of our supporting statement. In the absence of a character appraisal for Park Circus disputing this, we would consider this to be held up as a comparable example in the consideration of the planning application.

4.13 It is worth noting that the proposed opening at 38 Park Circus is designed to be in-keeping and a narrower width than that at 3 Park Circus therefore will have less of an impact on the area than the existing example on the street. The car would not sit in front of the house like it would were it to be located mid-terrace.

5. Response to Refusal Reasons

5.1 The application was refused by the appointed planning officer for two reasons as noted below in reference to the decision notice.

Reason 1

“(1R) That the proposal is contrary to National Planning Framework 4 National Policy 7: Historic Assets and Places and Policy 16: Quality Homes, the South Ayrshire Local Development Plan 2 Policies: Sustainable Development and Historic Environment as the formation of an opening within the boundary wall to form the proposed access on the front public elevation of the property and formation of hardstanding will result in a detrimental visual impact on the character and appearance of the Ayr II Conservation Area and would be incongruous within and unsympathetic to the setting of the locale.”

5.2 In response to reason 1, while the refusal reason sets out that the proposal is contrary to the NPF4 policies 7(d) and 16(g), in Section 9 of the report of handling it states the proposals are in accordance with these policies; *“The development proposal has been assessed against the above policies and is considered to be in accordance with NPF4, as outlined further below.”*

5.3 National Planning Framework (NPF) Policy 7- Historic Assets and Places seeks to protect and enhance historic environment assets and places and to enable positive change as a catalyst for the regeneration of places. In respect of development in conservation areas (Policy 7(d) as referenced above) proposals will only be supported where the character and appearance of the conservation area and its setting is preserved.

5.4 As is covered in section 4 of this review statement and throughout the supporting statement submitted with the planning application, we argue that our proposals including vehicle access are in

keeping with the character of Park Circus. The proposals to replace the boundary wall to match that of the neighbouring property in terms of scale, form and material finishes improves the existing situation. The landscaping changes proposed are minimal and are in reference to the neighbouring properties in the terrace therefore confirm with policy 7(d).

5.5 NPF Policy 16(g) - In respect of householder development proposals will be supported where they do not have a detrimental impact on the character or environmental impact of the home in respect of size, design and materials, and do not have a detrimental impact on neighbouring properties in terms of physical impact, overshadowing or overlooking. This is addressed in items 5.6 to 5.8 below.

5.6 As noted elsewhere in this review statement and throughout the supporting statement submitted with the planning application, the proposals are a positive development for the property as they bring the design and materials of the boundary wall in line with those of neighbouring properties. The proposals for the boundary wall, landscaping and vehicle access do not any detrimental impact on the neighbouring properties in terms of physical impact, overshadowing or overlooking.

5.7 The landscaping to the front of the house has been designed to have minimal impact on the character of the house and the surrounding area. Loss of soft landscaping is kept to a minimum while materials are in reference to the surrounding area.

5.8 The parking area, referred to as hardstanding in the planners assessment, will not create irreversible damage due to it being formed of gravel that could be easily lifted and replaced if it were ever needed to be. The gravel will also not have an adverse effect on the character and setting of the conservation area as many neighbouring properties have a full gravel front garden. The house will not be impacted by the formation of the parking space as it is located to the side of the wider plot, minimising any instance of the parked car blocking the ground floor of the house from view.

5.9 Reason 1 also states that the proposals are contrary to South Ayrshire Council LDP2 policies on Sustainable Development and Historic Environment however in section 9 of the report of handling it states the proposals are in accordance with LDP2 policies:

"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.

The development proposal has been assessed against the above policies and is considered to be in accordance with LDP2, as outlined further below."

5.10 The contradictions between the report and the refusal reason outcomes raises concerns at the overall assessment which we feel are suitable grounds for review in this instance.

5.11 An assessment of our proposals against the LDP2 Policy on Historic Environment is included in Section 7 of the supporting statement submitted with the planning application. The defined character of the area and example of other properties given also impact the assessment of this policy.

5.12 The proposed works to facilitate ease of charging the applicants electric car, with the long term view of being able to change more of the family vehicles to electric vehicles, fit within the LDP2 Strategic Policy 1: Sustainable Development, in particular standard; *"Helps mitigate and adapt to the effects of climate change."*

Reason 2

“(2R) The proposal is contrary to Historic Environment Policy for Scotland and Historic Environment Scotland’s Managing Change in the Historic Environment documents on Boundaries and Setting, as the formation of an opening and removal of the boundary wall to form the proposed access disrupts the uniformity of the existing boundary wall within the uniform terrace which contributes towards the character and setting of the street and Ayr II Conservation Area, thus resulting in a detrimental visual impact on the character and appearance of the Ayr II Conservation Area and the existing boundary which defines the curtilage and streetscape.”

5.13 In response to Reason 2, the proposals are assessed against the Historic Environment Scotland’s Managing Change documents on Boundaries in section 7 of the supporting statement submitted with the planning application.

5.14 In section 10 of the report of handling, when assessing the work against the HES Managing Change documents on Boundaries and Setting, the planning officer again references impact on the uniform terrace from 22-38 and the associated boundary walls. As addressed in items 4.3-4.10 of this review statement, the terrace including boundary walls and landscaping to front gardens is incorrectly described as “uniform”. The example of 3 Park Circus as an end of terrace with wider plot and vehicle access also is relevant justification for this point. The design of the opening is in line with the surrounding properties and the openings are to be made in a non-original wall therefore meet the requirements of the HES additional guidance.

5.15 Historic Environment Scotland document “INTERIM GUIDANCE ON THE DESIGNATION OF CONSERVATION AREAS AND CONSERVATION AREA CONSENT APRIL 2019” was published by Historic Environment Scotland in 2019 to provide detailed guidance on the application of Historic Environment Policy for Scotland. It sets out the principles HES recommends are followed in implementing the requirements of Scottish Planning Policy and is a material consideration in the planning process. It should be read alongside HEPS and the Managing Change Guidance Notes series.

5.16 Guidance point 5 from the guidance document states:

*“5. National planning policy sets out that local authorities are expected to ensure that local development plans and supplementary guidance provide a framework for protecting and, where appropriate, enhancing all elements of the historic environment. In this regard, local planning authorities should designate and review existing and potential conservation areas and identify existing and proposed Article 4 Directions. **This should be supported by Conservation Area Appraisals and Management. As part of this process, planning authorities are encouraged undertake a thorough appraisal of any area before designation to ensure that its character or appearance is understood.**”*

As noted already within this review, no appraisal is available for public access for Ayr II conservation area or Park Circus in particular for the proposals to be assessed against by either applicant, agent or planning officer.

6. Conclusion

6.1 This Review Statement has highlighted misrepresentation of the Site Description across both this and the previous planning applications which in the absence of a formal character appraisal, has been used as the basis for the area character. The result of this is that the proposals are then deemed to not be sympathetic to the character of the area which is used as the basis for refusal. If the proposals were assessed against the character evidence we have shown we believe it would show they are in keeping with the area, the policy documents referenced and therefore should be approved.

6.2 This review statement has highlighted contradictions in the assessment of compliance of the proposals between the report of handling and the reasons for refusal that require to be clarified and addressed.

6.3 This Review Statement has reviewed the proposals against the policies referred to by the Planning Officer in their report of handling and Reasons for Refusal. Based upon the correct character assessment, the proposals are found to comply with the aims of the LDP2 and NPF4 in respect of work within Conservation Areas and meet the guidance in the Historic Environment Scotland Managing Change documents.

6.4 The proposed scheme represents small scale alterations to the boundary wall and landscaping which have been designed to improve the appearance of the existing property and the surrounding conservation area.

6.5 As such we respectfully request that the Local Review Body overturn the Planning Officers decision and approve the proposal.



County Buildings Wellington Square Ayr KA7 1DR Tel: [REDACTED] Email: [REDACTED]

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100673773-001

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

Description of Proposal

Please describe accurately the work proposed: * (Max 500 characters)

Proposed Formation of Vehicular Access, Replacement boundary wall, reinstatement of railings and new gates at 38 Park Circus.

Has the work already been started and/ or completed? *

No Yes - Started Yes - Completed

Applicant or Agent Details

Are you an applicant or an agent? * (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

Applicant Agent

Agent Details

Please enter Agent details

Company/Organisation:	<input type="text" value="Donald Hunter Architects"/>	
Ref. Number:	<input type="text"/>	You must enter a Building Name or Number, or both: *
First Name: *	<input type="text" value="Donald"/>	Building Name: <input type="text"/>
Last Name: *	<input type="text" value="Hunter"/>	Building Number: <input type="text" value="41a"/>
Telephone Number: *	<input type="text" value="██████████"/>	Address 1 (Street): * <input type="text" value="Beresford Terrace"/>
Extension Number:	<input type="text"/>	Address 2: <input type="text"/>
Mobile Number:	<input type="text"/>	Town/City: * <input type="text" value="Ayr"/>
Fax Number:	<input type="text"/>	Country: * <input type="text" value="Scotland"/>
		Postcode: * <input type="text" value="KA7 2HD"/>
Email Address: *	<input type="text" value="██"/>	

Is the applicant an individual or an organisation/corporate entity? *

Individual Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:	<input type="text" value="Mr"/>	You must enter a Building Name or Number, or both: *
Other Title:	<input type="text"/>	Building Name: <input type="text"/>
First Name: *	<input type="text" value="A"/>	Building Number: <input type="text" value="38"/>
Last Name: *	<input type="text" value="Williamson"/>	Address 1 (Street): * <input type="text" value="Park Circus"/>
Company/Organisation	<input type="text"/>	Address 2: <input type="text"/>
Telephone Number: *	<input type="text"/>	Town/City: * <input type="text" value="Ayr"/>
Extension Number:	<input type="text"/>	Country: * <input type="text" value="Scotland"/>
Mobile Number:	<input type="text"/>	Postcode: * <input type="text" value="KA7 2DL"/>
Fax Number:	<input type="text"/>	
Email Address: *	<input type="text" value="██"/>	

Site Address Details

Planning Authority:

South Ayrshire Council

Full postal address of the site (including postcode where available):

Address 1:

38 PARK CIRCUS

Address 2:

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

AYR

Post Code:

KA7 2DL

Please identify/describe the location of the site or sites

Northing

621248

Easting

233673

Pre-Application Discussion

Have you discussed your proposal with the planning authority? *

Yes No

Trees

Are there any trees on or adjacent to the application site? *

Yes No

If yes, please mark on your drawings any trees, known protected trees and their canopy spread close to the proposal site and indicate if any are to be cut back or felled.

Access and Parking

Are you proposing a new or altered vehicle access to or from a public road? *

Yes No

If yes, please describe and show on your drawings the position of any existing, altered or new access points, highlighting the changes you proposed to make. You should also show existing footpaths and note if there will be any impact on these.

How many vehicle parking spaces (garaging and open parking) currently exist on the application site? *

1

How many vehicle parking spaces (garaging and open parking) do you propose on the site (i.e. the total of existing and any new spaces or a reduced number of spaces)? *

2

Please show on your drawings the position of existing and proposed parking spaces and identify if these are for the use of particular types of vehicles (e.g. parking for disabled people, coaches, HGV vehicles, cycle spaces).

Planning Service Employee/Elected Member Interest

Is the applicant, or the applicant's spouse/partner, either a member of staff within the planning service or an elected member of the planning authority? * Yes No

Certificates and Notices

CERTIFICATE AND NOTICE UNDER REGULATION 15 – TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (SCOTLAND) REGULATION 2013

One Certificate must be completed and submitted along with the application form. This is most usually Certificate A, Form 1, Certificate B, Certificate C or Certificate E.

Are you/the applicant the sole owner of ALL the land? * Yes No

Is any of the land part of an agricultural holding? * Yes No

Certificate Required

The following Land Ownership Certificate is required to complete this section of the proposal:

Certificate A

Land Ownership Certificate

Certificate and Notice under Regulation 15 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Certificate A

I hereby certify that –

(1) - No person other than myself/the applicant was an owner (Any person who, in respect of any part of the land, is the owner or is the lessee under a lease thereof of which not less than 7 years remain unexpired.) of any part of the land to which the application relates at the beginning of the period of 21 days ending with the date of the accompanying application.

(2) - None of the land to which the application relates constitutes or forms part of an agricultural holding

Signed: Donald Hunter

On behalf of: Mr A Williamson

Date: 02/06/2024

Please tick here to certify this Certificate. *

Checklist – Application for Householder Application

Please take a few moments to complete the following checklist in order to ensure that you have provided all the necessary information in support of your application. Failure to submit sufficient information with your application may result in your application being deemed invalid. The planning authority will not start processing your application until it is valid.

- a) Have you provided a written description of the development to which it relates? * Yes No
- b) Have you provided the postal address of the land to which the development relates, or if the land in question has no postal address, a description of the location of the land? * Yes No
- c) Have you provided the name and address of the applicant and, where an agent is acting on behalf of the applicant, the name and address of that agent? * Yes No
- d) Have you provided a location plan sufficient to identify the land to which it relates showing the situation of the land in relation to the locality and in particular in relation to neighbouring land? *. This should have a north point and be drawn to an identified scale. Yes No
- e) Have you provided a certificate of ownership? * Yes No
- f) Have you provided the fee payable under the Fees Regulations? * Yes No
- g) Have you provided any other plans as necessary? * Yes No

Continued on the next page

A copy of the other plans and drawings or information necessary to describe the proposals (two must be selected). *

You can attach these electronic documents later in the process.

Existing and Proposed elevations.

Existing and proposed floor plans.

Cross sections.

Site layout plan/Block plans (including access).

Roof plan.

Photographs and/or photomontages.

Additional Surveys – for example a tree survey or habitat survey may be needed. In some instances you may need to submit a survey about the structural condition of the existing house or outbuilding. Yes No

A Supporting Statement – you may wish to provide additional background information or justification for your Proposal. This can be helpful and you should provide this in a single statement. This can be combined with a Design Statement if required. * Yes No

You must submit a fee with your application. Your application will not be able to be validated until the appropriate fee has been Received by the planning authority.

Declare – For Householder Application

I, the applicant/agent certify that this is an application for planning permission as described in this form and the accompanying Plans/drawings and additional information.

Declaration Name: Mr Donald Hunter

Declaration Date: 06/06/2024

Payment Details



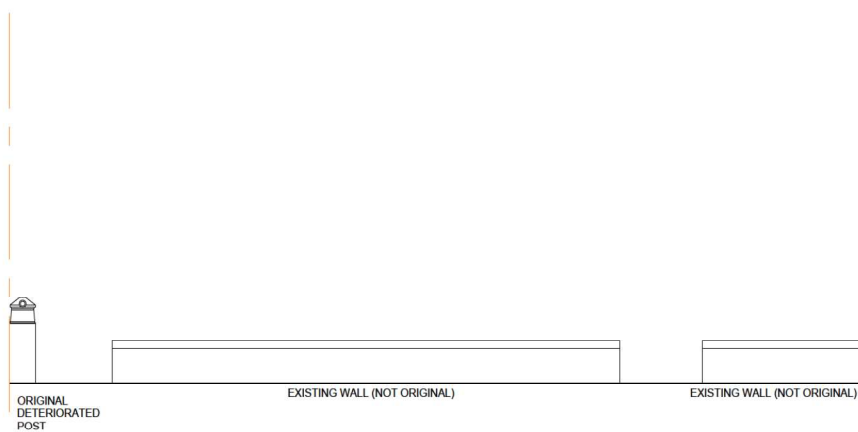
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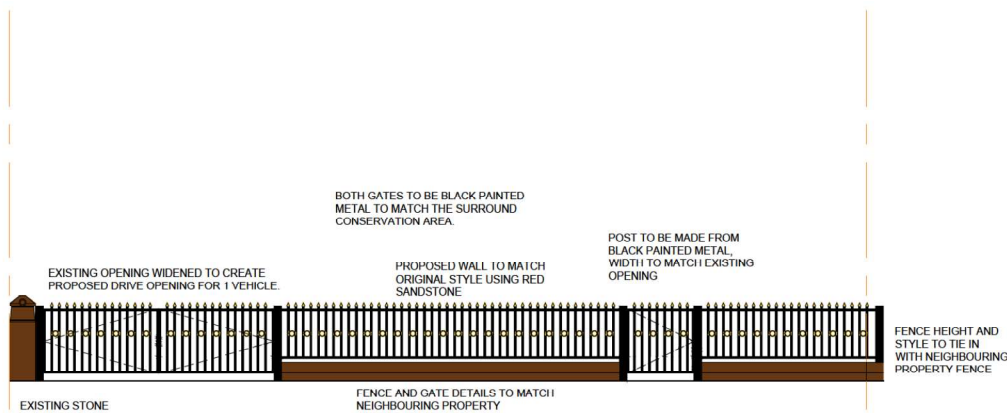
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DRAWING STATUS:
 PLANNING APPLICATION



23021/06/01 - Existing Front Wall



23021/06/02 - Proposed Front Wall

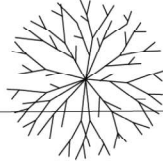
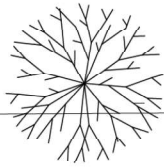
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CLIENT: Mr & Mrs Williamson
 PROJECT TITLE:
 Proposed Formation of Vehicular Access,
 Replacement boundary wall, reinstatement
 of railings and new gates.
 38 Park Circus,
 Ayr
 KA7 2DL

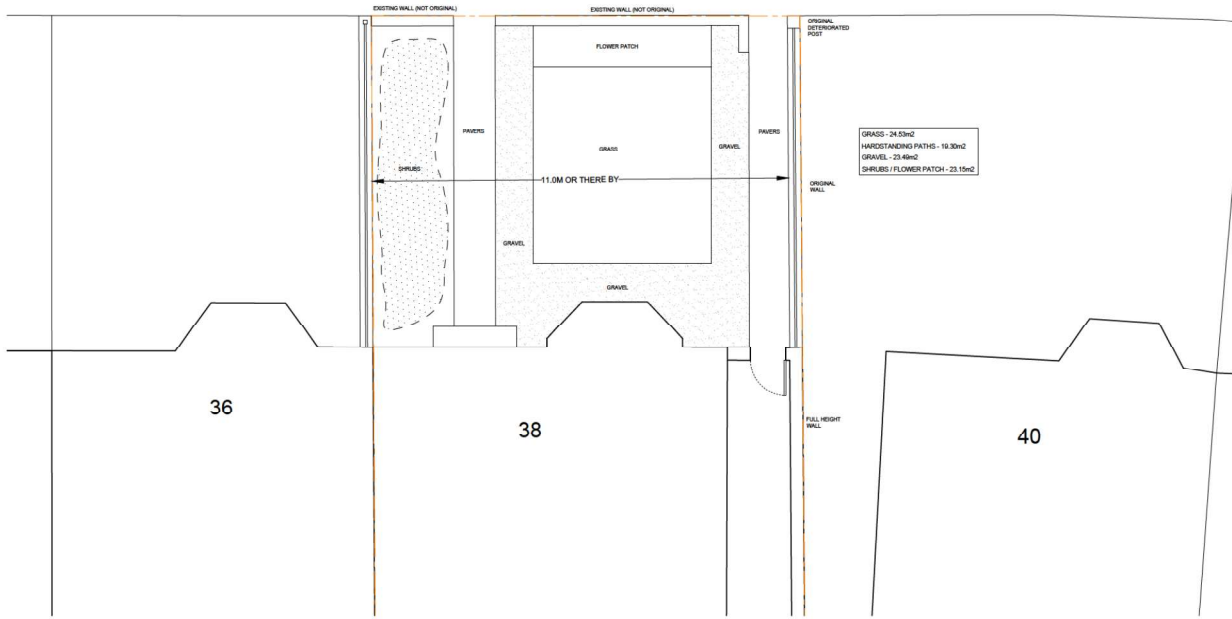
DRAWING TITLE:
 Front Wall Elevations
 DRAWING NUMBER: 23021/06 SCALE: 1:50 at A3
 DATE: Sept 2023



PARK CIRCUS



EXISTING UNLOCATED ON STREET PARKING



GRASS - 24.5m²
 HARDSTANDING PATHS - 19.30m²
 GRAVEL - 23.49m²
 SHRUBS / FLOWER PATCH - 23.15m²



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DRAWING TITLE: Existing Drive Plan
DRAWING NUMBER: 23021/04
SCALE: 1:100 at A3
DATE: Sept 2023



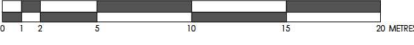


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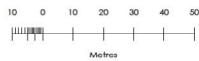
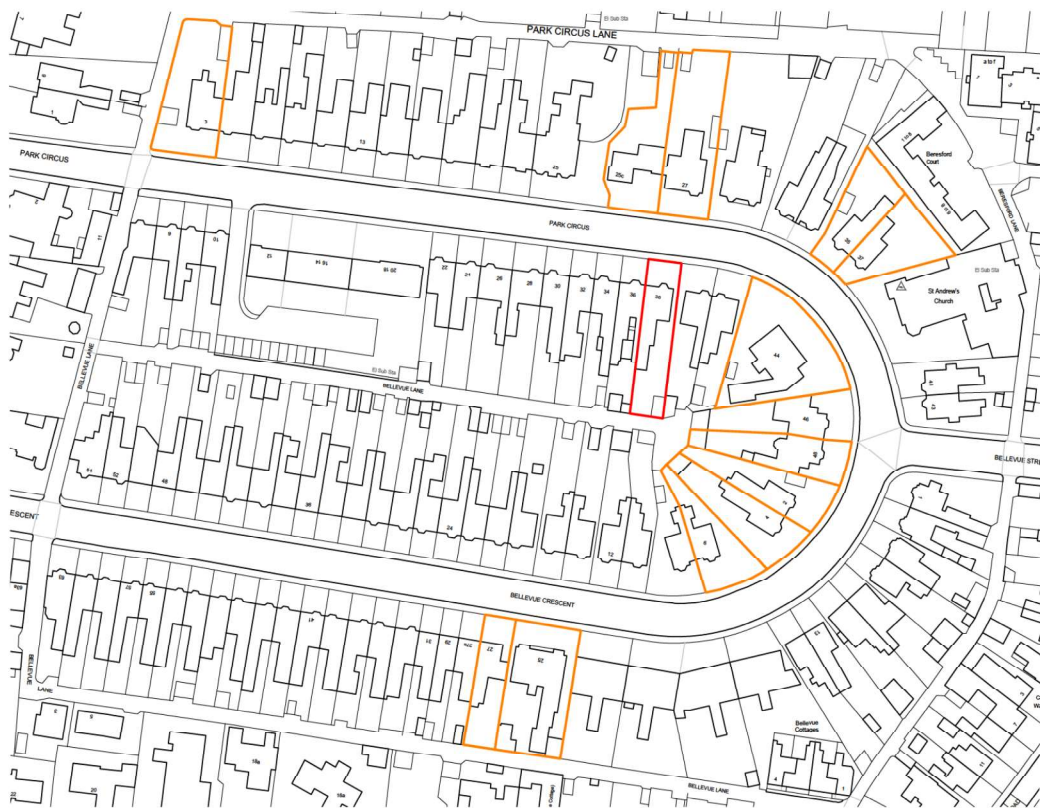
DRAWING STATUS:
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DRAWING TITLE: Existing Site Plan
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DRAWING STATUS:
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- Site Boundary.
- Neighbouring sites with driveways and vehicle access to the front of the house.


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CLIENT: Mr & Mrs Williamson
PROJECT TITLE: Proposed Formation of Vehicular Access, Replacement boundary wall, reinstatement of railings and new gates.
 38 Park Circus,
 Ayr
 KA7 2DL
DRAWING TITLE: Houses with Driveways

DRAWING NUMBER: 23021/02 **SCALE:** 1:1250 at A3
DATE: Sept 2023




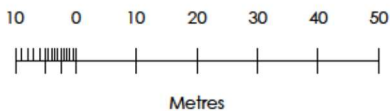
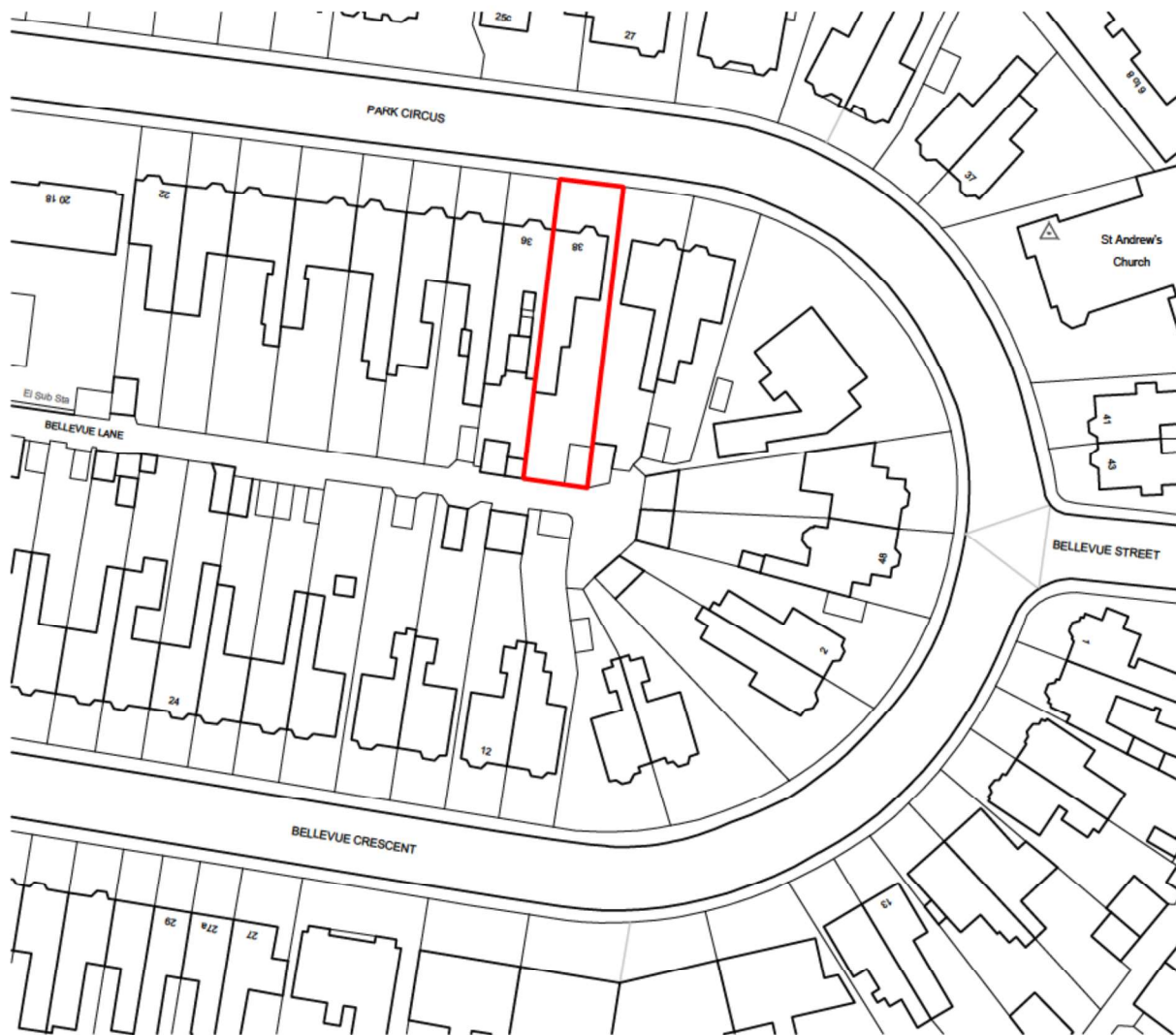
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DRAWING STATUS:
PLANNING APPLICATION

 Site Boundary.



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Proposed Formation of Vehicular Access,
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of railings and new gates.
38 Park Circus,
Ayr
KA7 2DL

DRAWING TITLE:
Location Plan

DRAWING NUMBER:
23021/01

SCALE: 1:1250 at A4
DATE: Sept 2023



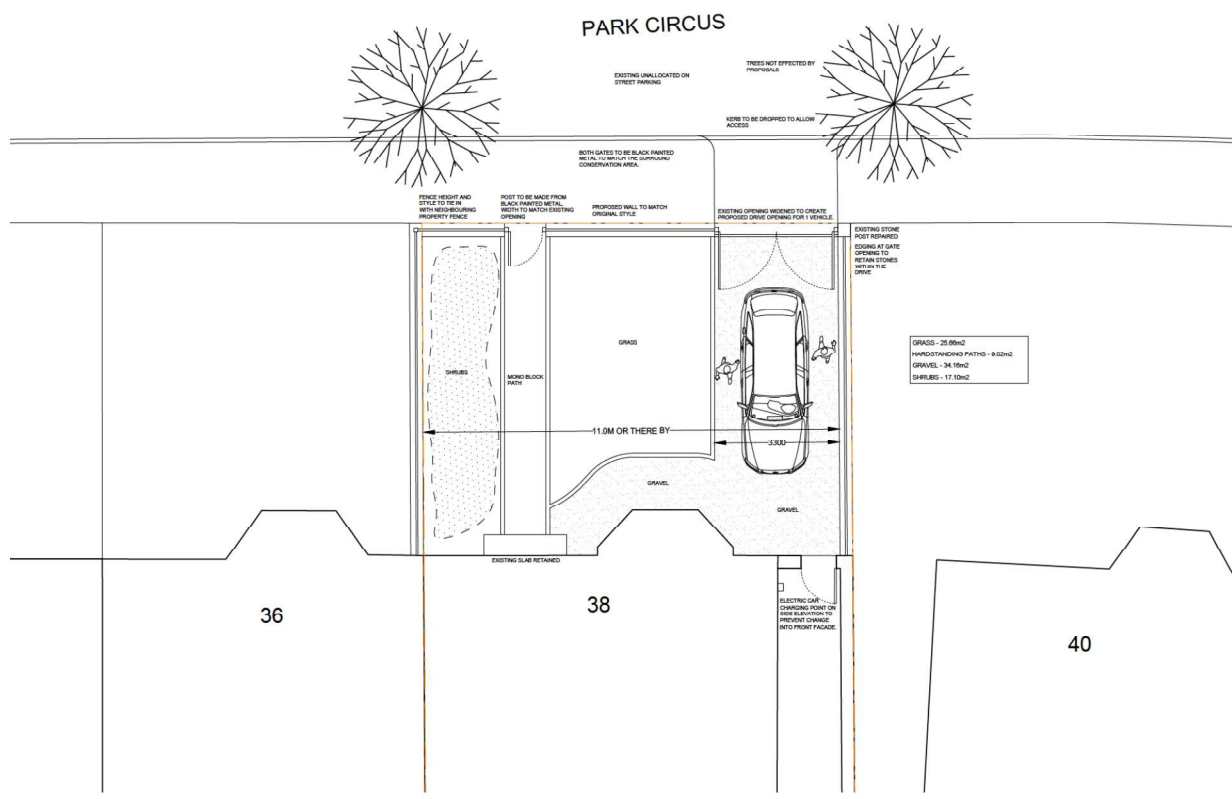
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 38 Park Circus,
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 KA7 2DL

DRAWING TITLE: Proposed Site Plan
DRAWING NUMBER: 23021/05
SCALE: 1:100 at A3
DATE: Sept 2023

PLANNING APPLICATION

CLIENT:
Mr & Mrs Williamson

PROJECT TITLE:
Proposed Formation of Vehicular Access,
Replacement boundary wall, reinstatement
of railings and new gates,
38 Park Circus,
Ayr,
KA7 2DL

DOCUMENT:
Supporting Statement

DATE:
May 2024

1. Client:

Mr & Mrs Williamson
38 Park Circus,
Ayr,
KA7 2DL

2. Purpose:

The following information has been prepared to provide a Supporting Design Statement for the planning application submitted for a proposed new vehicle access, replacement front boundary wall, erection of new gates/fence and changes to the landscaping at the above address. This supporting statement is to be read in conjunction with the existing and proposed drawings also submitted as part of the application.

3. Site and context:

38 Park Circus is a two storey end of terrace sandstone dwellinghouse located within the Ayr 2 Conservation Area. The house was built in the early 1900s and sits at the East end of the terrace which runs from 22 to 38 Park Circus as can be seen in fig 1. While continuous in plan, the terrace was not designed and built as one, instead it was done in what appears to be four stages; 22 to 24, 26 to 28, 30 to 36 then 38 as a final addition. The design of the four sections differ in scale, ornamentation, floor levels, window heights, eaves height, roof design and boundary treatment which is explored in more detail in the following pages.



Fig. 1 - Extract from Location Plan

Number 38 is very similar in external design to neighbouring 30-36 however sits within a wider plot than the rest of the terrace and has a slightly different layout. Evidence that the house was a later addition to the end of the terrace is provided by fig 2 which shows OS data sourced from Past Map dated from 1900s. On the map four mirrored blocks can be seen; 22-24, 26-28, 30-32 and 34-36.

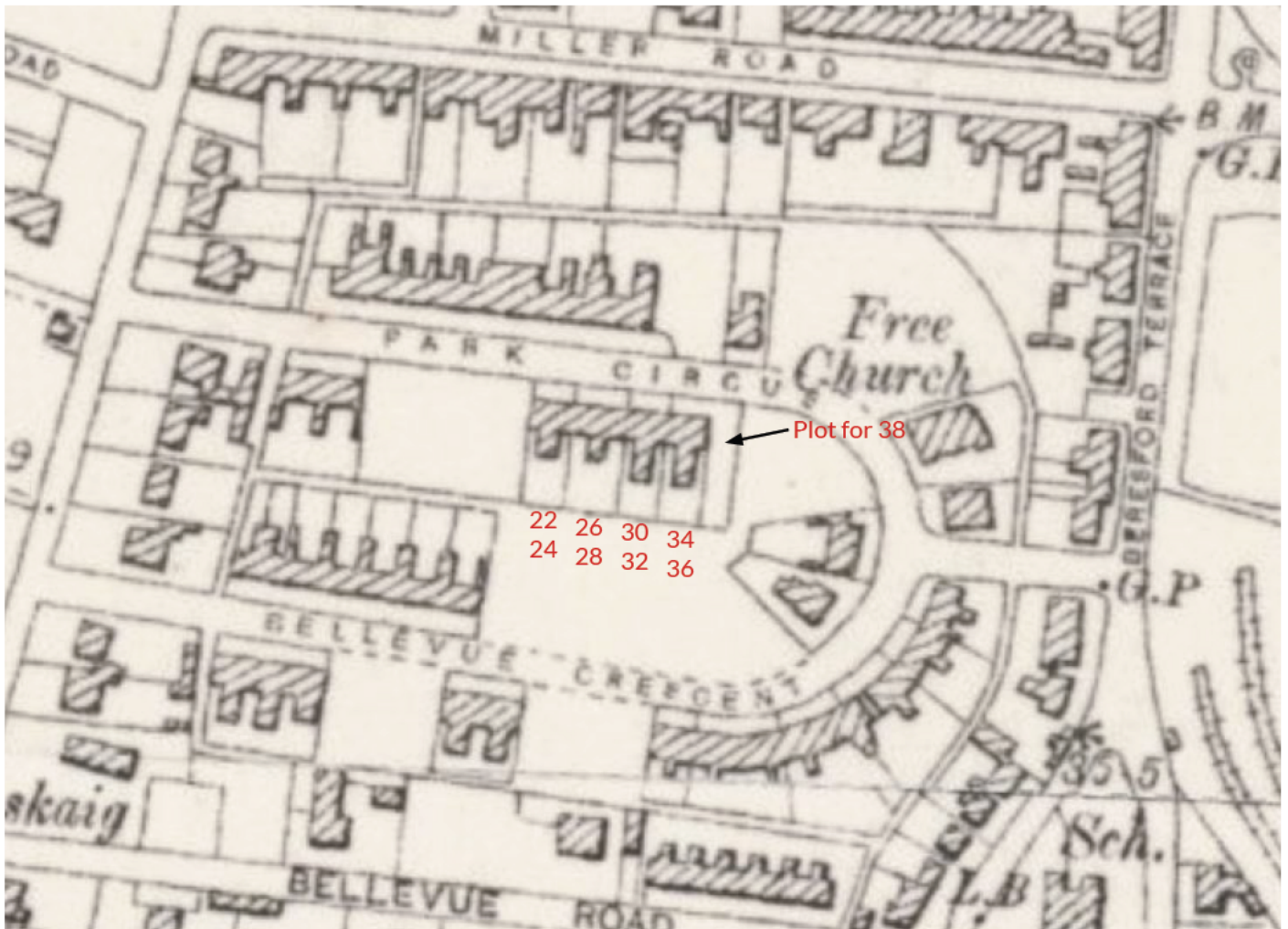


Fig. 2 - OS map dated 1900s from Pastmap website with house numbers added in red for reference.

4. Planning History:

Planning was sought by the applicant for a previous version of the scheme to provide a new front drive under application reference number 18/00867/APP. This application was refused as the proposals were deemed to be detrimental to and unsympathetic to the setting of the locale. This application attempts to address and satisfy the areas of concern raised in the previous application with revised proposals and further evidence relating to the history of the surrounding context to the site.

Other planning applications relating to the house include alterations and extension approved under application reference number 19/00395/APP.

5. Proposals:

The proposals included under this application are for formation of a new vehicle access through a replacement front boundary wall, erection of new gates/fence within a new wall and revised landscaping to provide a front drive way to 38 Park Circus. The front drive is required primarily to facilitate the use of the applicants' electric car. Parking on Park Circus and neighbouring Bellevue Crescent is by resident permit only. The applicant currently have the maximum two council permits for on street parking in addition to the garage at the rear of the property accessed from Bellevue Lane which covers the three cars currently at the address however due to both of the applicants' children

now having passed their driving tests and needing their own vehicles for work and study, they require additional parking provision. Bellevue Lane to the rear of the property provides access to the garage at the bottom of the garden. The lane is shared for access by properties 4-10, 22-48 of Park Circus and 2-53 of Bellevue Crescent, a total of at least 44 properties, excluding any properties divided into flats. In addition to vehicle access for garages, the lane is used for bin storage for these properties. While this access would have been suitable in years gone by, the increased number of rubbish and recycling bins being stored within the lane, plus the additional number of vehicles using the lane makes access in and out the lane very difficult. The applicant has to regularly move bins out of the path and if anyone has parked in the lane then access in or out of the lane is not possible. Fig 3 shows a photo taken by the applicant with bins strewn across the lane and a broken garage door obstructing access, while figs 4 and 5 show access being obstructed by vehicles regularly parked in the lane.

The applicant has recently purchased an electric car which is used for commuting on a daily basis. The issues with access in and out of the lane as noted above means that using the garage for parking and charging the electric car is not practical for daily use, particularly in the winter months. The size of the existing garage and the tight access to the garage has also limited what cars they could go for, ultimately having to settle for a smaller electric car than desired. Parking the electric car on street at the front of the house for charging poses two issues; being able to get a space outside their own house when parking is not allocated, and if they do get parked outside they would need to run the charging cable over the pavement which poses a health and safety risk for those walking on the pavement. Charging points are not readily available locally with cars often parked in the spaces or the charging points being used. The applicant had intended to charge at their workplace however as South Ayrshire Council have recently stated that charging points in the workplace car parks are now for use by council vehicles only this is no longer an option. The proposed front drive would provide the applicant with an easily accessed space to be able to safely charge their current electric car and would allow them to charge overnight to take advantage of off-peak pricing available through some suppliers rather than the more expensive public charging points. This improved facility would also mean the



Fig. 3 - Photo of Bellevue Lane showing bins strewn and broken gates obstructing access.



Fig. 4 & 5 - Photos of Bellevue Lane showing vehicles parked obstructing access (business names obscured).

applicant could replace their other cars with electric cars in due course. The issues they face currently with access and charging facilities is preventing them from moving towards a second electric car and making them reconsider the one they currently have. This is impacted by the expectation that traffic usage of Bellevue Lane is likely to increase as other owners from the properties noted above purchase electric vehicles and are not able to get drive way openings due to being located mid terrace on Park Circus and Bellevue Crescent.

The new wall, new railing and gates are proposed to bring the boundary treatment at the property more in line with the rest of the terrace. The existing front boundary wall at 38 Park Circus is formed of brickwork with a rendered finish to mimic sandstone which sits higher than the adjacent boundary wall. This is in contrast to the sandstone walls of the surrounding terrace properties. There is currently no railings on the wall at 38 Park Circus as can be seen in Figs 6 and 7.

Much like the houses themselves, while they are continuous in plan, the style and material finish of the boundary wall varies along the terrace in Park Circus unlike the boundary walls seen in Bellevue Crescent. The low level front wall at 22 - 24 Park Circus is made up of irregular small sized blonde sandstone with a blonde sandstone cope. Above the cope are replacement black railings, the originals having been removed during the second world war. 22 Park Circus has traditional style vertical black metal railings whereas 24 Park Circus has lower nontraditional railings. Black metal gates matching the railings are fitted to black metal posts. The wall at 26 Park Circus differs from 22-24 as it steps up in height from 24 and is formed from larger sections of dressed blonde sandstone. Traditional style railings, similar to 22, feature above the cope with a matching black gate fitted to black metal posts. The sandstone wall continues across the garden of 28 Park Circus however rather than metal railings a hedge sits above the cope which returns back towards the house on both sides of the front garden. The style of the boundary wall changes considerably at 30 Park Circus. Built apparently at a separate time, the wall steps down slightly in height and is made from red sandstone with a red sandstone cope rather than blonde sandstone. Above the wall are black traditional railings, similar but not exactly like those of numbers 22 and 26. One significant difference in the style of the boundary wall is the



Fig. 6 - Existing wall at 38 Park Circus and neighbouring front garden with hard landscaping.



Fig. 7 - Change of materiality, height and treatment above the wall from 38 and 40 Park Circus.



Fig. 8 - Change of materiality, form, height and treatment above the wall between 28 and 30 Park Circus.



Fig. 9 - Change of materiality, sandstone size, height and treatment above the wall between 22, 24 and 26 Park Circus.

sandstone piers either side of the black metal gates. The red sandstone wall and gate piers continues from 30 to 36 Park Circus, with matching black metal railings at numbers 34 and 36.

All the boundary walls on properties 22 to 36 feature a single pedestrian gate for access but like the wall styles, the position of the gate relative to the front door varies. At numbers 26 and 28 Park Circus the pedestrian gates line up with the front door with a straight path to the door from the gate, whereas 22-24 and 30-36 all have offset gates from the front door. Number 38 currently has two pedestrian access points, one lining up with the front door and a second one in line with the side access gate for the rear garden. This is the only property in the terrace to have a side access point to the rear garden as it sits within a wider plot than numbers 22-36. It is proposed that this second opening be the one that is enlarged to accommodate the new drive way access to keep the drive to the side of the property.

The proposed landscaping changes to the front garden are to accommodate the proposed driveway and to replace the existing path. The existing front garden features concrete paver paths, gravel, an area of lawn and border planters. The proposals are for a gravel drive and a replacement monoblock path replacing the concrete slabs which ties in with the general front garden designs of the neighbouring properties. The existing shrubs are to be retained along with a substantial area of the existing front lawn. The front gardens from 22-36 have a mix of landscaping finishes; some with lawn and planting, others purely gravel but all have a hard landscaped path to the front door.

Figs 8 and 9 on the previous page show the range of materiality, finish, and texture highlighted above in the boundary walls and landscaping of the terrace running from 22-38 Park Circus.

In summary the criteria for the proposals are:

- Being able to consistently charge their car at the house.
- Easier access to parking at front of house.
- Provision to accommodate additional electric vehicles.
- Improve appearance of boundary wall and make it more in line with character of the area.
- Minimal loss of front garden space.

6. Precedent:

In the report of handling from the previous application reference number 18/00867/APP, it was suggested that the proposed new drive entrance at 38 Park Circus would create a dangerous precedent to the creation of driveway access in the existing boundary wall. If the proposals as detailed in the accompanying plans were to form a new drive opening in the boundary wall of one of the mid terrace properties then this concern would be justified, however the precedents for a drive opening to the end of terrace properties in Park Circus and Bellevue Crescent already exist. It is important to note that in no way is the intention of this application to provide justification to a drive way opening being formed for a mid terrace house boundary wall, the likes of which do not existing currently in the street.

The previous report assessment section 11 stated the following as part of justification for the recommendation for refusal:

“It is considered that the formation of an area of hardstanding to accommodate a driveway to the front of the property would be at odds with the character of this part of the conservation area, with the application site forming part of an attractive uniform historic terrace in which no other property has undertaken development of this nature. It is regarded that if approved, the application would be to the detriment of the character and setting of the conservation area. It is noted that no other property within the uniform terraced block of which the application site forms part has been altered in such a manner. Further, this is also the case within the uniform terrace on the opposite side of Park Circus from numbers 5-25 and within Bellevue Crescent, which continues from Park Circus, from numbers 27-63 and 18-52. Whilst the applicant states that other properties within Park Circus and Bellevue Crescent have off street parking, these properties are not comparable to the application site as they are either semi-detached or located to the side of the property where there is sufficient

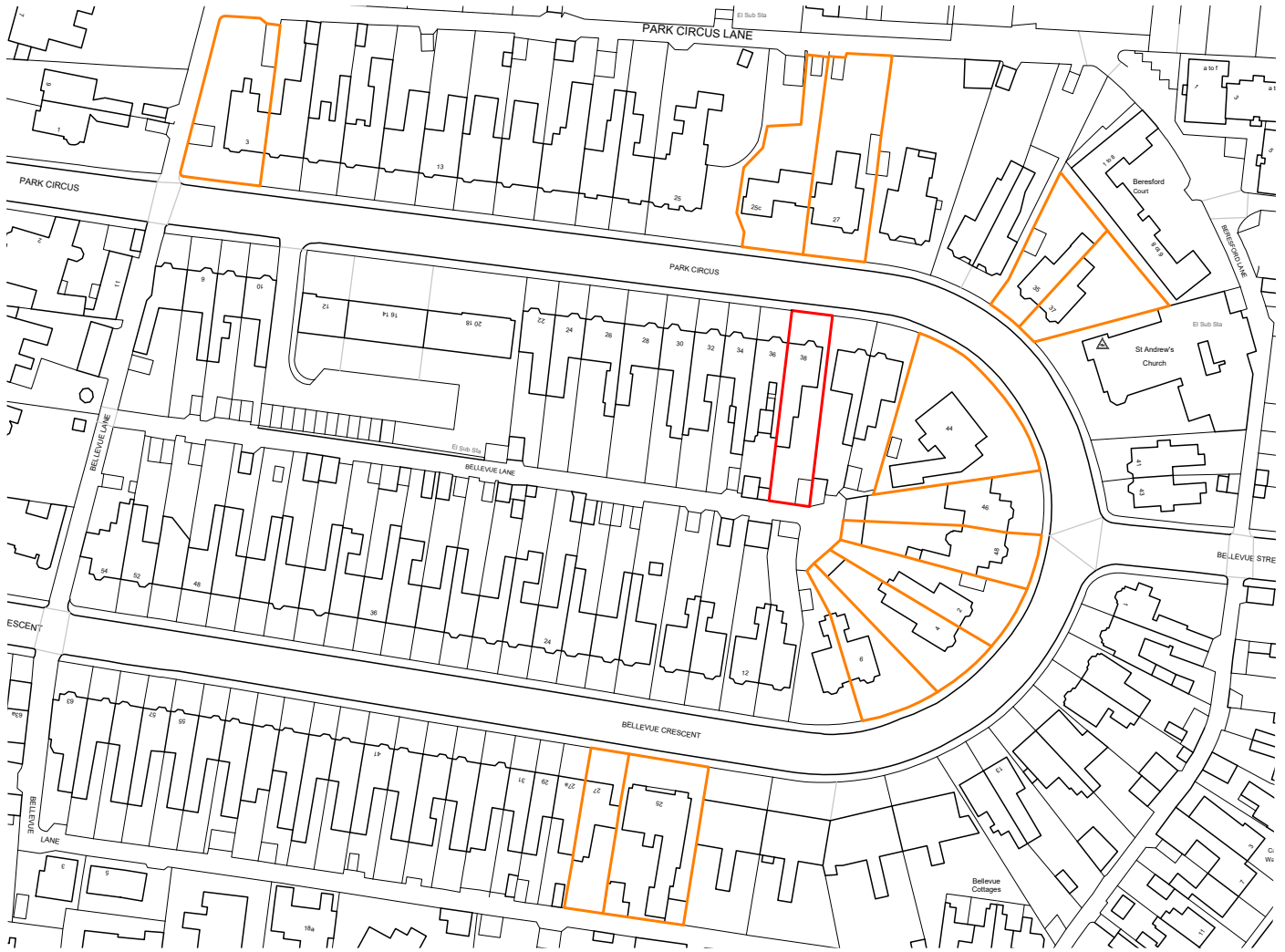


Fig. 10 - Plan showing surrounding properties with drive access including 3 Park Circus and 27 Bellevue Crescent.



Fig. 11 - 27 Bellevue Crescent drive entrance at end of uniform terrace.

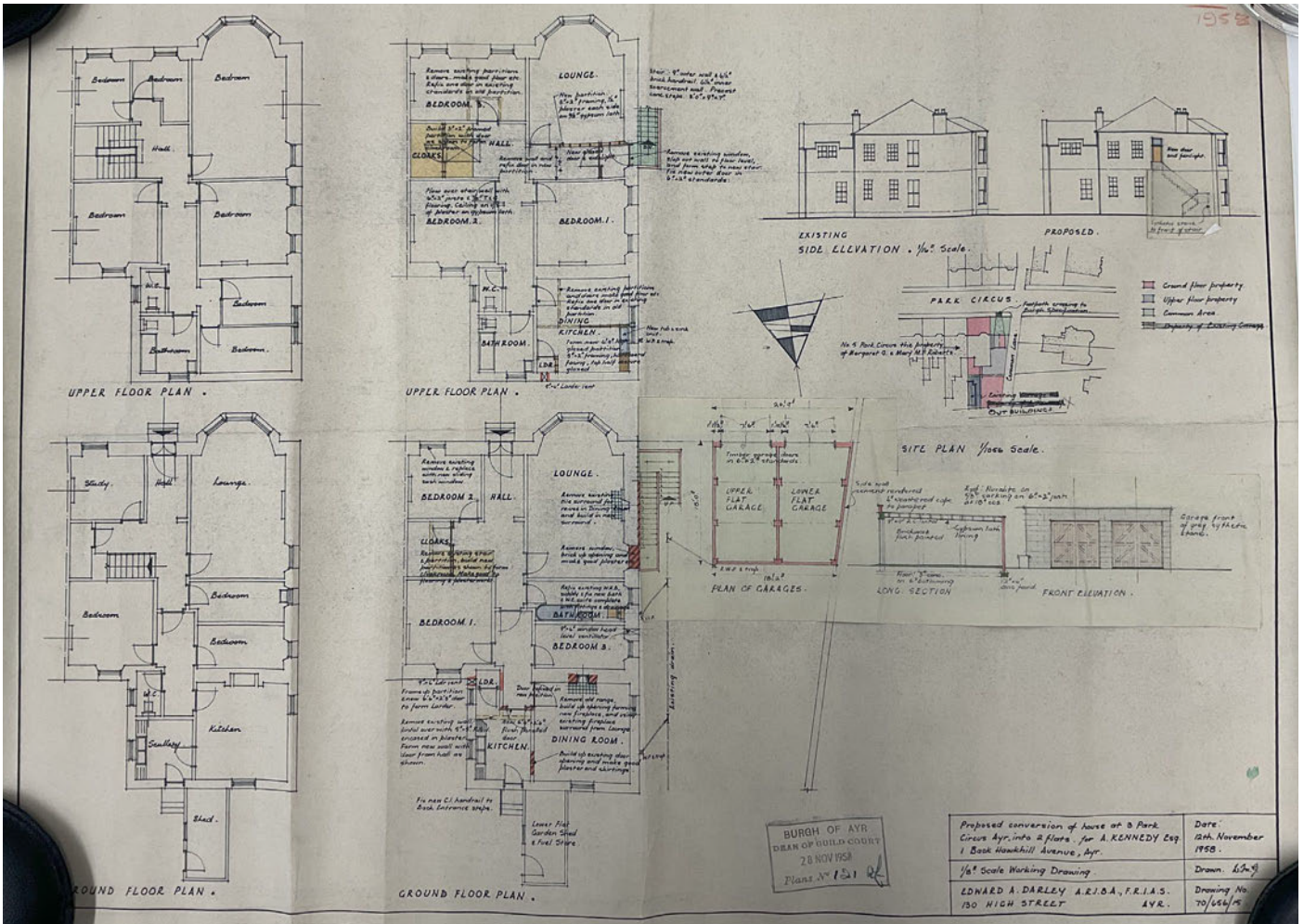


Fig. 12 - Planning approval at 3 Park Circus in 1958 for flats including new garage, drive access and hardstanding.

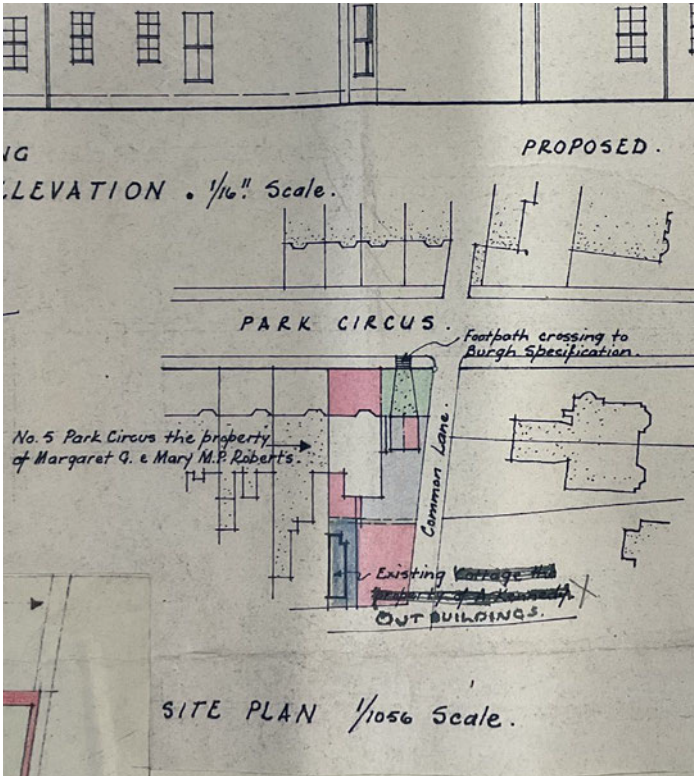


Fig. 13 - Site plan showing approved footpath crossing.



Fig. 14 - 3 Park Circus drive entrance at end of terrace.

space for a garage.

The proposal is intended to facilitate parking for an electric vehicle. However, the formation of hardstanding within the front garden of the property is considered to create irreversible damage and have an adverse impact on the character and setting of the conservation area.”

As noted previously in section 5, 38 Park Circus was built as an addition to the terrace running from 22-36 Park Circus and sits in a wider plot of approx 11m compared to the approx 8.5m wide plots of 30-36. Fig 10 is an overmarked location plan of the surrounding area including the above mentioned terraces on the opposite side of Park Circus and within Bellevue Crescent. The plan is annotated to show all the residential properties in the area that currently have openings in the boundary walls for driveway access including end of terrace properties 27 Bellevue Crescent and 3 Park Circus. Contrary to the above extract, number 27 Bellevue Crescent has an existing drive access formed at the end of the boundary wall with the scale of the wall stepping up to form the piers either side of the entrance as can be seen in Fig 11. Unlike the proposals for 38 Park Circus, at 27 Bellevue Crescent there is not a separate pedestrian access gate in the continuous boundary wall which runs along to 63 Bellevue Crescent but like 38 Park Circus, the property at 27 Bellevue Crescent sits in a wider plot than the other properties. No other property in the run of 27 to 63 has a drive access in the same context as is proposed by the opening at 38 Park Circus. It is also worth noting that the continuous boundary wall for the Bellevue Crescent properties varies in material, height, form, gate post design and a variety of railings and hedges above the walls like the terrace at Park Circus. Unlike the proposals for 38 Park Circus, the drive area at 27 Bellevue Crescent is finished entirely in gravel and extends across the front of the house.

In the above extract from the previous report it references the terrace; *“on the opposite side of Park Circus from numbers 5-25”* as also not having any similar openings or landscaping as proposed at 38 Park Circus, however the terrace actually runs from number 3-25 including the boundary wall as can be seen in Fig 14. Research undertaken at Ayrshire Archives uncovered planning approval from 1958 for the conversion of 3 Park Circus into two flats, the formation of a new double garage, hardstanding for driveway, driveway access through the front boundary wall, and dropped kerbing. Copy of the approved drawing is provided in Fig 12, with larger scale detail of the proposed footway crossing and new opening in the wall shown in Fig 13.

The above analysis of the surrounding neighbouring terraces on Bellevue Crescent and on the opposite side of Park Circus shows that there are clear precedents for a driveway access being provided at the end of the boundary wall for the end of terrace properties where they sit in wider plots. The position of the driveway openings are at the end of the continuous boundary walls in both examples, like what is being proposed for 38 Park Circus. The position of the proposed driveway at 38 Park Circus is located to the side of the plot (as is the case with the two examples) and would not obstruct the sight of the house from the road, unlike 27 Bellevue Crescent where vehicles can be parked across the front of the house. While no planning evidence could be found to confirm if the opening at 27 Bellevue Crescent is original, the above evidence for 3 Park Circus shows there is precedent of allowing a new opening in the continuous boundary wall and required hard landscaping to be formed in the front garden area for a driveway. The point was made that as there was no current example of this type of development to a terraced property, the proposals would be detrimental to the surrounding conservation area. As the above examples show two similar end of terrace properties with existing drive access and areas of hardstanding as we are proposing, this would indicate that the proposals are not detrimental to the area and are in fact in keeping with the surrounding context of the conservation area.

The proposed driveway area is finished in gravel to tie in with the existing landscaping within the front garden and many of the neighbouring properties in the terrace which have large areas of gravel in the front garden as can be seen in Figs 6, 8 and 11. The choice of gravel over a tar or monoblock drive also allows for ease of reinstatement if it were ever desired. The proposals will bring 38 Park Circus in line

with the other end of terrace properties as it is currently the only one on a wider end plot that does not have off street parking.

7. Planning Considerations and Policies:

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 (The 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.

The principle policy within LDP 2 affecting the determination for this application is the "LDP Policy historic environment", with further criteria set out in the "Supplementary Guidance: Historic Environment". The principle policy within NPF4 affecting the determination for the application are "Policy 7: Historic assets and places". Additional guidance is also provided by Historic Environment Scotland's Managing Change Series of Guidance Notes, in respect of 'Boundaries'.

The specific and relevant criteria applicable to this application are included below with the justifications highlighted in blue below.

LDP Policy: Historic Environment

Conservation Areas

New development should preserve and enhance the character and appearance of South Ayrshire's conservation areas and their settings. This should include the appropriate layout, design, materials, scale and siting of development affecting buildings and structures located within a Conservation Area. The proposals within this application have been considered against the character and appearance of the neighbouring properties in the terrace and the wider context of the conservation area. As noted in detail in section 5, the neighbouring walls are formed in low level sandstone and were originally finished with vertical black metal railings above. In order to preserve and enhance the character and appearance of the surrounding conservation area, the proposals show the existing unoriginal rendered brick wall being replaced with a new red sandstone low level wall with chamfered cope. Red sandstone has been selected to tie in with the red sandstone wall that runs from 30-36 Park Circus. Above the wall black painted vertical metal railings are proposed to tie in with the original design of the walls, and the modern replacement vertical black railings that have been fitted elsewhere on Park Circus and Bellevue Crescent.

The proposed gates at both openings will also be formed in black painted metal to match the railings and will be supported on black painted metal posts at either side. Replicating sandstone gate posts to match those at 30-36 Park Circus was considered however after obtaining quotes to prepared exact matches it became evident that this would be cost prohibitive to the project progressing. The proposed metal posts are in keeping with those seen at 22-28 Park Circus and in many other properties in the street.

The proposed driveway opening in the boundary wall is justified as in keeping with the other two similar end of terrace houses at 3 Park Circus and 27 Bellevue Crescent in section 6 of this document. The location of the drive will not detract from the house due to its location to the side of the front curtilage.

The proposed area of gravel for the driveway will replace an existing concrete slab path and adjacent area of gravel. It is proposed that the area of lawn removed to allow for the width of the drive will be moved and relaid in the location of the current gravel strip running parallel to the concrete path leading to the front door. This retains the existing area of lawn to the front of the house. The finish to the new path to the front door will be monoblock pavers, similar to those seen forming paths to other houses in the terrace. The landscape layout for the drive is shown on the accompanying drawings.

Supplementary Guidance: Historic Environment

Further guidance is provided in relation to what justification is required in the Supplementary Guidance: Historic Environment as follows, with responses below in blue:

Development proposals within or affecting conservation areas will require to comply with the following: -

- All new development within, or affecting the setting of, a conservation area shall be required to preserve or enhance its character or appearance.

Justification of the design and material choices are included in the comments on the LDP 2 policy above.

- The Council will actively encourage and, where resources permit, implement upgrading and enhancement programmes for conservation areas.

N/A

- To ensure a consistent high standard of development within conservation areas, proposals will be considered in terms of compliance with "General Criteria for New Development" (as contained in Supplementary Guidance Policy 1) and the following "Design Principles for Development within a Conservation Area".

Design Principles for Development within a Conservation Area is broken down under the following headings; General, Redevelopment, Townscape Features, Building Materials, Views and Vistas, Alterations and Extensions, Repairs, Dormer Windows, Stone Cleaning, Painting Buildings and Retail/Commercial Buildings. The following headings are relevant towards the proposals in this application and the response is noted below:

General

Accompanying plans, and elevation drawings have been provided that detail the materials to be used, the external finishes, the proposed landscaping and the relation to the surrounding area.

Redevelopment

The existing wall is not inkeeping with the immediate neighbours and is being replaced with one that is more in keeping in material, form and height.

Building Materials

All proposed materials are in keeping with the boundary walls and landscaping seen in the neighbouring properties and further surrounding context.

Views and Vistas

The proposed new boundary design is more in keeping than the existing therefore it will improve the existing views and vistas on the street. The proposed new driveway access is similar in principle to the examples detailed under section 6 therefore will not have a negative impact on the surrounding area.

NPF4

NPF4 Historic assets and places policy principle notes under the Policy Outcomes:

- The historic environment is valued, protected, and enhanced, supporting the transition to net zero and ensuring assets are resilient to current and future impacts of climate change.

The proposed driveway at 38 Park Circus is to allow for ease of access to an electric car charging point at the property as part of the client's proactive approach to contributing towards the move to net zero. The proposed formation of the driveway access and the overall design of the new boundary and landscaping has been done to achieve a balance between enhancing the property to meet the new requirements on transitioning to net zero while maintaining the character of the conservation area. It is hoped the council look favourably on the proposals as this will allow the client to process replacing other vehicles at the property with electric cars.

Policy 7 within NPF4 addresses Historic assets and principles and includes the following relevant subsections:

a) Development proposals with a potentially significant impact on historic assets or places will be accompanied by an assessment which is based on an understanding of the cultural significance of the historic asset and/or place. The assessment should identify the likely visual or physical impact of any proposals for change, including cumulative effects and provide a sound basis for managing the impacts of change.

Proposals should also be informed by national policy and guidance on managing change in the historic environment, and information held within Historic Environment Records.

The impact on the surrounding conservation area is detailed in previous sections. The impacts of change are managed by ensuring the design and material choice for the boundary wall, railings and the landscaping is all in keeping with the surrounding properties.

d) Development proposals in or affecting conservation areas will only be supported where the character and appearance of the conservation area and its setting is preserved or enhanced. Relevant considerations include the:

- i. architectural and historic character of the area;
- ii. existing density, built form and layout; and
- iii. context and siting, quality of design and suitable materials.

e) Development proposals in conservation areas will ensure that existing natural and built features which contribute to the character of the conservation area and its setting, including structures, boundary walls, railings, trees and hedges, are retained.

The site for the work and the surrounding area has been researched to establish its history and development over time as is noted in section 3 of this report. Following this a thorough visual study was done on the area and the more detailed design of the neighbouring houses in the terrace to identify consistencies and inconsistencies in the landscaping, house designs and boundary designs. This then allowed us to prepare the proposals to improve the existing boundary at the property but also lift the appearance of the existing continuous boundary wall. I believe the driveway opening can be accommodated in this site location without compromising the architectural and historical character of the area. We are proposing to reinstate missing railings and replace the wall in a more original style.

Historic Environment Scotland Managing Change Boundaries

New Openings

5.5 The formation of a new opening needs to be considered in light of the overall composition of the boundary and assessed as to whether it would be consistent with the existing design. Where the formation of a new opening is found to be consistent, the minimum of historic fabric should be lost and the opening should normally be detailed to match the existing openings. In some cases it might be

appropriate to introduce high-quality contemporary design to new fixtures like gates.

As noted elsewhere in this report, it is believed that the existing boundary at 38 Park Circus is not original as it does not match the style of the neighbouring 36 Park Circus but there is the remainder of a matching gate pier at the end of the wall where it meets the boundary of 40 Park Circus as seen in Fig 7. This post would suggest that there had been a matching style wall at one point, but also the position of the post would suggest the design of the wall was always different from the other properties in the terrace to reflect the wider plot.

Widening of openings

5.6 The widening of gateways should be avoided where it will adversely affect the coherence and proportion of a design or the relationship of the gateway to another building or planned layout. In other cases, particularly where historic gates are not part of the design or have been previously removed, careful dismantling and reconstruction of gate piers to provide a wider opening may be possible.

The proposed wider opening to form the drive does not affect the coherence of the existing opening or the wall. The proposed wider opening is located at the end of the boundary wall and brings a relationship with the other end of terraces properties highlighted in section 6.

Summary

As a result of the above analysis and precedents it is considered that this application for planning permission for a proposed new vehicle access through the replacement front boundary wall, erection of new gates/fence and revised landscaping at 38 Park Circus, meets the criteria set out in NPF4, the South Ayrshire Council LDP and Supplementary Guidance: Historic Environment.

The proposals are required to facilitate ease of charging for electric vehicles, additional parking at the property and bringing the property boundary in line with the context with minimal loss of front garden. The proposals have been considered in their context and align with the existing provisions of neighbouring end of terrace properties.

In view of the justification above in accordance with council policy, it is hoped that the council looks upon this application favourably.

REFUSAL OF APPLICATION FOR PLANNING PERMISSION
(Delegated)

Ref No: 24/00431/APP

SOUTH AYRSHIRE COUNCIL

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

To: Mr A Williamson
per Donald Hunter Architects
Donald Hunter
41A Beresford Terrace
Ayr
KA7 2HD

With reference to your **Application for Planning Permission** dated 7th June 2024, under the aforementioned Regulations, for the following development, viz:-

Formation of access, replacement of wall, railings and gates

at: **38 Park Circus Ayr South Ayrshire KA7 2DL**

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

The reason(s) for the Council's decision are as follows:

NOTE: Reasons will be numbered and prefixed with an 'R'

- (1R) That the proposal is contrary to National Planning Framework 4 National Policy 7: Historic Assets and Places and Policy 16: Quality Homes, the South Ayrshire Local Development Plan 2 Policies: Sustainable Development and Historic Environment as the formation of an opening within the boundary wall to form the proposed access on the front public elevation of the property and formation of hardstanding will result in a detrimental visual impact on the character and appearance of the Ayr II Conservation Area and would be incongruous within and unsympathetic to the setting of the locale.
- (2R) The proposal is contrary to Historic Environment Policy for Scotland and Historic Environment Scotland's Managing Change in the Historic Environment documents on Boundaries and Setting, as the formation of an opening and removal of the boundary wall to form the proposed access disrupts the uniformity of the existing boundary wall within the uniform terrace which contributes towards the character and setting of the street and Ayr II Conservation Area, thus resulting in a detrimental visual impact on the character and appearance of the Ayr II Conservation Area and the existing boundary which defines the curtilage and streetscape.

List of Refused Plans:

Plan Type	Reference	Version No.	Received Date
Drawing	23021/01		07.06.2024
Drawing	23021/02		07.06.2024
Drawing	23021/03		07.06.2024
Drawing	23021/04		07.06.2024
Drawing	23021/05		07.06.2024
Drawing	23021/06		07.06.2024
Supporting Information	Design Statement		07.06.2024

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

Dated: 6th August 2024

.....
Craig Iles
Service Lead – Planning and Building Standards

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

Contact: [REDACTED]
ARA Case Officer: AP
Planning Case Officer: E McKie
Planning Application No: 24/00431/APP
Location: 38 Park Circus, Ayr

Date Received: 13/06/2024
Date Returned: 27/06/2024
Recommendation: No Objection subject to Conditions

The following response has been prepared following a review of the information made available through South Ayrshire Council's Planning portal website at the time of writing.

Expository Statement (if applicable):

Required for Major applications, or where the recommendation is for refusal or deferral.

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.

Conditions:

Private Access Surfacing:

That the private access shall be surfaced for a minimum of 2 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.

Reason:

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

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.

Reason:

In the interest of road safety and to avoid the discharge of water onto the public road.

26 JUN 2024

20A Park Circus,

Ayr

KAT 2DL

22-6-24

Dear Sir,

Formation of access etc at 38 Park Circus

Application NO 24 / 00431 / APP

I am writing in connection with the above application which was advertised in the Public Notices of the Ayr Advertiser of Tuesday 18th June.

The main reason for the application appears to be the creation of an area of off-street parking for a motor vehicle. I wish to object in the strongest terms to this proposal. Park Circus is obviously a Conservation Area and to allow this would totally detract from the nature of the Conservation Area. It would create a dangerous precedent and lead to a plethora of further run-in applications.

There is a perfectly satisfactory rear service lane situated between Park Circus and Bellevue Crescent which would provide the applicant with access to the rear of their property.

I trust you will consider this letter when dealing with the application in due course.

Yours



(A. G. M. Sloss)

Comments for Planning Application 24/00431/APP

Application Summary

Application Number: 24/00431/APP

Address: 38 Park Circus Ayr South Ayrshire KA7 2DL

Proposal: Formation of access, replacement of wall, railings and gates

Case Officer: Ms Emma McKie

Customer Details

Name: Mr Kenny Macleod

Address: 34 Donnini crt Ayr

Comment Details

Commenter Type: Member of Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: I would like to offer the application my support.

This application will return most of the original railings that were unduly removed during WW2 back to a similar original condition.

This can only enhance the conservation area.

From: McKie, Emma [REDACTED]
Sent: Tuesday, November 26, 2024 2:36 PM
To: Local Review Body [REDACTED]
Subject: RE: Local Review Body - 24/00431/APP - 38 Park Circus Ayr

Good afternoon,

Please see attached draft conditions and site photographs.

If you require anything further, please let me know.

Kind regards,

Emma

Emma McKie MRTPI | Planner (Development Management) | Housing, Operations and Development Directorate | [REDACTED] | [REDACTED] | County Buildings | Wellington Square | Ayr | KA7 1DP | www.south-ayrshire.gov.uk

Emma McKie | Planner (Riaghladh Leasachaidh) | Leasachadh Taigheadais agus Obraichean Togalaichean Siorrachd | [REDACTED] | [REDACTED] | www.south-ayrshire.gov.uk

Please Note:

Planning and Building Standards Staff are now working remotely .

The Planning Service currently has a short term reduction in available staff and there may be a resultant delay in the processing of your application/enquiry. We apologise for any inconvenience that this may cause and can assure you that our team are working hard to process cases as quickly as possible.



Image 20240626_104516



Image 20240626_104638



Image 20240626_104641

Local Review Body
Planning Service,
South Ayrshire Council,
County Buildings,
Wellington Square,
Ayr,
KA7 1DR

11th December 2024
Your ref: LRB/24/00431/APP
Our Ref:23021/03

Dear Sir/Madam,

LRB/24/00431/APP – Formation Of Access, Replacement Of Wall, Railings And Gates at 38 Park Circus, Ayr, South Ayrshire.

With regards to your letter dated the 26th November 2024 and accompanying photos submitted by the Case Officer, please find below our comments for consideration:

Image 20240626_104516

1. Photo does not show full extent of boundary wall along the terrace from 22 to 38 Park Circus due to position photo is taken from and parked cars. Photo shows part of wall from 28 onwards with areas of wall obscured. Report of handling references boundary wall from 22 to 38 Park Circus. Varying boundary treatment can be seen with different railings and walls without railings.
2. Gardens largely hidden from view, however photo shows that garden treatments vary along the terrace. Neighbouring terrace house front garden can be seen finished in gravel as is proposed for 38 Park Circus, yet planning report of handling states landscaping proposed for 38 Park Circus is out of character with the neighbouring properties.
3. Photo does not clearly show the terrace of houses referenced in supporting document / report of handling due to the trees.

Image 20240626_104638

1. Junction of 38 Park Circus wall with 36 Park Circus and current opening for path to door blocked by parked car. This junction shows differences between the boundary wall of 38 and 36. Junction with 40 Park Circus shown to the left hand side. In our opinion the photo confirms the boundary wall is not currently uniform contrary to the description in the report of handling.
2. The proposed larger opening for the car parking would be located to the left hand side where the second opening is currently, as shown on supporting drawings. This would provide a new end to the wall rather than an opening in the middle of it.
3. Neighbouring gravel finished front gardens at 36 and 34 Park Circus hidden by parked car. Reference to point 2 on above photo.
4. Photo shows that 38 Park Circus sits within a wider plot than the other properties in the terrace as referenced in supporting statements provided. House can be seen as a variation on the design of the terrace by not being a mirrored layout to the neighbouring property as is shown on the other pairs of houses along the terrace from 22 to 36.

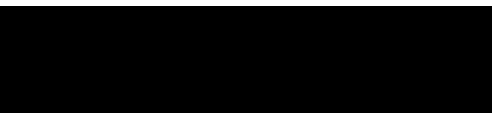
Image 20240626_104641

1. Boundary walls of neighbouring properties 40, 42 and 44 Park Circus largely obscured by parked cars. Walls are different in style, material and scale from those in the terrace of 22 to 38 Park Circus again questioning the assessment of the proposed alterations to the wall being out of character with the area. 44 Park Circus hidden by the black golf in the photo has a higher wall and drive way access.

The image reference numbers would suggest that additional photos were taken by the case officer on their visit to assist in their assessment of the area and the proposals within the context. In our opinion, the selected images provided do not fully represent the varied character of the boundary wall types within Park Circus and the wider character of the conservation area. We would refer to the images provided in our supporting statements and request that a site visit is undertaken as part of the review process.

I trust the above is in order however should you require any further information please do not hesitate to contact me.

Yours sincerely,



Donald Hunter
Director / Architect

Conditions:

- (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 notwithstanding the plans hereby approved, a detailed methodology statement of the proposed stonework repairs required for the existing post to form the proposed vehicular access shall be submitted to and agreed in writing by the Planning Authority prior to commencement of works on site.
- (4) That prior to the commencement of development, full details of the proposed boundary wall, railings and gates shall be submitted for the prior written approval of the Planning Authority.
- (5) That the private access shall be surfaced for a minimum of 2 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.
- (6) 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.

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) To safeguard the character and appearance of the conservation area.
- (4) To safeguard the character and appearance of the conservation area.
- (5) In the interest of road safety and to ensure an acceptable standard of construction.
- (6) In the interest of road safety and to avoid the discharge of water onto the public road.

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.

List of Plans Determined:

Plan Type	Reference	Received Date
Drawing	23021/01	07.06.2024
Drawing	23021/02	07.06.2024
Drawing	23021/03	07.06.2024
Drawing	23021/04	07.06.2024
Drawing	23021/05	07.06.2024
Drawing	23021/06	07.06.2024
Supporting Information	Design Statement	07.06.2024