

REGULATORY PANEL: 5 MARCH 2025

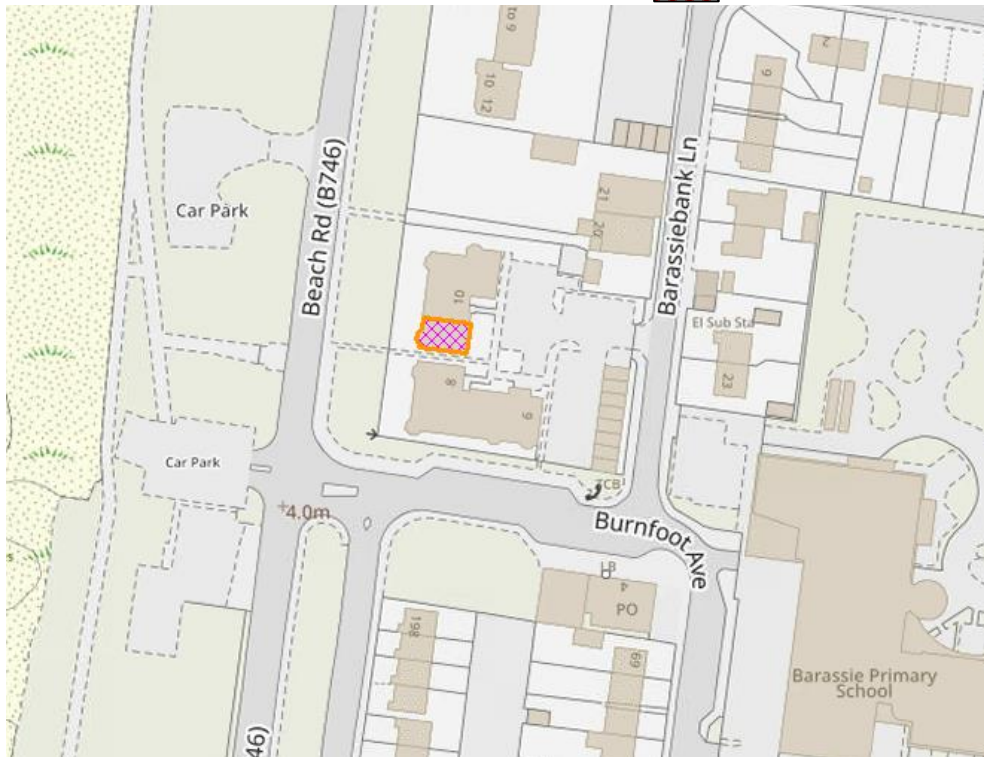
REPORT BY HOUSING, OPERATIONS AND DEVELOPMENT

24/00795/APP

10D BARASSIEBANK LANE TROON SOUTH AYRSHIRE KA10 6RW

Location Plan

APPLICATION SITE 



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

[\(Application Summary\)](#)

Summary

Planning permission is sought for the change of use of a dwelling flat to short-term letting accommodation at a flatted residential block located at 10D Barassiebank Lane, Troon. The building consists of a total of 9 dwelling flats, situated within the settlement boundary of Barassie/Troon, as outlined in the South Ayrshire Local Development Plan 2. The dwelling flat has historically been occupied on a permanent residential basis, and the current application seeks permission to allow it to be used for short-term letting purposes, in compliance with the licensing scheme introduced in Scotland for short-term letting properties.

The application does not propose any changes to the internal layout or the exterior appearance of the building; it solely seeks permission for the change of use.

A total of 10 objections have been received. Following consideration of the objections, the points raised do not warrant refusal of the application.

On balance, the proposed development has been assessed against the relevant policies of the National Planning Framework 4 (NPF4), alongside the South Ayrshire Local Development Plan 2. It is considered that the proposal aligns with the terms, criteria, and requirements of the applicable statutory planning policy framework. Other material planning considerations have also been evaluated, and it is determined that none of these matters would justify a recommendation other than approval, given the proposals compliance with the statutory development plan.

REPORT BY HOUSING, OPERATIONS AND DEVELOPMENT

REGULATORY PANEL: 5 MARCH 2025

SUBJECT:	PLANNING APPLICATION REPORT
APPLICATION REF:	24/00795/APP 10D Barassiebank Lane
SITE ADDRESS:	Troon South Ayrshire KA10 6RW
DESCRIPTION:	Change the use of dwellingflat to form short term let
RECOMMENDATION:	Approval with conditions

APPLICATION REPORT

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

Key Information:

- The application was received on 23 October 2024.
- The application was validated on 27 November 2024.
- The case officer visited the application site on 14 February 2025.
- Neighbour Notification, under Regulation 18 of The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013, was carried out by the Planning Authority on 28 November 2024.
- No Site Notice was required.
- No Public Notice in the Local Press was required.

1. Proposal:

Planning permission is sought for the change of use of a dwelling flat to form short-term letting accommodation. The site of the proposed development comprises a first-floor dwelling flat located at 10D Barassiebank Lane, Troon. The flatted block is finished in brick with concrete roof tiles and reaches three storeys in height. A total of nine dwelling flats are located within the residential block at 10 Barassiebank Lane. The application site is situated within the settlement boundary of Barassie/Troon, as prescribed by the South Ayrshire Local Development Plan 2.

The application seeks planning permission to allow the dwelling flat to be used for short-term letting purposes, in order to comply with the licensing scheme introduced in Scotland for short-term letting properties. In this regard, no changes to the internal layout or exterior appearance of the building are proposed, with the application solely seeking permission for the change of use.

The application submission is accompanied by an Operating Plan, which confirms the following:

- The applicant is the sole owner of the property and does not live in it as their permanent private residence. The applicant is personally liable for the council tax and all utility bills associated with the property. The leasing of the property for short-term letting does not form part of a wider business. The maximum occupancy level for the property is four people (children under 10 do not count).
- The property will be available for short-term let from January to June and from August to December. The minimum booking duration is three days, with no maximum booking duration per stay. The property will be available for a total of 365 days annually.
- The property shares common areas with eight other properties, including a common entrance, shared landing(s), and bin store. The property has two bedrooms, and the occupancy level aligns with the number of bedrooms. There are no external areas or features (e.g., no balconies or conservatories). The property has one allocated parking space, with additional guest parking available.
- A management company provides a meet-and-greet service to ensure proper guest arrival and departure. The management company will meet guests on arrival and is responsible for all aspects of servicing, including cleaning, laundry, deliveries, and other services. A guest profile check is conducted before booking, and any complaints are handled by the management company, with escalation to the applicant if necessary.
- The applicant has consulted the Council's waste management service, and the apartment has an adequate waste collection system. Measures to prevent nuisance to neighbours include house rules (including no parties), guest profile checks, usage questionnaires, and additional floor soundproofing installed during renovation.

2. Consultations:

No consultations were undertaken for this application.

3. Submitted Assessments/Reports:

In assessing and reporting on a Planning application the Council is required to provide details of any report or assessment submitted as set out in Regulation 16, Schedule 2, para. 4 (c) (i) to (iv) of the Development Management Regulations.

None.

4. S75 Obligations:

In assessing and reporting on a Planning application the Council is required to provide a summary of the terms of any Planning obligation entered into under Section 75 of The Town and Country Planning (Scotland) Act in relation to the grant of Planning permission for the proposed development.

None.

5. Scottish Ministers Directions:

In determining a Planning application, the Council is required to provide details of any Direction made by Scottish Ministers under Regulation 30 (Directions requiring consultation), Regulation 31 (Directions requiring information), Regulation 32 (Directions restricting the grant of Planning permission) and Regulation 33 (Directions requiring consideration of condition) of The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013, or under Regulation 50 (that development is EIA development) of The Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2017.

None.

6. Representations:

10 representations has/have been received, 10 of which object to the proposed development. All representations can be viewed online at ([Application Summary](#))

The issues raised by Representees can be summarised as follows.

Precedent from Previous Refusal: A recent application for a change of use at 8 Rowallan Court (Ref: 24/00486/APP) was refused on the grounds that the change of use could create unacceptable impacts on local amenity due to increased activity, movement within the block, and pressure on parking provision. This decision sets a precedent for refusals of similar applications in flatted developments of comparable size, such as the one at Barassiebank Lane, with similar concerns over the effect on residents and local amenity.

National Planning Framework (NPF4): Under the National Planning Framework 4 (NPF4), Policy 30, part e), the reuse of buildings for short-term holiday letting will not be supported if it results in an unacceptable impact on local amenity or the character of the neighbourhood. This application raises concerns about such impacts, including noise, parking, and security, which would harm the residential amenity of the development and surrounding area.

Conflict with Deeds of Conditions: The Deeds of Conditions for the development at Barassiebank Lane explicitly prohibit the use of any flats for business purposes. Clauses 2.1, 2.18, and 2.23 restrict the use of flats to private residential purposes and prohibit activities that could cause disturbance or disruption to other residents. These legal restrictions make the proposed change of use unlawful.

Increased Parking Pressure: Barassiebank Lane has limited parking, with only five visitor spaces for 21 flats. The proposed change of use could lead to overflow parking onto surrounding streets, especially near Barassie Primary School, where parking is already tight. This could exacerbate congestion and pose safety risks, particularly for children and parents accessing the school.

Security Concerns: Sharing access codes with short-term renters could compromise building security. The constant turnover of guests, including strangers, could result in anxiety for residents who do not know who is entering the building. This could also increase the risk of vandalism or security breaches, as guests may retain access to the building after their stay.

Noise and Disturbance: The introduction of short-term renters could lead to increased noise and disruption, especially during late-night arrivals or social gatherings. The timber-framed construction of the building is likely to amplify noise between floors, causing significant distress to long-term residents seeking a quiet and peaceful environment.

Wear and Tear on Common Areas: The frequent turnover of guests is likely to cause additional wear and tear on communal areas, such as stairwells and entrances. Short-term renters, who are less invested in the property, may contribute to damage or neglect that long-term residents would typically avoid.

Lack of Control Over Waste Disposal: The communal waste management system relies on residents adhering to specific recycling guidelines. Short-term renters may not be familiar with these rules and could improperly dispose of waste, potentially resulting in fines for residents or disruption to waste collection.

Insufficient Evidence of Economic Benefit: There is no evidence provided to demonstrate how the short-term let would contribute to the local economy. Without this information, any potential economic benefit is speculative and does not outweigh the negative impacts on the residential amenity of the development.

Impact on Residential Amenity: The change of use could significantly harm the residential character of the area. The potential for increased noise, security concerns, and parking issues could disrupt the peaceful living environment that current residents value. The change would also reduce the availability of the flat for long-term residential use.

Lack of On-Site Management: The absence of an on-site management company for the short-term rental means that complaints or issues would not be addressed promptly. This lack of oversight further exacerbates concerns about noise, security, and general disturbance.

In accordance with the Council's procedures for the handling of Planning applications the opportunity exists for Representees to make further submissions upon the issue of this Panel Report by addressing the Panel directly. A response to these representations is included within the assessment section of this report.

7. Assessment:

The material considerations in the assessment of this planning application are the provisions of the development plan, objector concerns and the impact of the proposal on the amenity of the locality.

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

Sections 25(1) and 37(2) of the Town and Country Planning (Scotland) Act 1997 (as amended) indicates that in making any determination under the Planning Acts, regard is to be had to the development plan. The determination shall be made in accordance with the plan unless material considerations indicate otherwise. The application is determined on this basis.

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

(i) National Planning Framework 4 (NPF4)

The following policies of NPF4 are relevant in the assessment of the application and can be viewed in full online at National Planning Framework 4 - gov.scot (www.gov.scot):

Policy 30 of the revised Draft National Planning Framework 4 states that development proposals for the reuse of existing buildings for short term holiday letting will not be supported where the proposal will result in:

- i. An unacceptable impact on local amenity or the character of a neighbourhood or area; or
- ii. The loss of residential accommodation where such loss is not outweighed by demonstrable local economic benefits.

An assessment of the application proposals on the impact on local amenity is set out elsewhere in this report.

In considering the local economic benefit of the application proposal, the Scottish Government's 'Research into the impact of short-term lets on communities across Scotland' document is of relevance to the assessment of the application. The document sets out 5 key impacts that short-term lets have on communities, which include local economic benefits. The document acknowledges that STLs encourage tourism which supports local economic benefits. Specifically, the benefits identified relate to increased spend, increased availability of jobs (often all year round) and direct jobs and trade for the STLs supply chain including property managers, cleaners and the property maintenance industry.

The application site is located within the settlement of Barassie/ Troon and guests of the STL will have easy access to services and amenities located nearby. It is not unreasonable to assume that guests of the STL will use such services and amenities and thus increase spend within the local area. Furthermore, it is noted from the submitted Operating Plan that the applicant uses a management company which is considered to support local economic benefit. Overall, it is considered that the loss of the existing residential accommodation can be justified due to the local economic benefits associated with the application proposals.

(ii) South Ayrshire Local Development Plan 2

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

- o Strategic Policy 1: Sustainable Development;
- o Strategic Policy 2: Development Management;
- o LDP Policy: Tourism; and
- o LDP Policy: Residential policy within settlement, release sites and windfall sites.

The provisions of the Adopted South Ayrshire Local Development Plan 2 must, however, be read and applied as a whole, and as such, no single policy should be read in isolation. The application has been considered in this context.

An assessment of the proposals against the provisions of Local Development Plan 2 is set out below.

(iii) Objector Concerns

The points of objection are summarised in the sub-sections below (in bold) and responded to below as follows:

Precedent from Previous Refusal

In response to the objection raised regarding the precedent set by the refusal of the application at 8 Rowallan Court (Ref: 24/00486/APP), it is important to carefully consider the differences between that application and the current proposal at Barassiebank Lane, as these differences significantly affect the potential impacts on local amenity.

The application at 8 Rowallan Court, which was refused, involved a three-bedroom property with a balcony. This was a larger property, and its change of use to a short-term let accommodation raised concerns about increased activity and movement within the block, parking pressures, and the potential for disturbance to surrounding residents. The scale of the property as a three bed, combined with the presence of a balcony, led to a heightened risk of noise, activity, and increased pressure on parking and infrastructure.

However, the current application at Barassiebank Lane involves a smaller, two-bedroom property with no external space such as a balcony. This key difference in scale and that there is no balcony significantly reduces the potential for negative impacts on local amenity. The proposed flat is modest in size, with a proposed maximum occupancy of four people, which is consistent with what the property can accommodate for long-term residential purposes.

It is also important to note that Barassiebank Lane is situated within the settlement boundary of Barassie/Troon, which provides easy access to local services, amenities, and transportation options. This further reduces the potential for the proposed short-term let to put undue pressure on parking or infrastructure, as guests will have access to a wide range of services in the immediate area.

In terms of the potential impact on local residents, the proposed short-term let at Barassiebank Lane is a much smaller operation than the one at 8 Rowallan Court. With a maximum occupancy of four people, the proposed use is unlikely to result in the same level of movement, activity, or pressure on local amenities and parking that led to the refusal of the Rowallan Court application. The current proposal will not lead to a significant change in the residential character of the area, and the applicant has committed to ensuring the property is managed appropriately to address any concerns related to noise, security, or other disturbances.

While the refusal at 8 Rowallan Court is acknowledged, it is essential to recognise that each planning application must be assessed on its own merits. In this case, the proposal at Barassiebank Lane represents a more modest proposal, which will not result in the same level of impact on local amenity. The differences in the scale of the properties, the absence of external features such as a balcony, and the relatively low maximum occupancy all serve to mitigate the concerns raised in the Rowallan Court refusal.

Overall, while the refusal of the application at 8 Rowallan Court is noted, the differences between that proposal and the current one at Barassiebank Lane are significant. The smaller scale of the Barassiebank Lane property, its lack of external space, and its more limited occupancy all mean that it is unlikely to create the same level of impact on local amenity as the Rowallan Court application. The current proposal is therefore not bound by the precedent set by the refusal at 8 Rowallan Court and should be considered on its own merits, with due regard given to the smaller, more manageable scale of the proposed short-term let.

National Planning Framework (NPF4)

An assessment of the application proposals against NPF4 is set out elsewhere in this report (Impact on Locality section).

Conflict with Deeds of Condition

In response to the objection regarding the conflict with the Deeds of Conditions for the development at Barassiebank Lane, it is important to clarify that title deed restrictions, while relevant to property ownership and private legal matters, are not a material planning consideration when assessing a planning application.

Planning decisions are made based on the provisions of the development plan and other material considerations, such as the potential impact of the proposed development on local amenity, the character of the area, and relevant planning policies. Title deed restrictions, such as those prohibiting business use or activities that may cause disruption to other residents, fall under the domain of private legal agreements between property owners. These legal matters are outside the scope of planning law and do not form the basis for determining the acceptability of a planning application.

The planning authority is required to consider the application in relation to the development plan policies and other material planning considerations, including the suitability of the proposed use for short-term letting, its potential impact on the surrounding area, and its compatibility with residential amenity. The fact that title deed restrictions may exist does not preclude the planning authority from considering the application on its own merits in line with planning policy.

Therefore, while the concerns regarding the title deed restrictions are noted, they do not affect the assessment of the planning application itself. The planning decision will be made based on the relevant planning policies and considerations, which take precedence over private legal agreements such as title deed restrictions.

Increased Parking Pressures

In response to the objection regarding increased parking pressure at Barassiebank Lane, it is important to highlight that the proposed change of use to a short-term let (STL) is not considered to intensify the parking requirements beyond what is already expected for a residential dwelling.

The proposed property at Barassiebank Lane is a two-bedroom flat with a maximum occupancy of four people. In a residential setting, such a property would typically accommodate a similar number of occupants, and the parking requirements associated with short-term let use are unlikely to differ significantly from those of a standard residential use.

While it is acknowledged that Barassiebank Lane has limited parking provision with only five visitor spaces for 21 flats, the proposal for a short-term let would not result in a dramatic increase in parking demand. The expected level of parking demand for short-term visitors is typically less than that of permanent residents, as guests often rely on public transport or alternative means of transport, such as taxis or rideshare services, especially when staying in areas like Barassiebank Lane, which benefits from its proximity to local amenities and transport links in the nearby Barassie and Troon areas.

Furthermore, given the modest scale of the proposed short-term let, with a maximum occupancy of four people, the additional parking demand is unlikely to be significant enough to cause an unacceptable impact on the local area or exacerbate existing parking congestion.

The concerns about parking, particularly near Barassie Primary School, are acknowledged. However, it is important to note that the parking pressures in this area are not a direct result of the proposed short-term let but rather an issue of broader demand and parking management within the locality. The proposed STL is not expected to contribute to a significant increase in parking pressures compared to what would be expected from normal residential occupancy.

To further mitigate any potential concerns, the applicant is committed to ensuring that the STL is properly managed, with clear guidance provided to guests regarding the availability of local parking options and the importance of minimising any impact on the surrounding area.

In conclusion, the proposed short-term let at Barassiebank Lane is not expected to intensify parking demand beyond the level typically associated with a residential use. Given the scale of the proposal and its location, the impact on local parking and congestion is not considered to be significant, and any potential issues can be effectively managed through appropriate guest management and engagement with local authorities.

Security Concerns

While it is acknowledged that the turnover of guests in a short-term rental could raise concerns about security and access to the building, appropriate management strategies can be put in place to address these concerns, and this would be the responsibility of the applicant to implement these strategies.

The applicant can ensure that access control measures are well maintained and operated effectively to mitigate any risks. For instance, access to the building can be controlled by using modern, secure entry systems, such as key fobs or electronic door codes, which can be changed between each guest's stay. This would ensure that former guests no longer have access to the building after their stay has ended, addressing the concern about guests retaining access codes. Additionally, access to the specific property could be restricted to only those guests staying in the short-term let, preventing non-residents from gaining access to private areas or disrupting the security of the building.

The applicant can also commit to providing guests with clear instructions on the use of the entry system and ensuring that access codes are provided securely. This can be managed through a booking platform or directly by the property owner, ensuring that only verified guests are provided with access codes, further reducing any security risks.

Moreover, the proposed STL would be subject to the requirements of the Short-Term Lets Licensing process, which is designed to ensure that such properties are operated in a safe and responsible manner. Licensing conditions can be implemented that ensure appropriate security protocols are in place and that the building's residents and their safety remain a priority.

Noise and Disturbance

In response to the concern regarding noise and disturbance caused by short-term renters, it is important to acknowledge that the potential for noise does exist in any type of residential setting. However, there are several measures that can be implemented to effectively mitigate such issues and ensure that the short-term let (STL) at Barassiebank Lane does not result in significant disturbance to long-term residents.

Firstly, the proposed short-term let is for a two-bedroom flat, with a maximum occupancy of four people, which is consistent with what the property could accommodate if it were used for long-term residential purposes. This relatively small number of occupants reduces the potential for excessive noise. It is also noteworthy that the absence of external space such as a balcony further limits the likelihood of social gatherings or activities that could cause disturbances, particularly those that might spill over into shared spaces or outside areas.

To further minimise noise impacts, the property can be managed in a way that ensures guests are made aware of the need to respect the residential nature of the building and be mindful of their neighbours. A clear set of house rules can be provided to guests, including guidelines on quiet hours, and rules regarding noise levels, especially during late hours. This would help prevent late-night arrivals or social gatherings from becoming a source of disturbance.

The short-term let at Barassiebank Lane would also be subject to the Short-Term Lets Licensing process, which includes conditions to ensure that the property is operated in a way that minimises disruption to the local area. Should any complaints arise regarding noise or disturbance, they can be addressed promptly through communication with the property owner or management. Furthermore, if any anti-social behaviour or persistent noise issues do occur, local authorities, including Environmental Health or the Council's Licensing Team, can intervene to ensure that the issue is resolved.

While the potential for noise and disturbance is acknowledged, the proposed STL can be managed in a way that limits its impact on long-term residents. By setting clear expectations for guests, employing noise-reduction measures, and ensuring effective management of the property, the risks of noise and disruption can be significantly minimised, ensuring that a suitable environment of the building is maintained.

Wear and Tear

The concern regarding wear and tear on common areas due to short-term renters is understood; however, it is important to note that this is not a material planning consideration when assessing the application. The management and upkeep of communal areas fall under the responsibilities outlined in the property's Deeds of Conditions and the terms of any shared ownership or lease agreements. These matters are not directly regulated through the planning process.

Lack of Control Over Waste Disposal

The concern regarding waste disposal is noted. Short-term renters can be provided with clear instructions on waste disposal and recycling guidelines to ensure compliance. It is common for property owners of short-term lets to include these instructions as part of the check-in process.

Insufficient Evidence of Economic Benefit

The economic benefits of the proposed short-term let have been addressed elsewhere in the report, where it is considered that the proposal would contribute positively to the local economy, particularly through increased tourism spend and support for local businesses. This is explained in more detail elsewhere in this report.

Impact on Residential Amenity

The proposed change of use has been carefully assessed and it is considered that the impact on residential amenity will be minimal. The scale of the property, with a maximum occupancy of four people, and the absence of external space such as a balcony, means that the potential for noise, security concerns, and parking issues is significantly reduced. This is explained in more detail elsewhere in this report.

Lack of On-Site Management

While there is no on-site management company, the property will be managed by a party who will be available to handle any issues, including noise, security, or disturbances. Additionally, the property will be subject to the regulations of the Short-Term Let Licensing Scheme, which provides an additional layer of oversight to ensure compliance with noise, security, and other operational requirements.

(iv) Impact on the Locality

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

The determining issues in this case are whether; the proposal complies with development plan policy; or if there are any other material considerations which justify a departure from policy.

As noted previously in the report, NPF4 was adopted on 13 February 2023. NPF4 has an increased status over previous NPFs and comprises part of the statutory development plan. Whether an LDP has been adopted prior to or after the adoption and publication of NPF4, legislation states that in the event of any incompatibility between a provision of NPF and a provision of an LDP, whichever of them is the later in date is to prevail (Town and Country Planning (Scotland) Act 1997 ("the 1997 Act"); section 24(3)).

In this instance, in the absence of any specific policy on short term lets in the Local Development Plan, NPF4 Policy 30e Tourism is relevant and states -

Development proposals for the reuse of existing buildings for short term holiday letting will not be supported where the proposal will result in:

- i. An unacceptable impact on local amenity or the character of a neighbourhood or area; or
- ii. The loss of residential accommodation where such loss is not outweighed by demonstrable local economic benefits.

The proposed change of use of the flat at 10D Barassiebank Lane from a dwelling to a short-term let (STL) should be considered in relation to its potential impact on local amenity and the character of the neighbourhood. The property is located in a primarily residential area within the settlement boundary of Barassie/Troon, and the development consists of 9 flats in total. As there are no other short-term lets within the block, the proposed change of use would be an isolated case within the context of the wider building.

In terms of local amenity, several factors must be considered, including noise, security, parking, and the potential for disturbance. Noise is often a concern with short-term lets, particularly due to the higher turnover of guests and activities associated with check-ins and check-outs. However, the proposed flat is a two-bedroom property without external space such as a balcony, which limits the potential for noise to be generated. The flat's smaller scale and maximum occupancy of four people also mean that any disturbance is likely to be minimal. The applicant could implement house rules for guests that address noise, which would help mitigate potential issues.

Security concerns are also frequently raised when introducing short-term tenants into a residential block. However, this can be managed by ensuring that access codes are not shared indiscriminately, and proper guest vetting is carried out.

Parking is another consideration, especially as there are only limited spaces available for residents in the block. However, with only nine flats and the property's location close to local amenities and transport links, the demand for parking from a short-term let is not expected to be excessive. The flat is relatively small, accommodating a maximum of four guests, and is unlikely to lead to parking overflow or significant pressure on the surrounding area.

In terms of the neighbourhood character, the proposed change of use is unlikely to significantly affect the residential nature of the area. As there are no other short-term lets in the block, this proposal would not result in a wider trend of transient tenants and would not significantly alter the overall character of the neighbourhood. The proposed use is modest, with only a small number of guests expected at any given time, and is unlikely to generate the level of activity that could alter the character of the area.

Given the absence of other STLs within the block, any potential impact would be confined to this single flat. The operational statement provided outlines how the short-term let will be managed, including addressing concerns about noise, security, and other disturbances. With proper management, the risks associated with the proposed STL can be minimised.

Overall, while concerns have been raised regarding potential noise, security, and parking issues, these can be effectively managed with appropriate controls. The scale of the proposal is small, and its potential impact on local amenity and the character of the neighbourhood is limited. Therefore, the change of use from a dwelling to a short-term let at 10D Barassiebank Lane is not considered to have an unacceptable impact on local amenity or the character of the surrounding area.

In respect of criterion (ii), the proposal would result in the loss of a 2-bedroom flat to short term let accommodation. There is no evidence to suggest that approval of the proposal would have a significant impact on the availability of residential accommodation in the local area.

The proposed short-term let accommodation at Barassiebank Lane offers clear, demonstrable economic benefits to South Ayrshire, particularly in the context of the area's tourism sector and the increasing demand for alternative accommodation options.

The self-catering and holiday let sector is a vital contributor to South Ayrshire's economy, generating over £50 million annually. This contribution is especially significant in light of the limited number of traditional hotel accommodations in the area. The growth of holiday lets since the COVID-19 pandemic reflects a broader shift in consumer preferences, with more visitors opting for self-catering options to accommodate small to medium groups, such as families and friends, seeking more flexible and private accommodation solutions. This shift has been supported and encouraged by the Council's Tourism Service (Destination South Ayrshire), which recognises the sector's positive impact on local businesses, attractions, and services.

Holiday lets have gained increasing popularity in recent years, offering a diverse range of accommodation options that cater to a wide variety of visitors. With the rise of platforms like Airbnb, more people are seeking out smaller, more intimate stays rather than large hotels. This trend has been particularly notable since the pandemic, with a marked increase in demand for self-catering properties that allow groups to stay together in private spaces. By providing such accommodation, the proposed STL would help meet the growing demand for this type of lodging, ensuring that South Ayrshire remains a competitive and attractive destination for both domestic and international visitors.

South Ayrshire regularly hosts major events that attract significant numbers of visitors. For example, the International Ayrshow and the Festival of Flight will draw thousands of people to the region. Such events create a demand for accommodation, and the self-catering sector, including STLs, has proven to be an essential component in meeting this demand. Unlike traditional hotels, short-term lets can provide more flexible, affordable, and readily available accommodation options for visitors attending events. This means that local businesses, from restaurants and cafes to shops and transport services, benefit from the increased footfall and spending generated by these visitors. The proposed STL would provide a direct economic contribution by helping to meet this demand during peak times, supporting the local economy during high-profile events.

In addition to meeting the accommodation needs of event-goers, short-term lets also cater to the growing market of independent travellers and families looking for more personalised stays. The provision of additional self-catering accommodation options through STLs enhances the diversity of tourism offerings, helping to position the region as a more attractive destination for a wider range of tourists. By attracting visitors who may have otherwise bypassed South Ayrshire due to a lack of accommodation options, the STL would help boost the profile of the area as a desirable place to visit and stay.

The economic impact of a short-term let extends far beyond the property itself. Visitors staying in short-term lets spend money on various services and products in the local area. This includes dining out, purchasing local goods, using transport services, visiting local attractions, and participating in activities such as outdoor recreation or cultural events. Every booking brings additional income to these local businesses, which in turn support jobs and stimulate the wider economy. Furthermore, guests at short-term lets may extend their stay or return in the future, fostering repeat business and longer-term economic relationships.

Short-term lets contribute to the growing trend of sustainable tourism by offering visitors an authentic, local experience. With self-catering properties, tourists often shop locally for food and supplies, further supporting small businesses in the area. This form of tourism also tends to have a smaller environmental footprint compared to large hotels, as it requires fewer resources and infrastructure.

The proposal is therefore considered to satisfy NPF4 Policy 30e Tourism.

In terms of the South Ayrshire Local Development Plan 2, LDP policy: Residential policy within settlements, release sites and windfall sites indicates that development proposals should not affect the privacy and amenity of existing and proposed properties. An issue to consider in the assessment of this application is whether changing the flat's primary and lawful use from residential to commercial short term visitor self-catering accommodation would be acceptable in principle. The South Ayrshire Local Development Plan 2 does not preclude the short term lets uses outright. A key policy test for the acceptability or otherwise of the proposal should therefore principally be based on whether the use would be materially detrimental to the amenity of other residents within the locale.

The impact of the proposed change of use in regard to the character and appearance of the built environment would be negligible as no external changes are proposed to the property itself. However, in certain circumstances, the introduction of a commercial use in a primarily residential area can negatively impact residential character. An example of this is where the scale of usage associated with the numbers of lets, patrons and cars is excessive and unreasonable.

It is noted that the access to the application site is shared with 8 other residential property located at 10 Barassiebank Lane. It is considered that the use of the application site for the purposes of a short term let, assuming that the STL is managed appropriately, is not considered to compromise the residential amenity of the properties located within the immediate locale to such an extent which would merit refusal of the application. In addition, the proposed use would also be restricted by the modest nature of the dwelling itself, currently two-bed, the applicant is proposing a maximum occupancy of four people which is no more than the property could potentially house if it were utilised on a full time residential basis, and therefore it is not considered the proposed use would increase residential densities on a constant basis. However, if it were the case that persistent and/or unreasonable noise and disturbance were to result from the future occupiers, such anti-social behaviour would be dealt with by either Police Scotland, the Council's Environmental Health Service or the Short Term Lets Licensing Team. Furthermore, given the property would no longer be considered as a residential dwelling, it would not benefit from householder permitted development rights. Should future owners therefore seek to undertake any external alterations or development often associated with short-term occupancy uses such, which could be capable of generating noise nuisance, a further application would require to be submitted.

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

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

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

Given its siting within the settlement boundary of Barassie/ Troon, it is considered the application proposals would be well related to an existing settlement thus avoiding any potential dispersed pattern of development. Furthermore, as no external alterations are proposed, it is determined that the proposal would respect the character, amenity and scale of the built and natural environment in the surrounding area and bring about no detriment to the surrounding area. All of the preceding being the case, it is considered that the proposal can be supported under LDP Policy: Tourism.

A condition can be attached to any permission to ensure the use of the property is for holiday occupation by any person or connected group only that it shall not be used at any time as the sole or principal residence by any occupants.

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

8. Conclusion:

Following review, it has been established that both Local Development Plan 2 (LDP2) and National Planning Framework 4 (NPF4) are generally supportive of the proposed use in this location. It has been demonstrated and satisfied that the proposed development is compliant with the specific policies which cover these topics across the statutory development plan framework.

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

9. Recommendation:

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

- (1C) That the development hereby permitted must be begun within three years of the date of this permission.
- (1R) 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.
- (2C) 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.
- (2R) To ensure that the development is carried out in accordance with the approved plans unless otherwise agreed.
- (3C) That the accommodation hereby approved shall not be promoted, advertised, let, or used for any purpose other than as holiday accommodation, to the satisfaction of the Planning Authority.
- (3R) To define the terms of this planning permission, and to retain proper planning control over the development.

9.1 Advisory Notes:

To support the safe and responsible management of the property, it is recommended that a security management plan and house guest rules be implemented.

A security management plan should be developed to ensure the safety and security of both guests and the surrounding neighbourhood. This plan may include procedures for check-in and check-out, contact information for a local property manager or responsible person, ensuring proper locks and security systems on entry points, and clear protocols for addressing noise or disruptive behaviour.

It is also recommended that a set of house rules be clearly communicated to guests. These rules might include guidelines on noise levels, quiet hours, restrictions on the number of guests allowed to stay, proper waste disposal, and how to address any concerns during their stay.

9.2 List of Determined Plans:

Drawing - Reference No (or Description): Floor Plan

Drawing - Reference No (or Description): Location Plan

Drawing - Reference No (or Description): Operational Statement

9.3 Reason for Decision (where approved):

The proposed change of use proposal is supported by the framework of planning policy including National Planning Framework 4 and Local Development Plan 2 in that it could bring economic benefits to the area and is not expected to have a detrimental impact on residential amenity or the character of the area. Should any residential amenity issues arise in the future, it would be for Police Scotland, the Council's Environmental Health Service or Licensing Team to pursue through their regulatory powers.

Background Papers:

1. Application form, plans and submitted documentation.
2. Representations.
3. Adopted South Ayrshire Local Development Plan (LDP2).
4. National Planning Framework 4 (NPF4).
5. Planning application 24/00486/APP.

Integrated Impact Assessment:

The consideration of this planning application sits within a policy framework of the Council's Local Development Plan 2 and National Planning Framework 4. These have been the subject of Equalities Impact Assessments which considered how the policies may impact on protected characteristics. Therefore, no separate Integrated Impact Assessment is required.

Person to Contact:

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