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8 May 2025

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

**All other Members for Information Only**

Dear Councillor

**REGULATORY PANEL (PLANNING)**

You are requested to participate in the above Panel to be held on **Thursday, 15 May at 10.00 a.m.** for the purpose of considering the undernoted business.

**Please note that a briefing meeting will take place for all Panel Members at 9.15 a.m., online and in the Dundonald Room.**

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/>

Yours sincerely

**CATRIONA CAVES**  
Chief Governance Officer

**B U S I N E S S**

1. Declarations of Interest.
2. Minutes of previous meeting of 27 March 2025 – Site Visit (copy herewith).
3. Hearing relating to an Application for Planning Permission - Submit report by the Housing, Operations and Development Directorate (copy herewith).
4. 23/00472/DEEM - Proposed Wind Farm at Knockodhar, B734 From A714 Junction At Pinmore Bridge To Barr, Pinmore, South Ayrshire - Submit report by the Housing, Operations and Development Directorate (copy to follow).

For more information on any of the items on this agenda, please telephone June Chapman,  
Committee Services on at 01292 272015, at Wellington Square, Ayr or  
e-mail: [june.chapman@south-ayrshire.gov.uk](mailto:june.chapman@south-ayrshire.gov.uk)  
[www.south-ayrshire.gov.uk](http://www.south-ayrshire.gov.uk)

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## **REGULATORY PANEL (SITE VISIT)**

Minutes of meeting to undertake a site visit on 27 March 2025 at 2.00 p.m.

Present: Councillors Alan Lamont (Chair), Ian Cavana, Martin Kilbride, Mary Kilpatrick, Craig Mackay and Duncan Townson.

Attending: C. Iles, Service Lead – Planning and Building Standards; E. Goldie, Co-ordinator (Development Management) - Planning and Building Standards; F. Ross, Co-ordinator Legal Services (Property and Contracts); G. Senior, Team Leader (Traffic) Ayrshire Roads Alliance; A. McGibbon, Supervisory Planner - Planning and Building Standards and J. Chapman, Committee Services Officer.

Councillors Dixon and Lyons did not attend the meeting of the Regulatory Panel (Planning) on 5 March 2025, and Councillor Clark withdrew from the meeting of the Regulatory Panel (Planning) of 5 March 2025 before the planning application which this site visit relates to was considered by the Panel. Accordingly, Councillors Dixon, Lyons and Clark could not participate in this site visit.

### **1. Declarations of Interest**

There were no declarations of interest by Members of the Panel who were present in terms of Council Standing Order No. 17 and the Councillors' Code of Conduct.

### **2. Continued Planning Application - Land to the East of A77T from Holmston Roundabout to Bankfield Roundabout, Ayr, South Ayrshire (Ref: 22/00302/PPPM).**

Reference was made to the Minutes of 5 March 2025 when it had been agreed to continue consideration of a planning application at Land to the East of A77T from Holmston Roundabout to Bankfield Roundabout, Ayr, South Ayrshire (Ref: 22/00302/PPPM) to allow a site visit to be conducted.

Having viewed the site, the Panel

**Decided:** to continue determination of the application to the next meeting of this Panel, scheduled to take place on 3 April 2025.

The meeting ended at 2:45pm.

# REGULATORY PANEL: 15 MAY 2025

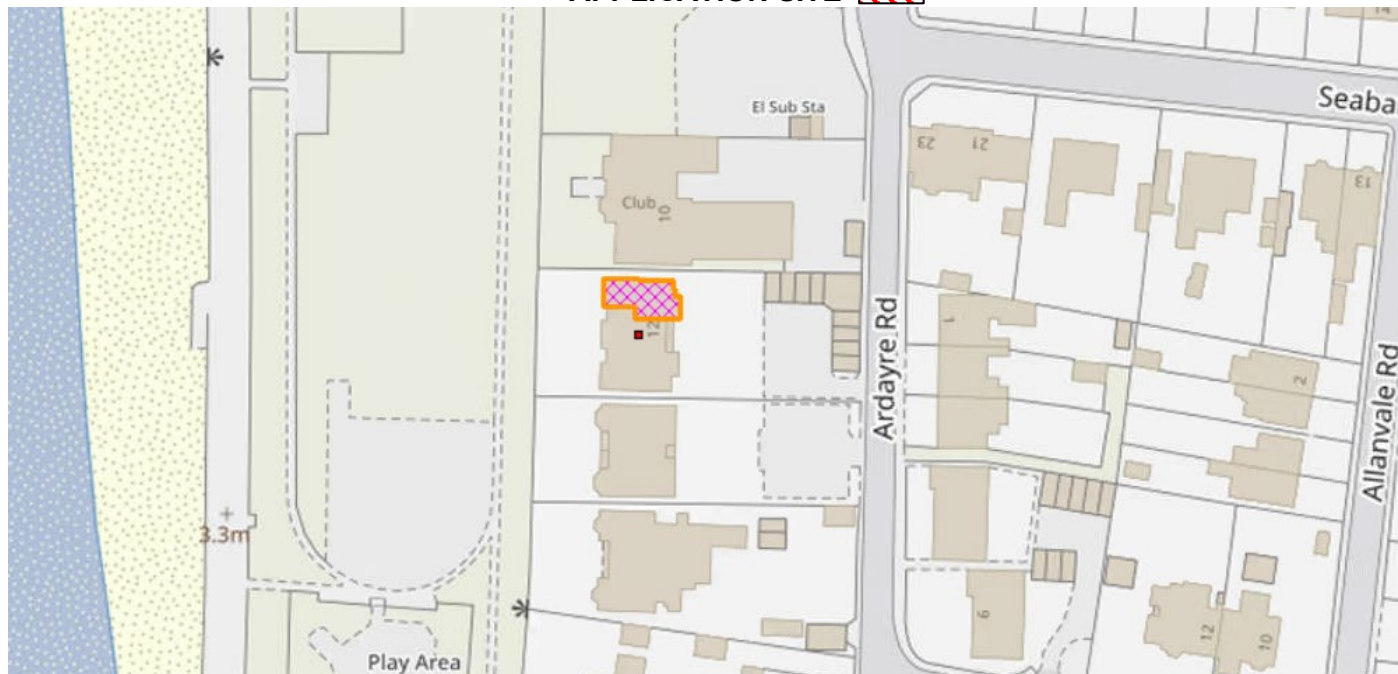
## REPORT BY HOUSING, OPERATIONS AND DEVELOPMENT

25/00131/APP

12I ARDAYRE ROAD PRESTWICK SOUTH AYRSHIRE KA9 1QL

### 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 12I Ardayre Road, Prestwick. The building consists of a total of 9 dwelling flats, situated within the settlement boundary of Prestwick, 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 12 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 development's compliance with the statutory development plan.

## REPORT BY HOUSING, OPERATIONS AND DEVELOPMENT

### REGULATORY PANEL: 15 MAY 2025

<b>SUBJECT:</b>	<b>PLANNING APPLICATION REPORT</b>
<b>APPLICATION REF:</b>	<b>25/00131/APP</b>
<b>SITE ADDRESS:</b>	<b>12I Ardayre Road Prestwick South Ayrshire KA9 1QL</b>
<b>DESCRIPTION:</b>	<b>Change of use of existing flat to short term let</b>
<b>RECOMMENDATION:</b>	<b>Approval with conditions</b>

#### 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 (as amended). 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 4 March 2025.
- The application was validated on 11 March 2025.
- The case officer visited the site on 28 April 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 19 March 2025.
- 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 an upper floor dwelling flat located at 12I Ardayre Road, Prestwick. The flat forms part of a residential flatted block which is three and a half storeys in height and finished in render with a slate roof. The surrounding area is primarily residential in character, comprising a mix of flatted properties and dwellinghouses. There are no other short term lets operating from within the block.

The application site is located within the settlement boundary of Prestwick, 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 requirements introduced in Scotland for short-term let accommodation. No changes to the internal layout or external 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 proposal relates to the change of use of an existing residential flat at 12I Ardayre Road, Prestwick, KA9 1QL to operate as a short-term let. The information has been submitted by Resolve 360 Planning Limited on behalf of the applicant.

The property is described as a two-bedroom flat with a maximum occupancy of four persons. It includes one allocated private garage parking space, with reference made to additional nearby public parking. The short-term let is proposed to operate year-round, from January to December inclusive. The stated minimum booking duration is two nights, with a maximum stay of 28 nights.

Management of the property is to be carried out by Donnini Apartments, a company based in Ayr that provides short-term letting services. The submission states that Donnini Apartments will be responsible for the booking process, guest communications, servicing arrangements, and maintenance response.

Guest check-in is stated as being from 15:00, with checkout by 11:00. Access is managed via a secure key box located at the property. The submission outlines that contact is made with guests in advance of their stay to confirm arrival arrangements. Servicing of the property is carried out by staff employed by Donnini Apartments. According to the statement, servicing visits are minimised; laundry is removed following guest checkout and washed off-site, and cleaning is conducted immediately after departure, with fresh laundry brought by the team. A 24-hour, seven-day maintenance helpline is available, and the submission notes that in-house maintenance staff are used for attending to issues and enforcing compliance with house rules.

Waste collection is stated to be provided by South Ayrshire Council as part of its existing service provision in the area. The Operating Plan refers to a number of management policies intended to address guest conduct and neighbour amenity. These include policies on problematic guests and noise, as well as a general complaints and compliments procedure. Communication with guests is identified as a key component of the management approach, with regular engagement noted both before and during guest stays.

Supporting documents appended to the submission include a Policy on Neighbours Noise and Problematic Guests and a Policy on Compliments & Complaints. These documents are described as forming part of Donnini Apartments' wider management procedures developed through operational experience in the serviced apartment sector.

This information has been provided by the applicant in support of the planning application to demonstrate the intended management and operational approach for the proposed short-term letting use at the application property.

**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:**

12 representations have been received, 12 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.

### **Security Concerns:**

Concerns that non-resident access will compromise building security, with concerns regarding the loss or duplication of keys.

### **Parking Constraints:**

Existing parking issues, particularly for disabled residents, with concerns that short-term guests will exacerbate these problems due to limited parking spaces.

### **Noise, Disturbance, and Anti-social Behaviour:**

Concerns that short-term lets will attract noise, disturbances, and anti-social behaviour, particularly from guests attending events such as stag/hen parties.

### **Title Deed Restrictions:**

Objections based on the belief that short-term letting violates the property's title deeds, which prohibit the use of flats for business purposes.

### **Impact on Common Areas and Building Fabric:**

Concerns regarding increased wear and tear on communal areas, noise disturbance, and additional cleaning and maintenance costs due to increased footfall.

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](http://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 Prestwick 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 is a local 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](http://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:

**Security Concerns**

The concerns regarding security are noted. However, the applicant has provided an Operating Plan detailing management protocols for key handling, access control, and guest supervision. This plan indicates that a professional short-term letting company will be managing the property, ensuring that appropriate measures are in place to reduce the risk of lost or copied keys. The issue of building security is generally a private matter for the residents and building management, and planning cannot enforce internal security arrangements. Based on the information provided, there is no evidence to suggest that the proposed use would result in significant harm to security.

**Parking Constraints**

The application proposes the change of use of a single flat within an existing residential block of nine flats. The parking arrangements are considered acceptable given that the use involves only one flat. It is acknowledged that several residents have disabilities, and this matter is addressed by the availability of accessible parking spaces. However, planning cannot regulate or control private parking arrangements within a residential block. The impact on on-street parking in the area is acknowledged but not deemed to be sufficiently significant to warrant refusal of the application.

**Noise, Disturbance, and Anti-social Behaviour**

Concerns regarding noise and anti-social behaviour are acknowledged, particularly given the nature of short-term letting (including potential stag/hen parties and other group bookings). However, the applicant has provided an Operating Plan that includes measures for managing guest behaviour, noise control, and a 24-hour support line. Planning legislation does not automatically assume that short-term lets will cause disruption or anti-social behaviour, and any noise or behaviour issues can be addressed through existing licensing and environmental health mechanisms. There is no evidence to suggest that such concerns would be more significant than those already associated with residential use.

**Title Deed Restrictions**

The planning system cannot adjudicate on or enforce matters related to the private title deeds of a property. Title deed issues are legal matters between property owners and are not material considerations in planning decisions. The planning application pertains solely to the change of use of the property, which falls under the scope of planning policy. Short-term letting is considered a residential use, and there is no breach of planning policy as a result of the proposed change.

**Impact on Common Areas and Building Fabric**

The concerns regarding wear and tear on communal areas, noise, and additional cleaning costs are noted. However, the scale of the proposed change of use (one flat out of nine in the block) is not anticipated to result in significant damage or disruption. Any costs incurred for maintenance or cleaning are a matter for the property's factoring arrangements, and planning cannot control or enforce financial obligations related to shared maintenance. Additionally, the applicant has indicated that cleaning and maintenance will be managed by the letting company, which should alleviate some concerns regarding communal upkeep.

(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 121 Ardayre Road, Prestwick from a dwelling to a short-term let 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 Prestwick, and the development consists of several flats within the building. 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 proposes to 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 several flats in the building 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 121 Ardayre Road, Prestwick 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 Ardayre Road 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 short-term let 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 other residential properties in the block. 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 that 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, with a maximum occupancy of four people. Therefore, it is not considered that the proposed use would increase residential densities on a constant basis. However, should persistent and/or unreasonable noise and disturbance result from future occupiers, such anti-social behaviour would be dealt with by 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 seek to undertake any external alterations or development often associated with short-term occupancy uses, a further application would be required.

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 partly due to the current LDP2 being adopted before 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, rather than a permanent basis, 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 Prestwick, 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 and 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. 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 conditions listed below.

## **8. Conclusion:**

Given the above assessment, it is recommended that the application is 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:**

None.

**9.2 List of Determined Plans:**

Drawing - Reference No (or Description): 2422-PLA-001

Drawing - Reference No (or Description): Floor Plan

Drawing - Reference No (or Description): Location Plan

**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 conservation 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).

**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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