County Buildings
Wellington Square
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south AYRSHIRE COUNCIL
Comhairle Siorrachd Àir a Deas

4 November 2025

To: Councillors Lamont (Chair), Cavana, Clark, 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, 13 November 2025 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 9 October 2025 (copy herewith).

3. Hearings relating to Applications for Planning Permission - Submit reports by the Housing, Operations and Development Directorate (copies herewith).

4. Application continued from the Regulatory Panel of 11 September 2025 and the Regulatory Panel (Site Visit) to take place on 11 November 2025: 22/00220/APP – Land at Annfield Road, Prestwick, South Ayrshire (report considered by the Regulatory Panel on 11 September 2025 herewith).

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
www.south-ayrshire.gov.uk

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REGULATORY PANEL (PLANNING)

Agenda Item No 2

Minutes of a hybrid webcast meeting
on 9 October 2025 at 10.00 a.m.

Present in County Buildings:	Councillors Alan Lamont (Chair), Ian Cavana and Martin Kilbride.
Present Remotely:	Councillors Lee Lyons and Craig Mackay.
Apologies:	Councillors Alec Clark, Mary Kilpatrick and Duncan Townson.
Attending In County Buildings:	A. Brown, Acting Co-ordinator, Legal; C. Iles, Service Lead – Planning and Building Standards; D. Clark, Co-ordinator (Development Management); R. Dominy, Planning Assistant; J. McClure, Committee Services Lead Officer; and E. Moore, Clerical Assistant.
Attending Remotely:	E. Goldie, Co-ordinator (Development Management).

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Chair's Remarks.

The Chair

(1) welcomed everyone to the meeting; and

(2) outlined the procedures for conducting this meeting and advised that this meeting would be broadcast live.

1. Sederunt and Declarations of Interest.

The Acting Co-ordinator, Legal called the Sederunt for the meeting and having called the roll, confirmed that that there were no declarations of interest by Members of the Panel in terms of Council Standing Order No. 17 and the Councillors' Code of Conduct.

2. Minutes of previous meetings.

The Minutes of previous meeting of 11 September 2025 (issued) were submitted and approved.

Decided: to approve these minutes.

3. Hearing relating to an Application for Planning Permission.

There was submitted a report (issued) of October 2025 by the Housing, Operations and Development Directorate on planning applications for determination.

The Panel considered the following application: -

(1) 25/00473/APP WOOD COURT TROON SOUTH AYRSHIRE KA10 6BB (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 25 Wood Court, Troon)

Following discussion, the Panel

Decided: to approve, 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.

List of Determined Plans:

Drawing - Reference No (or Description): Floor Plan
Drawing - Reference No (or Description): Location Plan
Other – Reference No (or Description): Operating Statement

Reason for Decision:

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 surrounding 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.

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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 & 25/00378/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.

The meeting ended at 10.30 a.m.

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South Ayrshire Council

Agenda Item No 3.

List of Planning Applications for Regulatory Panel (Planning) Consideration on 13 November 2025

List No.	Reference Number	Location	Development	Applicant	Recommendation
1.	25/00585/APP Emma McKie (Objections) (Application Summary)	Garton Sundrum Ayr South Ayrshire KA6 6LR	Formation of 15 static caravan pitches for holiday use and associated development	Garton Caravan Site Ltd	Approval with Condition(s)
2.	25/00525/APP David Clark (Objections) (Application Summary)	Flat 2 27 Wellington Square Ayr South Ayrshire KA7 1HH	Change of use of dwellingflat to short term let	Wellington Home Rentals Limited	Approval with Condition(s)

REGULATORY PANEL: 13 NOVEMBER 2025

REPORT BY HOUSING, OPERATIONS AND DEVELOPMENT

25/00585/APP
GARTON SUNDRUM AYR SOUTH AYRSHIRE KA6 6LR

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 formation of pitches for 15 static caravans for holiday use at the site know as 'Garton' to the west of Coylton. Garton has a long-standing history of holiday accommodation having previously been used as a site for touring caravans. The pitches shall utilise existing hard standing within the site, previously used for touring caravans. Existing earth mounds within the centre of the site shall be re-formed to create the pitches proposed in this area. A new water treatment plant is to be installed to the western extent of the site. A refuse and recycling area is to be provided to the south of the proposed caravan pitches.

The dimensions of the caravans to be sited shall not exceed the dimensions specified in 'The Caravan Sites Act 1968 (Amendment of Definition of Caravan) (Scotland) Order 2019'. Each pitch shall also accord with the required separation distance of 6 metres between caravans, as required by the legislation. Each pitch shall be served by 2 parking spaces.

The planning application requires to be reported to the Council's Regulatory Panel, in accordance with the Council's approved procedures for handling planning applications and Scheme of Delegation, as a competent written objection has been received from a Community Council, via their designated contact person, and the appointed officer is minded to recommend a determination which is contrary to the views expressed by the Community Council.

The application has been assessed against the various material planning considerations which include the provisions of the development plan, consultations, representations received (4 in total) and the impact of the proposed development on the locality. The assessment concludes that the proposed development broadly complies with the provisions of National Planning Framework 4 (2023) and the Adopted South Ayrshire Local Development Plan (2022). It is considered that the proposal represents a sustainably located development involving the re-use of land formerly use for the

purposes of holiday accommodation, within a sustainable and accessible location, and that, the proposals, subject to being appropriately conditioned, will not detract from the character or appearance of the surrounding area, raise significant issues relating to traffic, transport, road safety or parking, or introduce any adverse amenity issues. The points raised in the letters of objection have been fully considered, but do not raise any issues that would merit a recommendation of refusal of the application. Overall, there are no policy objections, and following the above assessment, it is considered that, on balance, the application should be recommended for approval, subject to conditions.

Accordingly, given this assessment and having balanced the applicant's rights against the general interest, it is recommended that the applications be approved subject to conditions.

REPORT BY HOUSING, OPERATIONS AND DEVELOPMENT

REGULATORY PANEL: 13 NOVEMBER 2025

SUBJECT:	**PLANNING APPLICATION REPORT**
APPLICATION REF:	**25/00585/APP**
SITE ADDRESS:	**Garton Sundrum Ayr South Ayrshire KA6 6LR**
DESCRIPTION:	**Formation of 15 static caravan pitches for holiday use and associated development**
RECOMMENDATION:	**Approval with condition(s)**

APPLICATION REPORT

This report fulfils the requirements of Regulation 16, Schedule 2, paragraphs 3 (c) and 4 of The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013 (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 15 September 2025.
- The application was validated on 15 September 2025.
- A Site Visit was carried out by the Planning Authority on 6 October 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 18 September 2025.
- 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 30 September 2025.

1. Proposal:

The application site comprises land of approximately 3690 sqm, formerly used for the storage of touring caravans which forms part of a larger area of land, also owned by the applicant, at Garton Sundrum, Ayr. The site is located approximately 480 metres to the west of the settlement of Coylton and approximately 4km to the east of the settlement of Ayr. The site shall be accessed via the existing vehicular access from the site to Ayr Road (A70).

Planning permission is sought for the formation of pitches for 15 static caravans for holiday use. The pitches shall utilise existing hard standing within the site, previously used for touring caravans. Existing earth mounds within the centre of the site shall be re-formed to create the pitches proposed in this area and to allow reconfiguration of the road to access each of the pitches. A new water treatment plant is to be installed to the western extent of the site. A refuse and recycling area is to be provided to the south of the proposed caravan pitches.

The dimensions of the caravans to be sited shall not exceed the dimensions specified in 'The Caravan Sites Act 1968 (Amendment of Definition of Caravan) (Scotland) Order 2019'. Each pitch shall also accord with the required separation distance of 6 metres between caravans, as required by the legislation. Each pitch shall be served by 2 parking spaces.

The planning application requires to be reported to the Council's Regulatory Panel, in accordance with the Council's approved procedures for handling planning applications and Scheme of Delegation, as a competent written objection has been received from a Community Council, via their designated contact person, and the appointed officer is minded to recommend a determination which is contrary to the views expressed by the Community Council.

2. Consultations:

Ayrshire Roads Alliance –
Following a review of the application submission, including the Transport Statement, the ARA offer no objections, subject to conditions.

- With regard to traffic impacts, as the proposals will result in an intensification of turning movements on this section of the A70, the ARA consider that for the proposals to be considered acceptable additional measures consisting of warning signs and road markings on the A70 approaches will be required.

- The supporting information has been provided to demonstrate that full visibility splays of 2.4m x 215.0m can be achieved, and sufficient width is being proposed to allow two cars to pass one another. The ARA require that the access be a minimum of 6m wide over its initial 10m to ensure that in general 2-way traffic can be accommodated by the access and have recommended a condition to ensure the access is constructed to an acceptable standard.

- Access for larger vehicles, such as caravan deliveries or removals from site, should be covered by appropriate protocols as set out within a Servicing Management Plan for the site.

- Parking within the site is proposed at a rate of 2 spaces per caravan pitch. The ARA consider that this is an appropriate provision.

Council's Environmental Health Service – Offer no objections.

Scottish Water – Offer no objections.

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.

Planning Statement

- Summarises the history of the application site and details of the proposed development.
- Assesses the proposed development against the policies of both NPF4 and LDP2 and considers the development to be in accordance with these policies
- Considers the development shall make a positive contribution to the local economy.
- States that existing tree belt and woodland surrounding application site shall not be impacted, and existing trees shall be protected.
- Propose understory planting to enhance existing landscaping which screens the application site.

Management and Operation Arrangements

- Sets out that the sale of any caravan at the site will conform to the British Holiday and Homes Parks Association guidance and their standard purchase agreement will be used, which makes it expressly clear that the purchaser is acquiring a holiday caravan and that it cannot be used as a main residence.
- Any prospective purchaser will be asked to provide proof of their main residence prior to a sale taking place. The permanent residence of the holiday homes owners will be maintained by the caravan park owner on a site register.
- The site will be maintained in accordance with the terms specified in the Council's Environmental Health Service Site Licence, which will be sought following the grant of planning permission.
- A series of site rules will be prepared and issued to prospective purchasers and enforced by the caravan park owners.
- Separate sub-letting of the holiday caravans to third parties will not be permitted.
- The residential dwelling that exists on land under the ownership of the applicant adjacent to the red line site will be occupied by the owner/an employee of the business who will oversee the day-to-day management of the caravan site.
- The maintenance and upkeep of the caravans will be the responsibility of the caravan owner.
- The maintenance of the grounds of the caravan park will be undertaken by the caravan park owner.
- The caravan park will not offer any food or drink for sale on the site.

Transport Statement

- This statement provides a site description and outlines the current use of the site.
- The statement also outlies access arrangements, describes the proposed site layout and operation (including parking provision), reasons sustainable accessibility and outlines existing future traffic conditions.
- An assessment was undertaken of the achievable visibility splays in both directions from the site access junction. The results showed that a splay of 2.4 x 215 metres, required for a 60mph speed limit, can be provided in both directions.
- The vehicle swept path analysis for a car turning in while another car is waiting at the give way line, demonstrating that two-way operation is achievable at the junction entrance.
- The local villages of Joppa / Coylton are accessible on foot and are well within a 25min walk time from the site. They are also accessible via a traffic free cycle route, as is the Dobbie's Garden centre to the west.
- The existing bus stops in Joppa / Coylton are within a 10min walk from the site, where there is access to regular services to Ayr and Cumnock.
- Two car parking spaces will be provided at each caravan.
- The analysis suggests the impact of the development traffic on the local road network will be negligible, while the site access junction will operate well within capacity.
- The report concludes that there are no transportation reasons why planning permission should not be granted for the proposed development.

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:

4 representations have been received, 3 of which object to the proposed development. One of the objections received has been lodged on behalf of Coylton Community Council. All representations can be viewed online at (Application Summary)

The issues raised by Representees can be summarised as follows:

- Road infrastructure, traffic and safety concerns
- Impact on landscape and natural environment
- Levels of occupancy
- Inaccuracies in submission regarding site history.
- The site was granted a Caravan Site License by South Ayrshire Council without planning permission and should be revoked.
- An Environmental Impact Assessment Screening Opinion is required.
- Over-provision of tourist accommodation in South Ayrshire.
- Overdevelopment.
- Comparison with other planning applications for holiday accommodation around Coylton.

A response to matters raised in the representations received is included within the assessment section of this report.

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.

7. Assessment:

The material considerations in the assessment of this planning application are the provisions of the development plan, other policy considerations (including government guidance), objector concerns and the impact of the proposal on the amenity of the locality.

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

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

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

(i) National Planning Framework 4 (NPF4)

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

- Policy 1: Tackling the climate and nature crises
- Policy 2: Climate mitigation and adaption
- Policy 3: Biodiversity
- Policy 6: Forestry, woodland and trees
- Policy 14: Design, quality and place
- Policy 15: Local Living and 20-minute neighbourhoods
- Policy 29: Rural development
- Policy 30: Tourism

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 key to reducing emissions. *Policy 3* seeks to positively enhance biodiversity. It is recognised that the submission the applicant is proposing to undertake additional planting. Given that no specific details have been provided it is deemed prudent to attach a condition requiring details of landscaping proposals are provided and shall comprise of native species. Overall, given that the site is land previously developed and subsequently used for holiday accommodation, with hardstanding present throughout the site previously used for caravan pitches and an access road, it is not considered that the proposed development would significantly alter or impact the environment at the locale.

Policy 6 seeks to protect and expand forests, woodland and trees. It is noted that the application site is adjacent to areas of woodland out with the application site but in the ownership of the applicant. There is no Tree Protection Order covering any of the trees and the woodlands are not designated as ancient or semi-ancient woodland. Notwithstanding this, the application submission outlines the intention to retain all existing trees adjacent to the proposals. As such, it is deemed prudent to attach conditions requiring that the existing trees are retained, and details of protective measures are submitted to the Planning Service prior to commencement of works on site. Considering this, the proposed development is not considered to result in an adverse impact on the overall value of existing woodland at the locale.

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 (under criterion c). *Policy 15* seeks to encourage, promote and facilitate the application of the Place Principle and create connected and compact neighbourhoods where people can meet the majority of their daily needs within a reasonable distance of their home, preferably by walking, wheeling or cycling or using sustainable transport options. The development proposals, comprise of the reconfiguration and formation of pitches for static caravans within the site, previously used for touring caravans, which are contained wholly within the established boundaries of this site. As such they are not considered to result in a detrimental impact to the amenity of the surrounding area or be inconsistent with the six qualities of successful places. As such the development proposals are considered to be in accordance with the aforementioned policies.

The primary purpose of this *Policy 29: Rural Development*, is to encourage rural economic activity, innovation and diversification whilst ensuring distinctive character of rural area and the service functions of small towns, rural assets and cultural heritage are both safeguarded and enhanced. The policy promotes development proposals that contribute to the viability, sustainability and diversity of rural communications and the local rural economy and cites specific circumstances where such support should be offered. Applicable with regard to this application, would be proposals which represent the diversification of an existing business. This policy goes on to state that development proposals in rural areas 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 the rural location.

The proposal to form 15 static caravan pitches is considered to be compatible with the locality given the previous longstanding use of the site for touring caravans and that the current proposals seek to reuse and reconfigure the existing layout. As outlined below, it is considered that the principle of the proposed development is supported by *Policy 30* of NPF4. The siting and layout of the proposed pitches within the site will be screened by an existing tree belt to the south and west and woodland to the north and east which shall mitigate the visual impact of the proposals and ensure the character of the wider rural area is not significantly impacted, in accordance with the requirements of *Policy 29*.

With regard to proposals for tourism related development, *Policy 30* outlines that the following factors will be taken into account:

i. The contribution made to the local economy;
ii. Compatibility with the surrounding area in terms of the nature and scale of the activity and impacts of increased visitor;
iii. Impacts on communities, for example by hindering the provision of homes and services for local people;
iv. Opportunities for sustainable travel and appropriate management of parking and traffic generation and scope for sustaining public transport services particularly in rural areas;
v. Accessibility for disabled people;
vi. Measures taken to minimise carbon emissions;
vii. Opportunities to provide access to the natural environment.

With regard to the compatibility of the proposals with the surrounding area, it is noted that proposals comprise of the reconfiguration and redevelopment of part of a larger site previously used for holiday accommodation in the form of touring caravans. Previously, a maximum of 9 touring caravans were permitted to be sited. The current proposals are for 15 static caravan pitches, which would be a net increase of 6 pitches. The site is outwith the settlement of Coylton and the principle of holiday accommodation on the site has been established. As such, it is not considered that the nature and scale of the proposals are incompatible with the surrounding area and shall not hinder in the provision of homes and services for local people.

With regard to how accessible the site is and the potential impact of the development on local economies, it is noted that the site is located just outwith the settlement of Coylton. The closest retail units within Coylton are approximately 800 metres or a 10-minute walk from the site. It is recognised that there is a walking route/cycle path which connects Ayr to Coylton along the A70. As there are no food or drink facilities provided within the site, it is anticipated that those visiting the site will visit Coylton or other nearby settlements, including Ayr, to access any facilities or services required and thus contributing to the local economy. It is noted that that there is bus stops located on the A70 approximately 600 metres or a 7-minute walk from the site, with regular buses to both Ayr and Cumnock. The site is therefore easily accessible and has sustainable transport options.

With regard to minimising carbon emissions, it is noted that the applicant intends to site the proposed caravans on hardcore bases as opposed to concrete to limit the carbon footprint of the development.

It is noted that the application site is located in a rural setting forming part of a larger area under the ownership of the applicant. This includes an area of woodland which bounds the site to the north and east. It is therefore considered that the site has opportunities to access the natural environment.

With regard to the parking and traffic generation of the proposed development, it is noted that the Ayrshire Roads Alliance (ARA) offer no objection to the proposals, subject to conditions. The ARA noted that parking within the site is proposed at a rate of 2 spaces per caravan pitch which they consider to be is an appropriate level of provision. A condition can be attached to ensure this parking is delivered. With regard to traffic generation, as the proposals will result in an intensification of turning movements on this section of the A70, the ARA consider that for the proposals to be considered acceptable, additional measures consisting of warning signs and markings on the A70 approaches will be required and can be secured by way of condition. Conditions requiring the submission of both a Construction Traffic Management Plan and Service Management Plan are also recommended. Subject to conditions, it is considered parking and traffic generation arising from the use of the site can be appropriately managed.

Overall, the proposed development is considered to accord with this policy.

The provisions of NPF4 must 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 and it is considered that the proposed development accords with the provisions of NPF4.

(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):

- Core Principle B8
- LDP 2 Policy: Strategic Policy 1: Sustainable Development
- LDP 2 Policy: Strategic Policy 2: Development Management
- LDP 2 Policy: Tourism
- LDP 2 Policy: Land Use and Transport
- LDP 2 Policy: Woodland and Forestry

Core Principle B8 aims to support the promotion and growth of rural business in appropriate locations, only where there are no significant impacts and all other LDP2 policies are satisfied. As previously outlined, the proposals represent the reconfiguration and redevelopment of a site with an established history of a rural tourism business. The potential for significant impacts have been assessed against all relevant policy criteria and following review it has been established that the development will not have any adverse impacts to a point which would make it unacceptable.

Strategic Policy 1: Sustainable Development requires that all development '*respects, protects and where possible enhances natural, built and cultural heritage resources', 'respects the character of the landscape and the setting of settlements', 'ensures appropriate provision for waste water treatment, avoid(s) the proliferation of private treatment systems […]'* and '*wherever possible, is in an accessible location, with opportunities for the use of public transport […]'.* Strategic Policy 2: Development Management, which requires that all proposals *'are appropriate in terms of layout, scale, massing, design and materials in relation to their surroundings and surrounding land uses',* and '*do not have an unacceptable impact on the amenity of nearby land uses, or committed development proposals […]'.*

It is noted that the site has a longstanding history of use for holiday accommodation. However, any planning permission granted with regard to the proposed static caravan pitches to be formed would require a condition to be attached to ensure that the caravans installed would be used for holiday use only.

The massing/dimensions of the proposed caravans shall not exceed the dimensions specified in 'The Caravan Sites Act 1968 (Amendment of Definition of Caravan) (Scotland) Order 2019'. Each pitch shall also accord with the required separation distance of 6 metres between caravans, as required by the legislation.

Overall, given the siting and massing of the proposals, the history of a tourism use at the site, the rural setting of the site and the screening provided by an existing tree belts to the south and west and woodland to the north and east, it is considered that the proposed development is acceptable.

With regard to the tourist accommodation proposed, *LDP 2 Policy Tourism* encourages proposals which improve the standards and appearance of self-catering or touring caravan and camping sites, and will allow new sites and accommodation to be developed, subject to the following criteria;

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

The proposal is for the formation of 15 static caravan pitches. All caravans to be site shall be for holiday use only. As noted above, a condition can be attached to restrict the use of the caravans for this purpose only.

It is considered that the existing tree belts located to both the south and west of the site and woodland area to the north and east provide suitable screening of the proposed development from wider view.

The proposals comprise of the reconfiguration and redevelopment of part of a larger site previously used for holiday accommodation in the form of touring caravans. Previously, a maximum of 9 touring caravans were permitted to be sited. The current proposals are for 15 static caravan pitches, which would be a net increase of 6 pitches. The site is outwith the settlement of Coylton and the principle of holiday accommodation on the site has been established. As such, it is not considered that the nature and scale of the proposals are incompatible with the surrounding area, and they are therefore considered to accord with this policy.

With regard to *LDP 2 Policy Woodland and Forestry*, it is noted that the application site is adjacent to areas of woodland out with the application site but in the ownership of the applicant. There is no Tree Protection Order covering any of the trees and the woodlands are not designated as ancient or semi-ancient woodland. Notwithstanding this, the application submission outlines the intention to retain all existing trees adjacent to the proposals. As such it, is deemed prudent to attach conditions requiring that the existing trees are retained, and details of protective measures are submitted to the Planning Service prior to commencement of works on site. Considering this, the proposed development is not considered to result in an adverse impact on the overall value of existing woodland at the locale.

LDP Policy 2 Land Use and Transport requires 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. As noted above, the ARA have offered no objection to the proposed development, subject to a number of conditions. These include an infrastructure improvements condition, requiring the installation of warning signage and road markings, an access construction condition, a Construction Traffic Management Plan condition and a Service Management Plan condition. Subject to conditions, it is considered parking and traffic generation arising from the use of the site can be appropriately managed.

The provisions of the Adopted South Ayrshire Local Plan 2 must 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 and is considered to be in accordance with the provisions of LDP2.

(iii) Other Policy Considerations (including Government Guidance)

None.

(iv) Site history

- *01/00245/COU*

This application granted planning permission for the change of use of agricultural land for the storage of up to 4 touring caravans. Through this application it was also established that the site was a certified caravan site with the Camping and Caravan Club, under Sch. 1 Para. 5 of the Caravan Sites and Control of Development Act 1960. This mean that, in addition to the 4 touring pitches specified by this grant of planning permission, up to 5 touring caravans could be sited on the land, without requiring the benefit of planning permission.

The Camping and Caravan Club informed the Planning Service in March 2024 that the exemption certificate which permitted the siting of up to 5 touring caravans, was no longer in effect.

- *24/00888/APP*

This application sought formation of 15 static caravan pitches for holiday use and associated development. The application was submitted on the applicant's understanding that the site could be used for up to 25 touring pitches and that the proposed 15 static pitches would substitute 12 of these existing pitches. A Caravan Site License had been issued by the Council's Environmental Health Service in April 2024 for up to 25 touring pitches.

On reviewing the site history, the Planning Service advised the applicant that no planning permission was in place for that number of touring pitches. As the Camping and Caravan Club license was no longer in effect at the time of this application, the site was only considered to have consent for the storage of up to 4 touring caravans. The applicant/agent advised that they were unaware of the history of the application site and confirmed that the site would not be utilised for holiday purposes until such time that a planning application was determined.

Following discussions between the applicant/agent and the Planning Service to determine the exact nature of their intended development proposals, the applicant/agent agreed to withdraw and resubmit a planning application for the formation of 15 static caravan pitches only.

(v) Objector Concerns

- *Road infrastructure, traffic and safety concerns*

This matter is addressed in sections 7(ii) and (vi). Additionally, the Ayrshire Roads Alliance (ARA) have advised that they have no objection to the development, subject to conditions. The ARA note that proposals shall result in intensification of turning movements, including movements by large slow-moving vehicles on this section of the A70. However, the supporting information provided and the conditions recommended by the ARA are considered appropriate to manage and mitigate any impact arising from the proposed development.

- *Impact on landscape and natural environment*

These matters are addressed fully in sections 7(i), (ii) and 7(vi) of this report.

- *Levels of occupancy*

As outlined in Section 3 above, the purchasers of each caravan will require to agree that the caravan is for holiday purposes only. Regardless, levels of occupancy and lengths of stay are considered to be operational matters. It is noted that the operation of the site shall require to accord with the terms of a Caravan Site Licence. This licence is issued and monitored by the Council's Environmental Health Service.

- *Inaccuracies in submission regarding site history.*

It is considered that the application submission contained all requisite details regarding the development proposed in order for the application to be validated. The Planning Service are aware of the history of the application site and neighbouring land in the ownership of the applicant. The application has been considered in this context.

- *The site was granted a Caravan Site License by South Ayrshire Council without planning permission and should be revoked.*

As the authority who issues and monitor the Caravan Site Licenses, it is for the Council's Environmental Health Service to consider whether any such License should be revoked. The applicant may be required to apply to amend the Caravan Site License to reflect the nature and scope of the planning permission, should this application be granted and it will be the responsibility of the Council's Environmental Health Service to consider any such application.

- *An Environmental Impact Assessment Screening Opinion is required.*

The site area is approximately 0.369 ha, and the proposed development comprises of the formation of static caravan pitches for individual private ownership. Neither the site area nor nature of the development proposed trigger the requirement for the submission of Environmental Impact Assessment Screening Opinion, under The Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2017.

- *Over-provision of tourist accommodation in South Ayrshire.*

Consideration of the scale of the proposed holiday accommodation with regard to the policies of both NPF4 and LDP2 is addressed in sections 7(i) and (ii)above.

- *Overdevelopment.*

This matter is addressed fully in sections 7(i), (ii) and 7(vi) of this report.

- *Comparison with other planning applications for holiday accommodation around Coylton*

Each planning application is required to be assessed on its own merits with regard to the specific characteristics of the site and the policies of both NPF4 and LDP2.

(vi) Impact on the Locality

As noted above, the use of the site to provide holiday accommodation is considered to accord with both National Planning Framework 4 (NPF4) and the Adopted Local Development Plan 2 (LDP2), subject to appropriate conditions.

In terms of the amenity impact of the proposed accommodation on neighbouring residential properties, it is noted that there is a dwellinghouse located immediately adjacent to the west of the application site, which shares the private access road to/from the A70. However, this property is in the ownership of the applicant, and it is noted in that the Management and Operation Arrangements Statement forming part of the application submission outlines that the applicant or a staff member shall reside within this property to oversee/manage the site. It is also recognised the closest caravan pitch shall be formed approximately 9 metres from the dwellinghouse and not directly face any elevation of the property. As such, it is not considered that the residential amenity of the property shall be adversely impacted by way of overlooking or overshadowing.

Additionally, it is noted that the private access road which serves both the dwellinghouse and proposed static caravan pitches splits into two, with one road ending in front of the entrance to the dwellinghouse and the other continuing east past the side of the dwellinghouse to access the proposed pitches. The vehicles accessing the pitches will therefore avoid passing directly in front of the dwellinghouse, which reduces the impact of the proposals on this dwelling.

In addition, given that the proposal is for holiday accommodation, rather than for use as permanent residential accommodation, any disruption, should it occur, will be on a temporary and limited basis during the holiday occupation of the units. As noted above, although the proposal is to form pitches for static caravans which shall be privately owned by individuals, an appropriate condition is proposed so as to limit the use of the accommodation to holiday use only.

Finally, with regard to the Ayrshire Roads Alliance, as noted above, the ARA have offered no objection to the proposed development, subject to a number of conditions with regard to infrastructure, road traffic, safety and parking. It is therefore considered that the impact of the proposed development is acceptable from a transportation perspective. On balance, the proposal is considered to reuse a site historically utilised for tourism purposes and is not considered to raise significant issues relating to traffic, transport, road safety and accessibility, that would warrant the refusal of this application in this instance, subject to the aforementioned conditions.

For the reasons noted above, it is considered that the development proposal broadly aligns with the provisions of National Planning Framework 4 and the Adopted South Ayrshire Local Development Plan 2. The proposals are not considered to adversely impact on the rural setting of the locality. Given the above assessment and having balanced the applicants' rights against the general interest, it is recommended that the application is approved, subject to the following conditions.

8. Conclusion:

The application has been assessed against the various material planning considerations which include the provisions of the development plan, consultations, representations received (4 in total) and the impact of the proposed development on the locality. The assessment concludes that the proposed development broadly complies with the provisions of National Planning Framework 4 (2023) and the Adopted South Ayrshire Local Development Plan (2022). It is considered that the proposal represents a sustainably located development involving the re-use of land formerly use for the purposes of holiday accommodation, within a sustainable and accessible location, and that, the proposals, subject to being appropriately conditioned, will not detract from the character or appearance of the surrounding area, raise significant issues relating to traffic, transport, road safety or parking, or introduce any adverse amenity issues. The points raised in the letters of objection have been fully considered, but do not raise any issues that would merit a recommendation of refusal of the application. Overall, there are no policy objections, and following the above assessment, it is considered that, on balance, the application should be recommended for approval, subject to conditions.

9. Recommendation:

It is recommended that the application is approved with the following condition(s):

(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 holiday accommodation units shall not be promoted, advertised, let or used for any purpose other than as holiday accommodation.

(3R) To clarify the terms of the permission, and to ensure that the accommodation is used for holiday purposes only.

(4C) The holiday accommodation shall be operated in accordance with the submitted Management and Operation Arrangements document, to the satisfaction of the planning authority.

(4R) To ensure that the accommodation is used for holiday purposes only.

(5C) That before any works start on site, the developer shall submit, details and specifications of the protective measures necessary to safeguard the trees on the site during operations. This Planning Authority shall be formally notified in writing of the completion of such measures and no work on site shall commence until the Planning Authority has confirmed in writing that the measures as implemented are acceptable. The protective measures shall be retained in a sound and upright condition throughout the operations and no building materials, soil or machinery shall be stored in or adjacent to the protected area, including the operation of machinery.

(5R) In order to ensure that no damage is caused to the existing trees during development operations.

(6C) That the existing trees shall be retained and protected in accordance with BS5837:2012 Trees in relation to Construction, to the satisfaction of the Planning Authority.

(6R) In the interests of visual amenity; to ensure that all trees worthy of retention are satisfactorily protected before and during works on site

(7C) That before any works start on site, a scheme of landscaping comprising of appropriate native species only shall be submitted for the prior written approval of the Planning Authority. The scheme should indicate the siting, numbers, species, and heights (at time of planting) of all trees, shrubs, and hedges to be planted, and the extent and profile of any areas of earth mounding. The scheme as approved shall be implemented within first planting season following the completion or occupation of the first holiday accommodation unit, whichever is the sooner, and shall be retained to this approved standard.

(7R) In the interests of visual amenity and to contribute to the enhancement of biodiversity at the locale.

(8C) That the proposed access shall be constructed in accordance with the specifications in the SCOTS National Roads Development Guide and be a minimum of 6.0 metres wide over the initial 10.0 metres as measured from the rear of the public roadway. The access shall be constructed, as approved by condition and in conjunction with any necessary Roads Construction Consents and/or Permits, prior to operation of the development.

(8R) In the interest of road safety and to ensure an acceptable standard of construction.

(9C) The applicant shall make provision of an appropriate package of warning signage and road markings on the A70 on both directions of approach to the site access prior to operation of the development. The precise details and specifications of all infrastructure improvements shall be submitted for the approval of the Planning Authority in consultation with ARA prior to the commencement of work on site.

(9R) For the purposes of road safety and the functional operation of the local road network.

(10C) That junction access visibility sightline splays of 2.4 metres by 215 metres, as shown in drawing B072607-TTE-XX-XX-DR-H-000001-P02 (included as Appendix D of the Transport Statement prepared by Tetra Tech Ltd) shall be maintained in both directions at the junction with the public road. There shall be no obstacle greater than 1.05 metres in height within the visibility sightline splays.

(10R) In the interest of road safety and to ensure an acceptable standard of construction. To avoid the possibility of unnecessary reversing of vehicles onto the public road.

(11C) That prior to occupation of the development any gates shall be set back a minimum of 10.0 metres from the rear of the public footway/ roadway, and open inwards away from the public roadway.

(11R) In the interest of road safety.

(12C) 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 approval of the Planning Authority in consultation with ARA, before any work commences on site.

(12R) In the interest of road safety and to avoid the discharge of water onto the public road.

(13C) That a maximum of 30 off-road parking spaces shall be provided within the existing site boundary.

(13R) In the interest of road safety and to ensure adequate off-street parking provision

(14C) That defined parking bays and associated aisle widths shall accord with the dimensions as set out within paragraphs 3.6.2 and 3.6.3 of the National Roads Development Guide publication, adopted for use by the Council.

(14R) In the interest of road safety and to ensure that there is adequate space for manoeuvring and turning.

(15C) That plans supplemented by swept path analysis of the largest vehicle type reasonably expected to be serving the development, shall be submitted for the approval of the Planning Authority in consultation with ARA. The turning areas shall be constructed, as approved, prior to completion of the development.

(15R) To reasonably avert the reversing of vehicles onto the main road, and in the interests of road safety.

(16C) That prior to the commencement of the development, a swept path analysis accommodating the largest size of vehicle expected to be serving the development shall be submitted for the approval of the Planning Authority in consultation with ARA.

(16R) In the interest of road safety.

(17C) No development shall commence unless and until a Construction Traffic Management Plan (CTMP) has been submitted to, and approved by, the Planning Authority in consultation with the Ayrshire Roads Alliance. The CTMP shall be required to include:

1. Full confirmation of the approved/agreed routes for use by construction traffic movements;
2. Full details of any mitigation and/or control measures required on the public road network to facilitate construction traffic. Where this requires public road layout or alignment mitigation this requires to include full detailed design/ construction details;
3. Details of parking facilities to accommodate all construction traffic throughout the construction programme to avoid placing the adjacent road network under undue pressure;
4. Details of measures to minimise traffic impacts in existing road users where practicable, including consideration of avoiding busy road periods, and requirements for all drivers to drive in a safe and defensible manner at all times.

Thereafter, the development shall be carried out in full accordance with the approved CTMP, unless approved otherwise in writing with the Planning Authority, in consultation with the Ayrshire Roads Alliance.

(17R) In the interests of road safety.

(18C) Prior to occupation of the development, a Service Management Plan (SMP) shall be submitted to and approved in writing by the Planning Service in consultation with Ayrshire Roads Alliance as the Council's Roads Service. The SMP shall provide details of all management measures associated with vehicular movements required in relation to regular servicing activities on the application site and the operation of the development and provide details of measures to limit the impacts that servicing activity may have on the adjacent local road network. The expectation is that the SMP also covers associated with any necessary controls or procedures associated with the delivery of, or removal of, static caravan units to or from site. Thereafter, the approved SMP and associated details and arrangements shall be implemented as approved prior to occupation of the development and shall be maintained as such for a period of 1 year from that date, unless otherwise agreed in writing by the Planning Service (in consultation with Ayrshire Roads Alliance as the Council's Roads Authority). Following a period of 1 year from that date, an updated SMP reflecting and responding to the initial year of operation shall be submitted to and approved in writing by the Planning Service (in consultation with Ayrshire Roads Alliance as the Council's Roads Authority). Thereafter, the approved updated SMP shall be implemented as approved for the lifetime of the development unless otherwise agreed in writing by the Planning Service (in consultation with the Ayrshire Roads Alliance as the Council's Roads Authority).

(18R) For the purposes of road safety and the functional operation of the local road.

9.1 Advisory Notes:

(1) Please note that work should be undertaken in compliance with legislation and guidance relating to Scottish Environment Protection Agency (SEPA) Guidance Note No.8 which can be found at the website of SEPA as follows: www.sepa.org.uk

(2) The Council as Environmental Health Authority has advised that the Waste Water/Sewage System is to be constructed and installed in accordance with BS6279 Code of Practice for Design and Installation of drainage fields for use in wastewater treatment (as amended). BS 6279 is applicable to systems for handling discharges from domestic and commercial sources from single households and upwards. These sources are typically septic tanks and package sewage treatment plants.

(3) If planning permission is granted, then you should contact South Ayrshire Council Environmental Health Service to apply to amend the caravan site licence before the site opens and the site must meet the conditions stated in the Caravan sites and Control of Development Act 1960 and amendment's therewith included in the Act.

(4) The Council as Roads Authority advises that a Road Opening Permit will be required for any work within the public road limits.

(5) 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.

(6) The Council as Roads Authority advises that any costs associated with the relocation of any street furniture will require to be borne by the applicant/developer.

(7) 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.

(8) The Council as Roads Authority advises that promotion of Traffic Regulation Orders resulting from this development will require to be fully funded by the applicant - including any relevant road signs and markings.

(9) The Council as Roads Authority advises that only signs complying with the requirements of 'The Traffic Signs Regulations and General Directions 2016' are permitted within public road limits.

(10) The Council as Roads Authority advises that prior to the commencement of works to construct any new or amended roads infrastructure; a Stage 2 Road Safety Audit in compliance with GG119 of the Standard for Highways Design Manual for Roads and Bridges shall be submitted for the approval of the Planning Authority in consultation with ARA. This applies to all proposed new roads and any alterations to existing roads carried out under a Section 56 Agreement with the Council as Roads Authority & the applicant. The requirement to complete a Road Safety Audit includes for addressing the recommendations contained within the audit report.

(11) The Council as Roads Authority advises that a Stage 3 Road Safety audit in compliance with GG 119 of the Standard for Highways Design Manual for Roads and Bridges shall be submitted for the approval of the Planning Authority in consultation with ARA by no later than 1 month after completion of the development, unless an alternative time period is approved. This applies to all proposed new roads and any alterations to existing roads carried out under a Section 56 Agreement with the Roads Authority & the applicant. The requirement to complete a Road Safety Audit includes for addressing the recommendations contained within the audit report.

9.2 List of Determined Plans:

Drawing - Reference No (or Description): RDD-943-24-01

Drawing - Reference No (or Description): RDD-943-24-02

Drawing - Reference No (or Description): RDD-943-24-03

Drawing - Reference No (or Description): RDD-943-24-04

Drawing - Reference No (or Description): RDD-943-24-05

Supporting Information - Reference No (or Description): Planning Statement

Supporting Information - Reference No (or Description): Management and Operation Arrangements

Supporting Information - Reference No (or Description): Transport Statement

9.3 Reason for Decision (where approved):

The siting and design of 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.

The explanation for reaching this view is set out in the Report of Handling and which forms a part of the Planning Register.

Background Papers:

1. Planning application form, plans and supporting information.
2. National Planning Framework 4.
3. Adopted Local Development Plan 2.
4. Consultation Responses.
5. Representations.

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:

Emma McKie, Supervisory Planner (Development Management) - Telephone 01292 616 203

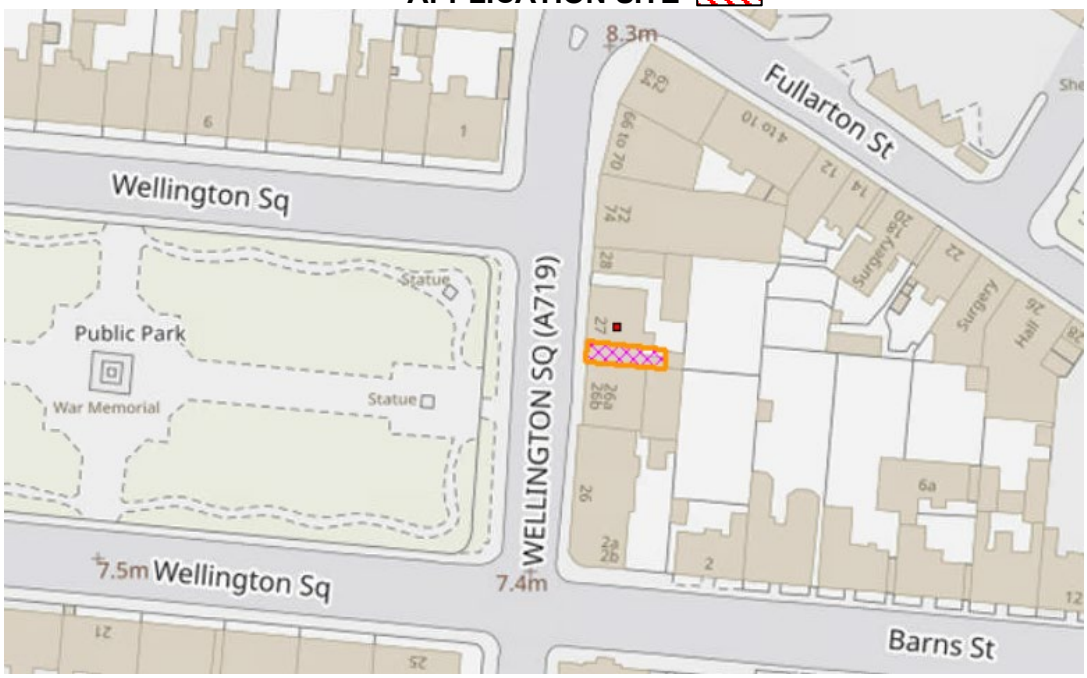
REGULATORY PANEL: 13 NOVEMBER 2025

REPORT BY HOUSING, OPERATIONS AND DEVELOPMENT

25/00525/APP
FLAT 2 27 WELLINGTON SQUARE AYR SOUTH AYRSHIRE KA7 1HH

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 Flat 2, a one-bedroom ground-floor flat within a seven-flat residential block at 27 Wellington Square, Ayr. The building is a Category B listed early 19th-century property located within the Ayr Conservation Area. There are no other short-term lets operating within the block.

The flat comprises a hall, a lounge/kitchen/diner, a single bedroom, and a bathroom. No alterations to the internal layout or external appearance of the building are proposed; the application solely seeks permission for the change of use to short-term letting purposes in accordance with the Scottish short-term letting licensing scheme.

While there is a communal access to the front of the building, the property benefits from a private, independent access to the rear. It also has off street parking and communal waste arrangements.

The application has attracted objections from the Fort, Seafield and Wallacetown Community Council and residents of Wellington Square, raising concerns regarding noise and disturbance, parking, security, waste management, the character and cohesion of the residential community, and deed restrictions. The Planning Authority has considered these concerns in the context of relevant planning policies, guidance, and the operational management measures proposed for the short-term let. It is considered that none of the objections raise material planning reasons to warrant refusal of the application.

The proposed development has been assessed against the provisions of National Planning Framework 4 (NPF4) and the South Ayrshire Local Development Plan 2 (LDP2). The scale of the flat, its limited occupancy, and the proposed management arrangements mean that the use is unlikely to result in unacceptable impacts on local amenity, communal areas, or the character of the listed building and Conservation Area. Any potential adverse effects can be managed through operational measures and licensing controls. Accordingly, the application is recommended for approval with conditions restricting occupancy to short-term holiday accommodation.

REPORT BY HOUSING, OPERATIONS AND DEVELOPMENT

REGULATORY PANEL: 13 NOVEMBER 2025

SUBJECT:	**PLANNING APPLICATION REPORT**
APPLICATION REF:	**25/00525/APP**
SITE ADDRESS:	**Flat 2 27 Wellington Square Ayr South Ayrshire KA7 1HH**
DESCRIPTION:	**Change of use of dwellingflat to 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 (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 19 August 2025.
- The application was validated on 27 August 2025.
- The case officer visited the application site on 22 October 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 29 August 2025.
- A Site Notice was posted in the locality under Section 60 of Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 (as amended) by the Planning Authority on 9 September 2025.
- A Public Notice, under The Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 (as amended) was placed in the Local Press on 9 September 2025.

1. Proposal:

Planning permission is sought for the change of use of a dwelling flat to form short-term letting accommodation. The application site comprises Flat 2, a one-bedroom ground-floor flat located at 27 Wellington Square, Ayr, within a Category B listed building.

The proposed use of the flat for short-term letting purposes does not involve any alterations to the internal layout or external appearance of the building, with the application solely seeking permission for the change of use in order to comply with the Scottish short-term letting licensing scheme.

The application submission is accompanied by an Operational Statement, which confirms that the short-term let will operate under the following management and operational arrangements:

• The flat will accommodate a maximum of two guests at any one time.
• Lettings will be available year-round, with minimum and maximum stays of 2 and 30 days respectively, and a projected total availability of approximately 265 days per year.
• Access is via a private and independent rear entrance, with check-in from 3:00 pm and check-out by 11:00 am, using a secure key safe. The operator will remain contactable via phone or WhatsApp for guest queries or issues.
• Professional cleaning services will be provided, including fresh bedding and towels for guests, alongside storage for cleaning supplies and consumables.
• Waste disposal will be managed using communal bins, with additional recycling facilities nearby, and guests will be provided with guidance to minimise any impact on surrounding properties.
• House rules will be in place to prevent nuisance to neighbours, including no smoking, no parties, quiet hours from 10:00 pm to 8:00 am, and ongoing communication with neighbouring residents to promptly address any concerns.

The application requires to be reported to the Council's Regulatory Panel, as the Fort, Seafield and Wallacetown Community Council has objected to the application, thereby expressing a different view to the recommendation to approve the application subject to conditions.

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:

7 representations have been received, all objecting to the proposed development. All representations can be viewed online at (Application Summary)

The Fort, Seafield and Wallacetown Community Council, together with 6 residents of 27 Wellington Square, have objected to the proposed change of use of Flat 2 to short-term holiday accommodation. The objections raise concerns regarding the impact on residential amenity and the character of the building, the management of communal areas and waste, safety and security, parking and access, potential noise and disturbance, and the broader policy context. Specifically, the objectors highlight that the building is a small, Category B listed residential block within the Ayr Conservation Area, with the majority of flats occupied as long-term homes, and that no other short-term lets operate within the block. They express concern that transient visitors would disrupt the existing residential community, increase wear and tear on shared areas, and pose safety risks due to unfamiliarity with the communal layout and limited access/egress. Objections also reference practical issues including inadequate communal bin provision, challenges in ongoing maintenance without a factor, and constrained and unmarked parking arrangements with restricted access. The objectors further contend that the proposal would undermine the residential character of the building and potentially conflict with private title deed restrictions, and that approval would set an undesirable precedent within the block.

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

7. Assessment:

The material considerations in the assessment of this planning application are the provisions of the development plan, other policy considerations (including government guidance), objector concerns and the impact of the proposal on the amenity of the locality.

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

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

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

(i) National Planning Framework 4 (NPF4)

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

Policy 30 of the 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 Ayr 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 cleaning 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.

A more detailed assessment of the proposals against the provisions of NPF4 is set out below.

(ii) South Ayrshire Local Development Plan 2

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

- Strategic Policy 1: Sustainable Development;
- Strategic Policy 2: Development Management;
- LDP Policy: Historic Environment;
- LDP Policy: Tourism; and
- 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 as follows:

Residential amenity and character

The objectors have raised concerns that introducing a short-term let within a small, seven-flat, Category B listed block would undermine the residential character and quiet enjoyment of long-term residents. They note that all other flats are occupied as permanent homes, and that transient occupants may disrupt the established community. The Planning Service acknowledges these concerns; however, the proposed flat is modest in scale, with a single bedroom and maximum occupancy of two guests. The property benefits from an independent entrance and exit to the rear of the building, allowing guests to access the flat directly without passing through internal communal corridors. This arrangement limits movement through shared spaces, thereby reducing potential disturbance and safeguarding the privacy and security of other residents. No physical alterations to the flat or communal areas are proposed. Operational management measures, including house rules and quiet hours, are also proposed to minimise any potential disturbance. The absence of other short-term lets within the block is noted, and these access and management controls are considered sufficient to ensure that the impact on the amenity of neighbouring residents and the character of the building is unlikely to be unacceptable.

Management and removal of waste

Concerns have been raised regarding limited communal bin provision and the additional burden that short-term lets may place on residents to manage waste disposal. The operational statement submitted with the application outlines that guests will be provided with guidance on waste disposal, and professional cleaning arrangements are included as part of the management plan. The flat's modest scale and low occupancy reduce the likelihood of generating excessive waste relative to the existing shared provision. The STL would not accommodate any more occupiers than the current residential flat. The Planning Authority recognises that communal bin management is challenging in small developments; however, these matters are primarily addressed through the operator's management procedures.

Ongoing maintenance

Objectors note the absence of a factor and highlight challenges associated with coordinating repairs and maintenance within the shared block, expressing concern that absentee short-term let landlords could complicate these arrangements. While the Planning Authority acknowledges the importance of effective management, the ongoing maintenance of communal areas remains the responsibility of the building owners or residents' association. Planning controls can only influence the operation of the short-term let insofar as it affects amenity, and the submitted operational statement is considered to demonstrate that the property will be actively managed to limit adverse impacts.

Safety and security

The objectors raise concerns that frequent turnover of visitors could compromise security and fire safety within the block, particularly with ground-floor access and a single point of egress for upper floors. The Planning Authority notes these points, but matters relating to fire safety and building security fall within the remit of Building Standards and the Fire (Scotland) Act 2005, rather than planning control. The proposed operational management measures, including guidance to guests and quiet times, provide reasonable mitigation to minimise risks associated with transient occupancy.

Also, regarding access and egress, the property benefits from an independent entrance and exit to the rear of the building, allowing guests to access the flat directly without passing through internal communal corridors.

Parking, access, and egress

Concerns have been expressed regarding limited, unmarked parking, narrow access lanes, and potential vehicle damage. The site benefits from a communal rear car park with spaces sufficient for the low occupancy of Flat 2. The flat's modest size and maximum occupancy of two guests, combined with operational measures and the availability of local parking alternatives, mean that the proposal is unlikely to generate excessive traffic or parking pressures. Access arrangements are consistent with existing conditions, and the scale of the proposal does not materially alter the level of vehicular movement within the development.

Noise and disturbance

The objectors suggest that short-term lets generate higher noise levels and anti-social behaviour than long-term residential use, which could disproportionately impact a small block. The Planning Authority has considered the proposed use in relation to local amenity and notes that the flat benefits from an independent rear access, allowing guests to enter and exit the property directly without passing through internal communal corridors. This arrangement helps to minimise activity and noise within shared spaces and reduces the potential for disturbance to other residents. In addition, operational management measures - including house rules, quiet hours, and guidance provided to guests - are designed to mitigate such impacts. The modest scale and occupancy of the flat, combined with the absence of other short-term lets in the block, further reduce the likelihood of cumulative noise or amenity impacts.

Policy context

The objectors argue that approval would undermine the Council's aim to preserve residential housing stock and could set an undesirable precedent. NPF4 Policy 30e and relevant LDP2 provisions seek to balance reuse of existing buildings for short-term letting with protection of local amenity and character. In this case, the scale, location, and operational measures are considered to demonstrate that the proposal does not materially compromise residential amenity or the character of the building.

Title deed restrictions

The objectors note that the property deeds restrict use to private dwelling houses and prohibit trade or business. While the enforcement of private title deeds is not a material planning consideration, it is noted for completeness. Any dispute relating to deed restrictions is a matter for the parties involved and is not determinative in the assessment of the planning application.

(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 (LDP2). The relevant policy considerations are outlined above and are considered in more detail below. The determining issues in this case are whether the proposal complies with development plan policy, and whether there are any other material considerations which justify a departure from policy.

As previously noted, NPF4 was adopted on 13 February 2023 and carries increased weight over previous National Planning Frameworks. In the event of any incompatibility between a provision of NPF4 and a provision of an adopted LDP, the later in date prevails (Town and Country Planning (Scotland) Act 1997, section 24(3)). In the absence of specific policy on short-term lets in LDP2, NPF4 Policy 30e (Tourism) is relevant and provides that proposals for the reuse of existing buildings for short-term holiday letting will not be supported where they would result in an unacceptable impact on local amenity or the character of a neighbourhood, or where the loss of residential accommodation is not outweighed by demonstrable local economic benefits.

The application site comprises Flat 2, a one-bedroom ground-floor flat within 27 Wellington Square, Ayr. 27 Wellington Square is a Category B listed early 19th-century building located within the Ayr Conservation Area, containing seven residential properties. While the property can be accessed via the communal front entrance, the Operating Statement intimates that access to the property will be taken via an independent access located to the rear of the property. Parking and shared bin provision is also located to the rear of the property. The property benefits from a small private seating area to the rear. There is no record of any other short-term lets operating from 27 Wellington Square.

The proposed change of use has been assessed in relation to potential impacts on local amenity, including noise, parking, and disturbance. The flat is modest in scale, with one bedroom and a maximum occupancy of two guests. Access to the flat is via a rear door leading directly into the living room, with egress to a small paved seating area that connects to the car park. This independent rear access ensures that guests do not need to pass through shared or front-facing areas of the building, reducing the potential for disturbance to neighbours. By entering and exiting via the rear, guest movements are largely confined to the rear portion of the property. Communal pathways provide additional access to the rear, and lighting with motion sensors is in place to ensure safe movement. The operational statement demonstrates that the short-term let will be managed, including the provision of house rules, quiet hours, and secure guest access. The operator will remain contactable via phone or WhatsApp for guest queries or issues. Persistent disturbance would be dealt with by Police Scotland, the Council's Environmental Health Service, or the Short-Term Lets Licensing Team.

Parking has also been considered. The properties at 27 Wellington Square benefit from private parking, and its proximity to local amenities and transport links reduces the likelihood of parking pressure. Given the flat's small scale, maximum occupancy, and the absence of other short-term lets within the building, the proposed change of use is not expected to generate excessive parking demand or traffic within the development.

The potential cumulative impact of short-term letting within 27 Wellington Square has been assessed. With only Flat 2 proposed for this change of use, the modest scale of the property, shared management measures, and operational controls ensure that any impact on noise, activity, or communal facilities will be minimal. The proposal is therefore distinct from other cases where larger flats or higher occupancy properties gave rise to amenity concerns.

The proposed change of use would result in the conversion of a one-bedroom flat to short-term holiday accommodation. There is no evidence to suggest that approval of the proposal would materially reduce the availability of long-term residential accommodation in Ayr. The flat will continue to retain its residential character in terms of scale and layout, and its use is restricted to holiday occupancy. The short-term letting use provides demonstrable economic benefits to the area by supporting tourism and local businesses, meeting demand for flexible self-catering accommodation, and providing additional visitor capacity for events and coastal or recreational attractions in Ayr.

No external alterations are proposed, and the introduction of short-term letting is unlikely to affect the wider character or appearance of the listed building or the Conservation Area. The modest scale of the flat, combined with operational management measures, ensures that the proposal will not generate excessive traffic, noise, or activity that could adversely affect neighbouring residents or the character of Wellington Square. The property would be conditioned to ensure it is used only for short-term holiday accommodation, and not as a sole or principal residence.

In conclusion, taking into account the scale of Flat 2, the operational management measures proposed, and the historic environment context of 27 Wellington Square as a Category B listed building within a Conservation Area, it is considered that the change of use to short-term letting will not result in unacceptable impacts on local amenity or the character of the area. The proposal is compliant with NPF4 Policy 30e and relevant provisions of LDP2, and any potential negative impacts can be mitigated through the proposed management measures and licensing controls. Accordingly, the proposal is considered acceptable, and approval is recommended subject to conditions restricting occupancy to holiday accommodation only.

8. Conclusion:

The application has been assessed against the various material considerations, including the provisions of the development plan, relevant supplementary guidance, consultations, representations received, and the impact of the proposed development on the locality.

The assessment concludes that the principle of the proposed development complies with the development plan and relevant guidance. The consultation responses do not raise any issues of overriding concern that cannot be addressed by condition. Similarly, the points raised in letters of objection have been fully considered but do not raise any matters that would merit refusal of the application. It is considered that the site context, the character of the listed building, and the operational management arrangements for the short-term let are satisfactory and, together with the imposition of suitable planning conditions, will ensure an acceptable form of development.

Given the above assessment, and having balanced the applicant's rights against the general interest, the application is recommended for approval, subject to conditions restricting the use to short-term holiday accommodation only.

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:

No.

9.2 List of Determined Plans:

Drawing - Reference No (or Description): Floor Plan

Drawing - Reference No (or Description): Location Map

Other - 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 surrounding 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 & 25/00378/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:

David Clark, Development Management Co-ordinator (Development Management) - Telephone 01292 616 118

REGULATORY PANEL: 11 SEPTEMBER 2025

REPORT BY HOUSING, OPERATIONS AND DEVELOPMENT

22/00220/APP
LAND AT ANNFIELD ROAD PRESTWICK SOUTH AYRSHIRE

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 erection of five dwellinghouses on land accessed from Annfield Road, Prestwick. The application site comprises a long, rectangular and narrow brownfield plot formerly occupied by a haulage yard, located within the settlement boundary of Prestwick and within a predominantly residential area, as prescribed by the South Ayrshire Local Development Plan 2. The application has generated a number of representations from third parties. Consultation responses have been received with no objections raised, subject to the attachment of planning conditions.

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

REPORT BY HOUSING, OPERATIONS AND DEVELOPMENT

REGULATORY PANEL: 11 SEPTEMBER 2025

SUBJECT:	**PLANNING APPLICATION REPORT**
APPLICATION REF:	**22/00220/APP**
SITE ADDRESS:	**Land at Annfield Road Prestwick South Ayrshire**
DESCRIPTION:	**Erection of 5 dwellinghouses**
RECOMMENDATION:	**Approve subject to payment of commuted sum in lieu of play equipment and imposition of conditions**

APPLICATION REPORT

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

Key Information:

- The application was received on 9 March 2022.
- The application was validated on 9 March 2022.
- The case officer has visited the site on a number of occasions during the assessment of the application.
- 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 24 July 2025.
- No Site Notice was required.
- No Public Notice in the Local Press was required.

1. Proposal:

Planning permission is sought for the erection of 5 dwellinghouses on land adjacent to and accessed from Annfield Road, Prestwick. The site is a former haulage yard which has lain empty for a number of years, and currently features a large derelict building with considerable vegetation overgrowth. The application site comprises an elongated rectangular piece of land which covers an area of approximately 2,230 square metres. The surrounding residential area is characterised by single and one and half storey dwellinghouses which bound the north, south and east of the application site. The western side of the application site is bound by a railway line which sits in an elevated position, approximately 1.5 metres above the application site.

The proposal comprises the erection of 5 dwellinghouses which are dispersed throughout the site. Plots 1 and 2 are located immediately to the west of 31 and 10 Annfield Road, respectively. Plot 3 is located to the west of the garden ground of 10 Annfield Road and also a site occupied by garages; whereas plots 4 and 5 are located to the west of the dwellings located at 9 to 15 Annfield Terrace. The dwelling proposed within plot 1 comprises a different house design to those proposed within plots 2 to 5. While the design ethos of the proposed houses are similar, the dwelling proposed within plot 1 has different fenestration arrangements to that of the dwellings proposed within plots 2 to 5. The proposed dwellings are to be finished in a combination of materials comprising; rendered external walls, buff brick external base course, timber/ aluminium facing windows, concrete roof tiles, uPVC rainwater goods and steel doors with timber facings. Access to the proposed development would be taken directly from Annfield Road.

Planning History

Planning permission (Ref: 07/00951/OUT) was granted in 2008 for the erection of housing at the application site.

Following this, a further outline application (Ref: 08/00902/OUT) was submitted for the erection of four detached dwellinghouses. That application was refused by the Council, and the decision was subsequently appealed to the Scottish Government's Directorate for Planning and Environmental Appeals (DPEA). The Reporter dismissed the appeal, thereby refusing outline planning permission. In reaching that decision, the Reporter accepted in principle that four dwellings could potentially be accommodated within the site without unacceptable detriment to the residential amenity of neighbouring properties in Annfield Terrace, provided they were appropriately designed and sensitively sited. However, the indicative scheme submitted under Ref: 08/00902/OUT at that time, failed to adequately meet these standards.

More recently, planning application Ref: 21/00427/APP was submitted in 2021 for the erection of dwellinghouses but was withdrawn by the applicant's agent following concerns raised by the Planning Service. These concerns related to the height and siting of the proposed dwellings, the likely impacts on residential amenity, and technical objections raised by the Ayrshire Roads Alliance (ARA). Further work was needed on the siting and design of the proposals to achieve an acceptable development.

Current Application – Delay in Determination

The current application has been under consideration since March 2022 due to the need to resolve technical matters relating to flood risk and drainage. A Flood Risk Assessment (FRA) was submitted with the application which identified site-specific constraints and potential future flood risks (including the 1-in-200-year event with climate change allowance) and set out suggested mitigation measures. In addition, the applicant provided an engineered drainage scheme based on the findings of the FRA and supporting ground investigation data.

ARA, acting in their capacity as the Local Flood Prevention Authority, requested further clarification and evidence to confirm the robustness of the proposed scheme. Their requirements included:

- Site-specific BRE 365 soakaway testing rather than reliance on nearby site data;
- Independent review of the scheme and test results by a second civil engineer;
- Additional testing at specific locations within the site and to depths exceeding 2 metres to demonstrate that the drainage proposals would operate above the water table; and
- Agreement to standard planning conditions and advisory notes relating to drainage.

In response, the applicant's design team undertook the requested site-specific BRE 365 soakaway testing, with the data independently reviewed by a second engineer. Additional testing was carried out at the specified locations and depths, and the applicant confirmed agreement to the standard conditions and advisory notes recommended by ARA.

The additional technical work submitted summer 2025 has now provided ARA with sufficient information to conclude their assessment, whereby they offer no objections subject to conditions. This has allowed the application to now be progressed.

Neighbour Notification

Given the scale and nature of the further flood risk and drainage information submitted during the course of the application, all parties originally notified of the development were re-notified on 25 June 2025. This afforded neighbouring residents and property owners a formal opportunity to review and comment on the updated technical submissions before the application was progressed to determination.

The application requires to be reported to the Council's Regulatory Panel, in accordance with the Council's approved procedures for handling planning applications and Scheme of Delegation, as more than 10 competent written objections have been received.

2. Consultations:

Ayrshire Roads Alliance - offer no objection subject to conditions and advisory notes.
Scottish Water - offer no objection.
Council's Environmental Health Service - offer no objection subject to a condition which requires for the mitigation measures identified in the Noise Impact Assessment to be undertaken.
Network Rail (Railtrack Property) - offer no objection subject to conditions.

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.

The applicant and their agent have submitted a comprehensive package of information in support of the application. This includes a full suite of plans and drawings which set out the proposed site layout, house types, elevations, and floorplans. These drawings provide the basis for the assessment of the design, scale, and siting of the proposed dwellings, and illustrate how the development would be integrated within the existing residential context.

A Design and Access Statement has also been provided. This document explains the design rationale underpinning the development, including the choice of layout, house types, materials, and architectural detailing. It also addresses issues of accessibility, connectivity with the surrounding area, and compliance with relevant policy and design guidance.

In addition, a Noise Impact Assessment has been submitted. This considers the potential for noise impacts associated with the proximity of the adjacent railway line and identifies appropriate mitigation measures to ensure that acceptable residential amenity standards can be achieved for future occupants. The assessment is particularly important given the location of the site directly adjoining the rail corridor, which is elevated relative to the site.

A Flood Risk Assessment (FRA) has been prepared to examine the potential flood risk affecting the site, including consideration of a 1-in-200-year flood event with climate change allowance. The FRA highlights site-specific constraints and identifies a series of mitigation measures and drainage strategies to ensure that flood risk can be satisfactorily managed. The FRA has been supplemented by an engineered surface water drainage scheme, supported by site investigation data and independent engineering review, in response to requests from the Ayrshire Roads Alliance acting as Flood Prevention Authority.

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:

46 representations have been received, 46 of which object to the proposed development. All representations can be viewed online at (Application Summary). The grounds of objection as submitted are summarised and responses to each are set out in detail in Section 7 iii) below.

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

7. Assessment:

The material considerations in the assessment of this planning application are the provisions of the development plan, other policy considerations (including government guidance), objector concerns and the impact of the proposal on the amenity of the locality.

(i) Development Plan

In Scotland, the planning system is plan-led. On 13 February 2023, Scottish Minsters published and adopted National Planning Framework 4 (NPF4). NPF4 now forms part of the statutory development plan, along with the adopted South Ayrshire Local Development 2 (LDP2).

Section 25 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 following provisions of the development plan are considered relevant to the consideration of this application:

National Planning Framework 4 (NPF4)

The following policies are considered relevant:

Policy 1 (Tackling the Climate and Nature Crises) requires development proposals to give significant weight to the global climate and nature crisis. Policy 2 (Climate Mitigation and Adaptation) requires proposals to be sited and designed in a manner which minimises lifecycle greenhouse gas emissions. The Scottish Government's guidance on Policy 2 is intended to be proportionate and confirms that a detailed lifecycle greenhouse gas assessment is not required for proposals of fewer than 10 residential units. As the current application relates to 5 residential units, no specific condition is considered necessary. Nevertheless, the development will be required to comply with Building Standards Regulations, which secure energy efficiency and sustainability measures, thereby ensuring an appropriate level of alignment with Policy 2.

NPF4 emphasises the need to make efficient use of existing buildings, land, and infrastructure, and to prioritise the redevelopment of rural and urban brownfield sites before greenfield sites. Protection and enhancement of landscapes, the natural environment, and linkages to infrastructure are also key considerations. In addition, NPF4highlights the importance of safeguarding and enhancing biodiversity as an integral part of sustainable development, requiring that development should avoid net losses of biodiversity and, where possible, secure measurable gains through habitat creation, ecological enhancements, or the incorporation of nature networks.

Brownfield land is defined in the NPF4 policy 9 (Brownfield, vacant and derelict land and empty buildings) as "land which has been previously developed" and includes vacant or derelict land, land occupied by redundant or unused buildings and developed land within the settlement boundary where further intensification of use is considered acceptable. In this regard, it is of note that the site is located within an established residential area in the settlement of Prestwick. The site is considered to fall within the above noted NPF4 definition of brownfield land. As such, it is considered that the application proposals represent the sustainable development of a brownfield site. As noted above, the site is located within a residential area, and as such, the proposed addition of 5 dwellinghouses are consistent with this setting.

The proposal has potential to integrate biodiversity enhancements such as native planting, wildlife features and sustainable drainage systems in line with the biodiversity objectives of Policy 3 of NPF4.

NPF4 also emphasises the importance of Sustainability and Placemaking. In terms of 'Sustainability', this involves directing development to the right place, and not to allow development at any cost. This means that policies and decisions should be guided by a series of key principles, of which one relates to the need to avoid over-development, protecting the amenity of new and existing development and considering the implications of development for water, air and soil quality. Policy 15 – Local Living and 20-minute neighbourhoods is also relevant, stating that development proposals will contribute to local living.

With regards to 'Placemaking', NPF4 policy 14 – Design, quality and place states that planning should take every opportunity to create high quality places by taking a holistic and design-led approach which demonstrates the six qualities of a successful place, namely; distinctiveness, safe and pleasant, welcoming, adaptable, resource efficient and easy to move around and beyond. It is considered that the proposal offers the opportunity to redevelop the site through the infilling of new residential properties without significant adverse impact on the character or townscape setting of the area, or on the amenity of the locality. The proposal is considered to represent a sustainable development due to involving the use of previously development land within a settlement. Also, the site is within the settlement of Prestwick and is in walking distance to services and amenities and therefore meets with the aspirations of Policy 15.

Overall, and for the reasons noted above, it is considered that the proposal accords with the provisions of NPF4.

The provisions of NPF4 must 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 policies of NPF4 can be viewed in full online at https://www.gov.scot/publications/national-planning-framework-4-revised-draft/documents/

Adopted South Ayrshire Local Development Plan 2

The following provisions of the adopted South Ayrshire local development plan are considered relevant to the consideration of this application and the policies can be viewed in full online at http://www.south-ayrshire.gov.uk/planning/planlpdocuments.aspx

- Strategic Policy 1: Sustainable Development;
- Strategic Policy 2: Development Management;
- Residential Policy within settlements, release sites and windfall sites;
- Land use and transport;
- Flooding and development; and
- Air, noise and light pollution.

The provisions of the Adopted South Ayrshire Local Plan must 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.

- Strategic Policy 1: Sustainable Development and Strategic Policy 2: Development Management;

The above strategic policies seek to direct development, including residential development, to the most environmentally suitable places with the best infrastructure. While the site is not specifically identified as a housing allocation site, proposals for residential development can be considered under the LDP Policy in relation to residential development within settlements and windfall sites. Further assessment of the development proposal against the LDP policy in relation to residential development within settlements and windfall sites is set out below.

The strategic policies also seek to ensure that development proposals are appropriate to the local area in terms of character and amenity impact, layout, scale, massing, design and materials in relation to its surroundings. In considering the development proposal, it is noted that the proposal represents the development of former haulage yard for residential purposes. The application site is located within a residential area, as prescribed by the LDP, and in close proximity to other residential land and property, and in this context represents the sustainable use of land. Further consideration of details of the proposal in terms of its amenity impact, layout, scale, massing, design and materials is considered further below.

- Residential Policy within Settlements, Release Sites and Windfall Sites;

This policy aims to protect the character and amenity of areas that are mainly residential, particularly from non-residential development which could have negative effects on the local amenity. The site is located within a residential area, and is adjacent to, and in close proximity to other residential properties. The proposal is for the re-use of a vacant site which was previously used as a haulage yard. For the reasons noted within this report, it is considered that, there is no issue with the principle of residential development in this location, and that subject to appropriate planning conditions; the site can provide an acceptable residential environment.

- Land use and transport;

The LDP policy in relation to land use and transport recognises the inter-relationship between land use planning and transport as a means to achieve sustainable economic development. The policy requires a holistic approach to the consideration of development proposals, in particular, development proposals should closely link to existing and proposed walking, cycling and public transport networks, where possible. The site is well located in an established residential area, with the potential for trips by other means of travel, than just the private car. The Ayrshire Roads Alliance has also been consulted on the proposals and have offered no objection, subject to conditions. The application is considered in this context.

- Flooding and development;

In terms of the flooding, the agent has submitted a Flood Impact Assessment (FRA) which assesses the risk of flooding associated with the application site. The FRA has been considered and assessed by the Ayrshire Roads Alliance in their capacity as the Flood Prevention Authority, who offer no objection to the proposal. SEPA has not been consulted on this application as it is considered that there is no requirement to do so as prescribed by Regulation 25 and Schedule 5 of The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013. The ARA has provided site specific advice on matters relating to flooding who consider that the development proposal is acceptable and does not present any issues in terms of flooding. The implementation of any flood mitigation measures can be addressed by way of an appropriate planning condition.

- Air, noise and light pollution;

Due to the proximity of the railway line, the application is accompanied by a Noise Impact Assessment (NIA) which assess the noise impact associated with the application site. The NIA has been considered and assessed by the Council's Environmental Health Service who offer no objection to the proposal, subject to a condition which requires for the mitigation measures suggested in the NIA to be undertaken mitigation barrier to be installed alongside the western boundary of the site? as specified in the NIA. This can be secured by condition and will likely form a fence or similar boundary feature.

The development proposal has been assessed against the above policies and is considered to be in accordance with the adopted South Ayrshire Local Development Plan 2, and is not considered to contravene any other policies of the development plan.

(ii) <u>Other Policy Considerations (including Government Guidance)</u>

- South Ayrshire Council Planning Guidance (PG);

The Council's Planning Guidance entitled `Open Space and Designing New Residential Developments' is also material to the consideration of the application. The guidance seeks to achieve a design-led solution based on qualitative proposals, rather than a more simplistic application of quantitative standards. Notwithstanding, the guidance maintains some quantitative elements, which are considered further below.

The proposal is considered to constitute infill development given that it is sited within an existing residential area and is bound by existing development. The above PG acknowledges that "infill developments can have a number of benefits both for the immediate areas in which they are found and in terms of the wider sustainability agenda. Infill developments normally take place within existing urban areas which reduces the need to identify new residential sites on greenfield land; they utilise existing public infrastructure such as roads, water and drainage and they can help to regenerate areas suffering from poor environmental quality."

Open space requirements within infill developments will be the same as those for new residential areas, i.e; a 9 metre depth of rear garden, and private garden ground for detached properties provided at a ratio of one and a half times the size of the ground floor area, with a minimum of 100 sq. metres. However, the Council recognises that there may be circumstances where higher or lower open space standards may be necessary when taking into account the established character and amenity of the existing surrounding area. In all cases one of the key considerations will be the ratio of built form to open space. This should be reflective of the existing surrounding area unless overriding design considerations indicate otherwise. In all circumstances the quality of the open space and the overall design principles of the site, including how it complements the established character and amenity of the existing surrounding area will be considered to be of prime importance. A design statement will be a key tool in this respect.

Having considered the proposal against the above, it is noted that the dwellinghouses are to be provided with the following rear garden provision: -

- Plot 1 – 289 square metres,
- Plot 2 – 122 square metres,
- Plot 3 – 153 square metres,
- Plot 4 – 112 square metres,
- Plot 5 – 166 square metres.

It is noted that the surrounding area comprises a mixture of medium to high density development. Specifically, the dwellings located at 6 to 10 Annfield Road, and the dwellings located on the southern side of Annfield Terrace are typified by dwellings set within relatively small plots. Having considered the plot ratios of the proposed dwellings, it is not considered that the development proposal will result in a ratio of built form to open space which is atypical to the character of the locale.

The proposals are also considered to be consistent with the terms of the guidance in achieving the minimum separation distances of 18 metres window to window so as to ensure that the amenity and privacy of neighbouring dwellings are not adversely compromised.

In addition, the Council's Planning Guidance requires a commuted sum in lieu of on-site play equipment, where proposals range between 5 and 15 residential units. As noted above, the proposal is to provide an additional 5 residential units in this residential location, and therefore, a commuted sum is required for the provision of off-site play equipment. This will require to be secured before any decision to approve the application can be issued.

Overall, having considered the infill nature of the proposal, and the built context in which the site is set, the development is considered to be acceptable and broadly in accordance with the principles of the Council's Planning Guidance in relation to `Open Space and Designing New Residential Developments'.

(iii) Objector Concerns

The concerns of the objectors are summarised and considered as follows: -

Overdevelopment and Scale

- *The site is too small to accommodate five large detached houses.*

The site is considered to be of sufficient size to accommodate five detached dwellings while maintaining appropriate plot ratios and garden ground. The proposals reflect a medium-density pattern of development typical of Annfield Road and Annfield Terrace, where dwellings are set within relatively modest plots. Rear gardens for the new houses range between 112 sqm and 289 sqm, exceeding minimum design guidance and ensuring adequate private amenity.

- *The proposed dwellings are two-storey and overbearing, dramatically out of scale with surrounding single-storey bungalows and cottages.*

The wider area is characterised by a mix of house types, including two-storey houses. The proposed dwellings have a ridge height of 6.3 metres, which is comparable with neighbouring properties such as 31 Annfield Road (6.6 metres). They will not appear excessive or overbearing.

- *The height, volume, massing, and rooflines are not comparable with the local area.*

There is no uniform house type or roof profile in the locality. The proposals introduce a cohesive but varied design, incorporating changes in façade treatment and roof detailing to reflect the mixed character of the area.

- *The layout fails to reflect the character, form, and vernacular of the existing streetscape.*

The development represents infill on a brownfield site, with a design ethos consistent across the five units but incorporating variation to avoid uniformity. The locality is typified by variety, and the proposal respects this established pattern.

- *Overdevelopment would overshadow adjacent properties and reduce sunlight to gardens and homes.*

Sunlight/daylight impacts have been assessed against the separation standards. It is considered that there will be no unacceptable overshadowing or loss of sunlight to existing dwellings or gardens.

- *Residents feel the proposal is profit-driven rather than sympathetic to local needs.*

The planning system does not assess the motives of an applicant. The relevant test is whether the proposal accords with the framework of planning policy. The application represents a sustainable residential re-use of a brownfield site in line with NPF4 and SALDP2.

- *There is a shortage of bungalows locally, which could be more suitable and marketable on this site.*

While the comments are noted, planning applications must be assessed on the acceptability of what is proposed, not on alternative development options.

Amenity, Privacy, and Overlooking

- *Two-storey homes would result in overlooking of private gardens, bedrooms, and living areas, affecting privacy.*

The dwellings are positioned to avoid direct overlooking of neighbouring gardens and habitable rooms. Separation distances and window placements are compliant with planning guidance.

- *Overshadowing would reduce sunlight and amenity for neighbouring properties.*

Shadowing impacts have been assessed and are not considered significant. The scale and orientation of the proposed dwellings ensure that adjacent properties retain adequate sunlight and daylight.

- *Landscaping proposals are unclear, including tree species, potential overshadowing, and invasive root systems.*

A detailed landscaping scheme will be secured by condition. This will ensure appropriate species selection and siting to avoid impacts on light or neighbouring structures.

- *Lack of communal amenity space; residents suggest alternative uses such as allotments or open greenspace.*

Given the infill nature of the site and the private gardens proposed, the absence of communal space is not considered to represent a policy conflict. The site is within walking distance of public open spaces and local facilities.

Traffic, Access, and Parking

- *Annfield Road and adjacent streets are narrow and congested.*

The Ayrshire Roads Alliance has reviewed the application and raises no objection. On this basis, it is considered that the road network is capable of absorbing the limited additional traffic generated by the 5 dwellings. Each of the dwellings also has dedicated off street parking provision.

- *Increased traffic from multiple cars per household, visitors, and service vehicles would exacerbate congestion.*

Adequate off-street parking is provided in accordance with Council standards. Visitor demand for 5 dwellings is expected to be low and can be absorbed without adverse effect.

- *No adequate turning facilities for emergency vehicles, delivery vans, refuse lorries, or visitors.*

Access and turning have been reviewed by ARA and are considered acceptable. Conditions will ensure refuse collection points and access surfacing are provided.

- *Pedestrian safety is compromised by shared surface access, blind spots, and lack of segregated pathways.*

Shared surface arrangements are acceptable in small residential developments. Conditions will secure surfacing and visibility splays to protect pedestrian and vehicle safety.

- *Visitor parking is not provided, raising risks of overspill into neighbouring streets.*

On-plot parking meets required standards. It is considered that visitor demand will be modest and can be accommodated on-site and within the local street network without material impact.

Drainage, Flood Risk, and Utilities

- *Existing drainage and sewerage infrastructure is overburdened and prone to blockage and flooding.*

Scottish Water has been consulted and raises no objection. Connection to the public network will be subject to their separate approval.

- *The proposal increases impermeable surfaces, raising risks of runoff and local flooding*

A Flood Risk Assessment and engineered drainage scheme have been submitted and reviewed by ARA. No objection is raised subject to conditions securing implementation of the scheme.

- *Concerns exist regarding water pressure, sewer capacity, and potential contamination.*

These matters fall within the remit of Scottish Water and the Council's Environmental Health Service, who have confirmed no objection.

- *Residents report repeated maintenance issues and request evidence of Flood Risk Assessment or ground investigation.*

A FRA and soakaway testing have been submitted and independently reviewed. These confirm that site conditions can accommodate the proposed drainage system. All reports submitted with the application are available for public viewing in the online planning portal.

Environmental and Wildlife Impacts

- *The site supports local wildlife, including hedgehogs, foxes, and bats.*

The site is previously developed with no natural heritage designation. Landscaping and biodiversity enhancements (e.g. native planting, hedgehog highways, bird/bat boxes) can be secured by condition.

- *Construction may disrupt habitats and local ecology.*

Impacts during construction will be temporary and can be mitigated through best practice construction methods.

- *Asbestos in the existing industrial structure may pose health risks during demolition if not properly managed.*

Asbestos removal is regulated under separate Health & Safety legislation.

- *Vermin (rats, foxes) may be displaced onto neighbouring properties during construction.*

This is a common issue with redevelopment of vacant sites and can be addressed through proper site clearance and pest management measures of which the developer will be responsible.

Safety and Site Suitability

- *Narrow streets and lack of turning areas create hazards for children, elderly residents, and pets.*

ARA has reviewed the application and considers the proposed access arrangements acceptable.

- *Emergency vehicle access is restricted, increasing risk during incidents.*

Emergency access is adequate and has been confirmed acceptable by ARA.

- *Proximity to the railway embankment raises concerns over site stability; independent assessment is requested.*

Network Rail has been consulted and raises no objection subject to conditions. The embankment is structurally stable and does not preclude development.

- *Residents question whether the site is safe and suitable for this scale of development.*

The site has been assessed by statutory consultees and found suitable for residential use, subject to standard conditions.

Design, Policy, and Planning Compliance

- *Proposal fails to respect National Planning Policy (NPF4), particularly requirements for infill, scale, and street character.*

The development is fully in line with NPF4's emphasis on reusing brownfield land, delivering housing within established settlements, and supporting compact, walkable neighbourhoods. Scale and design are compatible with the surrounding mix of house types.

- *The site is not allocated for residential use in the Adopted Local Development Plan (LDP), nor identified in the housing land audit.*

As an infill brownfield site within the settlement boundary, the proposal is supported by SALDP2 and NPF4 policies on sustainable housing delivery, regardless of allocation status.

- *Proposed development does not meet windfall site policy requirements for visitor parking, privacy, or public open space.*

The scheme provides appropriate private amenity and meets all parking standards. Privacy standards are achieved. The absence of communal open space is acceptable in the context of nearby facilities.

- *Concerns remain about inconsistencies in submitted plans, including discrepancies in elevations, window positions, and roof heights***.**

The submitted scaled plans provide sufficient clarity for robust assessment.

- *Residents request consideration of alternative uses or building types more in keeping with local character.*

Applications must be assessed on the proposals before the Authority, not on alternative uses. The current application is considered acceptable.

Other Matters

- *Loss of view and impact on property values.*

These are not material planning considerations.

- *Disturbance during construction.*

Construction impacts are temporary and regulated separately under Environmental Health and the Control of Pollution Act 1974.

(iv) Impact on the Locality

The application site is situated within a predominantly residential part of Prestwick and comprises a long, narrow brownfield plot formerly occupied by a haulage yard. The immediate context is characterised by a mix of single and one-and-a-half storey dwellings, with no dominant or consistent architectural style defining the locality. This mix of house types, scales, materials and roof forms has created a varied streetscape and townscape character. Against this background, the proposal for five new dwellings, including a variation in design between Plot 1 and Plots 2–5, is not considered to appear incongruous. There is no prevailing architectural vernacular that new development must replicate, and the introduction of a modestly varied housing type is consistent with the diversity of the area.

In terms of scale, the proposed dwellings would reach a maximum height of approximately 6.3 metres, which sits comfortably alongside existing dwellings within Annfield Road and Annfield Road Terrace. By way of comparison, the dwelling at 31 Annfield Road rises to approximately 6.6 metres at its highest point, demonstrating that the scale of the proposed units is compatible with the established built form. The proposal therefore achieves a balance between respecting the height and massing of surrounding dwellings, while contributing a contemporary design solution.

The determining issues in this case are the impact of the development on the amenities of adjoining properties, its effect on the wider character and amenity of the area, and whether a satisfactory residential environment would be created for future occupiers. Each of these matters has been carefully considered with reference to the provisions of the development plan and associated guidance.

The development comprises five dwellings dispersed across the length of the site. Plots 1 and 2 sit adjacent to 31 and 10 Annfield Road, respectively. Plot 3 lies to the west of the garden ground of 10 Annfield Road and adjacent garages, while Plots 4 and 5 are positioned to the west of dwellings on Annfield Terrace. The dwelling proposed for Plot 1 departs slightly in fenestration and form from Plots 2–5, but the overarching design ethos, materials palette, and massing remain consistent. Proposed finishes include rendered walls with a buff brick basecourse, timber/aluminium windows, concrete roof tiles, uPVC rainwater goods, and steel/timber-faced doors. This approach offers a simple but robust design solution which is sympathetic to the mixed character of the area.

The accompanying Design and Access Statement reinforces the absence of a unifying architectural style within the locality. It highlights that Midton Road, the nearest main route, contains a range of building types, from single-storey bungalows to two-storey villas, finished in stone, render, cladding and tile. Side streets such as Annfield Road are generally more consistent in scale, though exceptions exist, particularly towards the railway where massing steps up to one-and-a-half and two storeys. A site inspection corroborates the Statement's conclusion that there is no typical architectural form in the vicinity. In this context, the design, form and detailing of the proposed dwellings are considered to be appropriate.

The proposal has been amended from the earlier scheme submitted under application 21/00427/APP. Key changes include reduced building heights through cropped ridge and lowered eaves, increased offset from the eastern boundary to reduce enclosure impacts, and reorientation of dwellings to face away from neighbouring gardens. Roof profiles slope away from Annfield Terrace rather than presenting gables directly towards neighbouring gardens, thereby lessening visual impact. The internal layout has been revised to avoid windows overlooking adjoining garden ground, with only rooflights serving bathrooms and en-suites facing in this direction. These design refinements significantly reduce the sense of enclosure and protect residential privacy.

The proposals also achieve compliance with the Council's open space standards, with rear gardens repositioned to maintain adequate private amenity space. The separation distances between the new dwellings and existing residential properties are judged sufficient to protect privacy, outlook and sunlight/daylight access. While the site lies adjacent to a railway line, a Noise Impact Assessment has been provided, which identifies appropriate mitigation to ensure internal and external noise levels for future residents remain within acceptable standards. The Council's Environmental Health Service has reviewed this matter and raised no objection, subject to appropriate conditions.

The redevelopment of this long-vacant and visually deteriorated brownfield site represents a positive intervention in the local streetscape. The replacement of derelict structures and overgrown land with modern dwellings will enhance the appearance of Annfield Road, creating a more ordered and attractive frontage while improving the amenity of the immediate environment. The siting of the proposed dwellings follows an established pattern of residential development on elongated plots adjacent to the railway line, ensuring that the scheme integrates naturally with the local urban grain.

While the scheme is considered to be well-designed and compatible with the surrounding area, it is noted that the development represents a relatively medium/high-density form of infill, with dwellings positioned on relatively narrow plots. In this context, even modest extensions, outbuildings, or alterations falling within the scope of permitted development rights could materially erode the carefully considered balance of spacing, layout and amenity established through the approved design. For example, the introduction of rear extensions or additional outbuildings could lead to overdevelopment of the plots, loss of usable garden space, or a reduction in the amenity of neighbouring occupiers. To avoid such incremental changes undermining the quality of the scheme or the residential environment, it is considered both prudent and necessary to remove permitted development rights for extensions, roof alterations, outbuildings, and garden structures. This will ensure that any future alterations are subject to planning control, allowing the Council to assess their impacts on character, design integrity, and amenity in the context of this constrained site.

Finally, waste collection is an essential element of any development; therefore, a condition has been recommended requiring details of a designated bin collection point to be submitted for approval in consultation with the Council's waste services.

In summary, the proposed development is considered to be compatible with the surrounding residential environment in terms of siting, scale, height and design. The varied architectural approach is reflective of the area's existing diversity, and the scheme safeguards the residential amenity of existing and future occupiers. The regeneration of this brownfield site is expected to enhance the character and visual quality of the locality, while continuing established local patterns of development. Subject to the removal of permitted development rights as outlined above, the proposal is not considered to have a detrimental impact on the character or amenity of the area and is consistent with the development plan.

8. Conclusion:

The application has been assessed against the various material considerations which include the provisions of the development plan, supplementary planning guidelines, consultations, representations received and the impact of the proposed development on the locality.

The assessment concludes that the principle of the proposed development complies with the development plan and supplementary guidance. The consultation responses do not raise any issues of over-riding concern that cannot be addressed by condition. Equally, the points raised in the letters of objection have been fully considered but do not raise any issues that would merit refusal of the application. It is considered that the site context, building design and layout finish are satisfactory and together with the imposition of suitable planning conditions, will ensure an acceptable development.

Given the above assessment of the proposal, and having balanced the applicant's rights against the general interest, delegated powers are sought to approve the application subject to the lodging of an appropriate financial contribution in lieu of onsite play equipment, and appropriate conditions.

9. Recommendation:

It is recommended that the application is approved subject to the payment of a commuted sum in lieu of onsite play equipment and the imposition of the following conditions.

The commuted sum will require to be secured before any decision to approve the application can be issued.

(1C) 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.

(1R) To ensure that the development is carried out in accordance with the approved plans unless otherwise agreed.

(2C) That notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992, (or any order revoking and re-enacting the Order) all development falling within Classes 1 and 3 (covering the enlargement of a dwellinghouse and other development within the curtilage of a dwellinghouse) shall be the subject of a formal application for planning permission.

(2R) In the interests of the amenity of the area.

(3C) That the private access shall be surfaced for a minimum of 10 metres as measured from the rear of the public roadway, prior to the occupation of the first dwelling. Precise details 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.

(3R) In the interest of road safety and to ensure an acceptable standard of construction.

(4C) That a maximum of 10 off-road parking spaces shall be provided within the site boundary as shown on Drawing Number L(00)003 Rev K, to satisfy provision levels as defined within the SCOTS National Roads Development Guide.

(4R) In the interest of road safety and to ensure adequate off-street parking provision.

(5C) 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.

(5R) In the interest of road safety and to avoid the discharge of water onto the public road.

(6C) That designated bin collection points shall be located a maximum of 15 metres from the public carriageway, prior to the occupation of the development. Details and specification of the siting and design of bin collection points 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.

(6R) In the interests of road safety.

(7C) No work shall be carried out on any phase of the development unless and until an effective vehicle wheel washing facility has been installed in accordance with details that shall be submitted for the written approval of the Council as Roads Authority prior to its installation, if required for that phase. When required, such facility shall be retained in working order and used such that no vehicle shall leave the site carrying earth and mud in such a quantity which will cause a nuisance or hazard to the road system in the locality.

(7R) In the interest of road safety.

(8C) The applicant/developer shall, prior to the movement of any construction traffic to or from the site, submit a Construction Traffic Management Plan for the written approval of the Council as Roads Authority. The plan shall describe the methodology for the movement of construction traffic to and from the site, including agreement on suitable routes, and shall be implemented as approved.

(8R) In the interest of road safety.

(9C) No development shall take place on site until such time as a surface and foul water drainage scheme has been submitted to and approved in writing by the Planning Authority, in consultation with the Ayrshire Roads Alliance (Flooding). The scheme shall incorporate the findings of the Flood Risk Assessment and BRE 365 soakaway testing, and shall include details of long-term maintenance arrangements. The approved scheme shall thereafter be implemented in full prior to the occupation of the dwellings.

(9R) To ensure satisfactory drainage and to protect the site and surrounding area from flood risk.

(10C) The applicant must provide a trespass-proof fence of at least 1.8 metres in height adjacent to Network Rail's boundary, with provision made for future maintenance and renewal. Details of the proposed fencing shall be submitted for the prior written approval of the Planning Authority (in consultation with Network Rail) before development commences, and thereafter erected as approved.

(10R) In the interests of public safety and the protection of Network Rail infrastructure.

(11C) The applicant must provide a safety barrier along the boundary of the railway where adjacent to roads, turning circles and parking areas, designed to prevent vehicles driving onto the railway or damaging lineside fencing. Details shall be submitted for the prior written approval of the Planning Authority (in consultation with Network Rail) before development commences, and the barrier shall be installed as approved prior to occupation of the dwellings.

(11R) In the interests of public safety and the protection of Network Rail infrastructure.

(12C) Any Sustainable Urban Drainage features shall not be located within 10 metres of the railway boundary.

(12R) To protect the stability of the adjacent railway lines and the safety of the rail network.

(13C) No development shall take place until such time as a scheme of landscaping has been submitted to and approved in writing by the Planning Authority. The scheme shall include:

Hard and soft landscaping works;

Boundary treatments;

Details of trees and vegetation to be retained;

Species and planting locations;

Phasing and implementation programme.

Where trees/shrubs are proposed adjacent to the railway boundary these must be positioned at a distance greater than their predicted mature height, and certain broadleaf species shall be avoided.

The approved scheme shall be implemented in accordance with the agreed phasing and thereafter maintained.

(13R) To safeguard residential amenity, enhance biodiversity, and protect railway operations.

(14C) Prior to occupation of the dwellings, details of biodiversity enhancement measures (such as native planting, bird/bat boxes, and hedgehog highways) shall be submitted for the written approval of the Planning Authority, and thereafter implemented as approved.

(14R) To ensure the development delivers biodiversity enhancement in line with NPF4 requirements.

(15C) No dwelling shall be occupied until the noise mitigation measures set out in the Noise Impact Assessment (ref: 7480-00-00, dated 2 September 2022) have been fully implemented. These shall include the erection of a mitigation barrier as specified in Section 9.1 of the report. The approved mitigation shall thereafter be retained in perpetuity.

(15R) To protect the amenity of future occupiers from railway noise and vibration.

(16C) The external materials of the development shall be in accordance with the approved plans unless otherwise agreed in writing by the Planning Authority.

(16R) In the interests of visual amenity and to safeguard the character of the area.

Advisory Notes:

(1) Road Will Not Be Adopted: The Council as Roads Authority advises that the Council will not adopt the road on its completion.

(2) 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.

(3) 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.

(4) 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.

(5) 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.

(6) Costs of TROs: The Council as Roads Authority advises that promotion of Traffic Regulation Orders resulting from this development shall require to be fully funded by the applicant - including any relevant road signs and markings.

(7) Signage to TSRGD 2016: The Council as Roads Authority advises that only signs complying with the requirements of 'The Traffic Signs Regulations and General Directions 2016' are permitted within public road limits.

(8) Construction works must be undertaken in a safe manner which does not disturb the operation of the neighbouring railway. Applicants must be aware of any embankments and supporting structures which are in close proximity to their development.

Details of all changes in ground levels, laying of foundations, and operation of mechanical plant in proximity to the rail line must be submitted to Network Rail's Asset Protection Engineer for approval prior to works commencing on site. Where any works cannot be carried out in a "fail-safe" manner, it will be necessary to restrict those works to periods when the railway is closed to rail traffic i.e. by a "possession" which must be booked via Network Rail's Asset Protection Engineer and are subject to a minimum prior notice period for booking of 20 weeks.

The developer must contact our Asset Protection Engineers regarding the above matters, contact details below:

Network Rail Asset Protection Engineer

151 St. Vincent Street, GLASGOW, G2 5NW

E-mail: AssetProtectionScotland@networkrail.co.uk

List of Determined Plans:

Plan Type	Reference	Version No.	Received Date
Drawing	L(00)002		09.03.2022
Drawing	L(00)003	K	24.05.2025
Drawing	L(00)004	F	24.05.2025
Drawing	L(00)01		09.03.2022
Drawing	L(01)301	House Type A Floor Plans	09.03.2022
Drawing	L(01)301	House Type B Floor Plans	09.03.2022
Drawing	L(02)301		09.03.2022
Drawing	L(02)301		09.03.2022

Reason for Decision (where approved):

The siting and design of 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.

The explanation for reaching this view is set out in the Report of Handling and which forms a part of the Planning Register.

Background Papers:

1. Planning application form, plans and supporting information.
2. National Planning Framework 4.
3. Adopted Local Development Plan 2.
4. South Ayrshire Council Planning Guidance – Open Space and Designing New Residential Developments
5. Consultation Responses.
6. Representations

Equalities Impact Assessment:

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

Person to Contact:

Mr David Clark, Development Management Co-ordinator - Telephone 01292 616 118