

South Ayrshire Council

List of Planning Applications for Regulatory Panel (Planning) Consideration on 02 April 2026

List No.	Reference Number	Location	Development	Applicant	Recommendation
1.	26/00065/LBC David Clark (Objections) (Application Summary)	Townend House Townend Drive Symington South Ayrshire KA1 5QL	Alterations to listed building	Enhance Healthcare Ltd	Approval with Condition(s)
2.	25/00690/LBC David Clark (Objections) (Application Summary)	Townend House Townend Drive Symington South Ayrshire KA1 5QL	Alterations to listed building	Enhance Healthcare Ltd	Approval with Condition(s)
3.	25/00823/APP Fiona Sharp (Objections) (Application Summary)	Land At Hillhead Coylton South Ayrshire	Erection of 6 dwellinghouses	Ecohomesayrshire	Approval with Condition(s)
4.	25/00250/APP Fiona Sharp (Objections) (Application Summary)	Victory Park And Pavilion South Park Avenue Girvan South Ayrshire	Alterations and extension to existing sports pavilion and associated change of use of open space, installation of underground attenuation tank, and associated drainage works	Girvan Youth Football Club	Approval with Condition(s)

List No.	Reference Number	Location	Development	Applicant	Recommendation
5.	25/00457/APP Del Delury (Objections) (Application Summary)	Land At A759 From Auchingate Interchange To B730 Drybridge Road Dundonald Dundonald South Ayrshire	Formation of cycle path, landscaping and associated works	Ayrshire Roads Alliance	Approval with Condition(s)

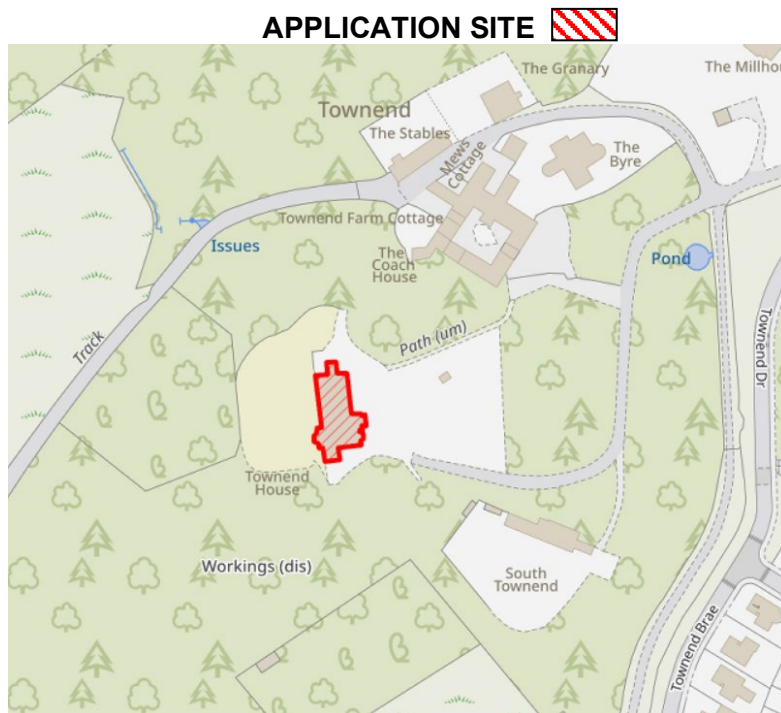
REGULATORY PANEL: 02 APRIL 2026

REPORT BY HOUSING, OPERATIONS AND DEVELOPMENT

26/00065/LBC

TOWNEND HOUSE TOWNEND DRIVE SYMINGTON SOUTH AYRSHIRE KA1 5QL

Location Plan



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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:

<https://publicaccess.south-ayrshire.gov.uk/online-applications/applicationDetails.do?keyVal=T9M4TFBDLDU00&activeTab=summary>

Summary

Listed Building Consent is sought for alterations to Townend House, Symington. These relate solely to internal works to form 17 en-suite bathrooms within each of the 17 bedrooms of the property. Townend House is a mid-19th-century Category B Listed Building located within the Townend Estate on the south-western edge of Symington. No external alterations form part of this application.

The application is retrospective insofar as internal works have been undertaken on site. The en-suite enclosures are not full height, stopping below existing ceiling levels such that decorative plaster features (e.g., cornices) are not interrupted by the partitions. The proposal concerns internal fabric only.

A total of 35 representations have been received, including objection from Symington Community Council. A number of issues raised relate to matters outwith the scope of Listed Building Consent (use/operation, amenity, traffic, servicing). The statutory test relates solely to whether the works preserve the building's special architectural or historic interest.

Historic Environment Scotland has been consulted and offers no objection and no comment. The application is therefore to be determined by the Planning Authority having special regard to preservation and in accordance with relevant policy and guidance. The application is recommended for approval with conditions.

REPORT BY HOUSING, OPERATIONS AND DEVELOPMENT

REGULATORY PANEL: 02 APRIL 2026

SUBJECT:	LISTED BUILDING CONSENT REPORT
APPLICATION REF:	26/00065/LBC
SITE ADDRESS:	Townend House Townend Drive Symington South Ayrshire KA1 5QL
DESCRIPTION:	Alterations to listed building
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 29 January 2026.
- The application was validated on 29 January 2026.
- The case officer visited the application site on 20 February 2026.
- No Neighbour Notification was required.
- 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 10 February 2026.
- A Public Notice, under The Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 (as amended) was placed in the Local Press on 10 February 2026.

1. Proposal:

The application site comprises Townend House, a mid-19th-century Category B Listed Building located to the south-west of Symington within the Townend Estate. The wider estate includes landscaped grounds, with access taken from a private estate road shared with other residential properties. Areas of woodland within the wider grounds are identified within the Ancient Woodland Inventory; however, the present proposal involves internal works only.

Planning application 25/00689/APP (external alterations and formation of hardstanding for car park) remains pending determination. Listed Building Consent application 25/00690/LBC relates to external works to rainwater goods, vent terminals and stonework making-good. These are separate from the current proposal, which concerns internal alterations only.

This Listed Building Consent application relates solely to internal alterations to form 17 en-suite bathrooms, one within each of the 17 bedrooms at Townend House. The submitted information indicates that the en-suite partitions are not full-height, stopping below the existing ceiling levels; thus decorative ceiling features (such as cornices) are not interrupted. The works include associated sanitary and ventilation installations and local services routing within the rooms. No external fabric alterations are included within this application.

The application is retrospective insofar as internal works have already been carried out without prior Listed Building Consent. The Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 provides for retrospective applications to be submitted, and the planning authority is required to assess the works on their merits. The unauthorised nature of the works is not, in itself, a ground for refusal.

The proposal relates to internal layout and fabric within the listed building. It does not relate to any change of use or operational model for the premises; those matters fall outwith the scope of Listed Building Consent. Considerations of setting do not arise for the present submission, as the works are internal and do not affect the building's external appearance.

The application requires to be reported to the Council's Regulatory Panel as more than ten competent written objections have been received, and an objection has been submitted by Symington Community Council.

2. Consultations:

Historic Environment Scotland - Advised that they have no comments to offer on the proposed external alterations to the listed building. Their response states that this decision should not be interpreted as support for the proposals, but rather that they have identified no heritage concerns requiring intervention or further assessment.

HES further confirmed that the application should be determined by the planning authority in accordance with national and local policy relating to listed buildings and conservation area consent, including the Historic Environment Policy for Scotland (HEPS) and relevant Managing Change guidance.

In summary, HES raised no objection and offered no comments on the proposals.

3. Submitted Assessments/Reports:

None.

4. S75 Obligations:

None.

5. Scottish Ministers Directions:

None.

6. Representations:

36 representations have been received, 36 of which object to the proposed development. One of the objections submitted is from the Symington Community Council. All representations can be viewed online at <https://publicaccess.south-ayrshire.gov.uk/online-applications/applicationDetails.do?keyVal=T9M4TFBDLDU00&activeTab=summary>

Accuracy of the baseline / "like-for-like" claim

Several representees, including Symington Community Council, dispute the applicant's assertion that en-suite facilities previously existed to the extent now shown. Reference is made to Care Inspectorate reports, staff recollections and historic planning records. In particular, the Community Council highlight that the only available applications relating to sanitary facilities (Refs. 08/00039/FUL and 08/01318/LBC) indicate the former presence of only two en-suite bedrooms and one additional shower room, not seventeen.

Objectors therefore consider that the submission significantly understates the degree of change and that the present scheme amounts to new bathrooms rather than "reinstatement".

Retrospective, unauthorised works and process concerns

Many objectors note that the works proceeded without prior Listed Building Consent and characterise the application as retroactive regularisation. Symington Community Council express concern that the applicant continued internal works despite being advised to stop, and highlight what they regard as “piecemeal” or “salami-sliced” submissions across several applications.

Objectors raise concerns about the adequacy of scrutiny where works are presented after the event and where supporting information is judged to be incomplete or inaccurate.

Heritage impact on interior character and fabric

Objectors contend that inserting multiple en-suite rooms across bedrooms implies subdivision, service penetrations and alterations to plan-form, potentially eroding the listed building’s special interest. The Community Council dispute the applicant’s statement that the bedrooms are “non-historic”, noting the Grade B listing applies to the interior as well as the exterior and that features such as cornices, ceiling roses and fireplaces are likely to have remained historically present.

Objectors also note the absence of a bespoke heritage impact assessment demonstrating how significant fabric has been protected or how reversibility is secured.

Cumulative/aggregate effect

Even if individual additions are limited, the aggregate of 17 en-suite compartments is said to represent a step-change in the building’s internal character and servicing intensity. The Community Council emphasise that historically only two en-suite rooms existed; the scale of change is therefore considerably greater than indicated in the application’s supporting narrative.

Non-LBC matters

A number of submissions raise issues which, while noted, are not determinative for a Listed Building Consent assessment. These include alleged or intended change of use (e.g. to a rehabilitation facility), amenity implications, traffic and servicing concerns, private water supply and drainage capacity, and general process or enforcement-related grievances. These matters are considered only insofar as they relate to the statutory test concerning the effect of the works on the listed building’s special architectural or historic interest.

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:

In determining an application for Listed Building Consent, the planning authority is required to give special regard to the desirability of preserving the building (i.e. its special architectural or historic interest, including its fabric, features and appearance) and, where relevant, its setting. This flows from the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997. The principal question is whether the works, taken as a whole, preserve the listed building’s special interest; where change is proposed, whether it is justified, necessary, and executed in a manner and with materials that respect the building’s character.

In applying the statutory test, regard is had to:

National policy for the historic environment, including the principles in the Historic Environment Policy for Scotland (HEPS) and the Scottish Government’s Managing Change in the Historic Environment guidance, which encourage a plan-led, evidence-based and fabric-first approach to change;

NPF4 Policy 7 (Historic Assets and Places), which supports works that protect and enhance the historic environment and requires alterations to be sympathetic in design, materials and execution; and

South Ayrshire Local Development Plan 2 – Historic Environment policy, which seeks to safeguard the special interest of listed buildings and ensure that any alterations are appropriate, proportionate and reversible where practicable, using materials and details that respect the original character.

Other Policy Considerations (including Government Guidance)

In addition to the statutory tests under the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 and the Development Plan policies relating to the historic environment, regard has been had to the following national policy and guidance relevant to works affecting listed buildings:

Historic Environment Policy for Scotland (HEPS)

HEPS establishes the high-level policy principles and outcomes for decision-making affecting the historic environment. Of particular relevance are the principles that change should be informed, carefully managed and seek to protect and enhance the special interest of historic assets; and that interventions should be justified by need, proportionate, and carried out to an appropriate standard. In determining listed building proposals, decision-makers should consider whether the works will preserve the listed building's special architectural or historic interest, and where change is proposed, whether it is evidenced, minimised, and delivers an overall outcome that sustains the building's long-term significance. These principles are applied in service of (and do not displace) the statutory tests in the 1997 Act.

Managing Change in the Historic Environment: Interiors

The Interiors guidance recognises that a building's interior contributes fundamentally to how its special interest is experienced, understood and appreciated. Proposals should therefore consider how change would affect the plan-form and hierarchy of spaces, the survival and visibility of decorative features (such as cornices, ceiling roses, panelling, skirtings, architraves, fireplaces and staircases), and the legibility of original proportions. For Listed Building Consent proposals limited to internal alterations, the relevant consideration is whether the new work (in its location, extent, construction and finish) would preserve the character and significance of the interior and allow the principal spaces and features to remain readily appreciable.

The guidance encourages a light-touch, reversible approach: new subdivisions should avoid cutting through significant fabric; be set out to retain the perception of original room volumes; and, where practicable, stop short of ceilings and principal cornice lines to prevent loss or obscuration of decorative plasterwork. Services should be minimised and rationalised, routed through least sensitive locations, and any penetrations through historic fabric avoided or strictly limited, with neat terminations and the capacity for future removal without scarring. Materials and junctions for new work should be visually recessive, and detailing should respect the existing palette and profiles without resorting to conjectural imitation. Where existing features must be worked around, the guidance expects careful setting-out so that door and window openings, fireplaces and principal joinery remain intact and legible within the finished rooms.

Applied proportionately, these principles support internal adaptations that meet contemporary functional needs while preserving the special architectural and historic interest of the listed interior.

NPF4 – Policy on Historic Assets and Places

National Planning Framework policy on the historic environment supports alterations to listed buildings where proposals are sympathetic in design and materials, and where they protect and enhance the asset's special interest and, where relevant, its setting. Although NPF4 is part of the wider Development Plan context, in the LBC consideration these provisions assist in interpreting whether the design, materials and detailing of proposed works accord with good conservation practice.

Objector Concerns

A total of 36 representations were received, all of which object to the proposed development. The matters raised are summarised below, followed by the planning authority's response.

Matters relating to listed building interior, plan-form and fabric

Objection: That the applicant's description of the works as "like-for-like" or "reinstatement" is inaccurate. Objectors, including Symington Community Council, argue that the applicant's supporting statement incorrectly asserts that 17 en-suite bathrooms previously existed. Reference is made to Care Inspectorate reports, staff recollections and, critically, historic planning records. The Community Council highlight that the only available planning applications relating to sanitary provision (Refs. 08/00039/FUL and 08/01318/LBC) demonstrate that, in 2008, only two en-suite bedrooms and one additional shower room were proposed.

They state that no planning records exist to substantiate the applicant's claim of a pre-2002 full conversion to 17 en-suite bedrooms and that the available drawings show the lower ground, first floor and attic layouts remaining unchanged in 2008, with only limited additions proposed on the ground floor. They therefore consider the present scheme to constitute new additions, not "reinstatement".

Response: For Listed Building Consent, the decisive question is whether the internal alterations undertaken preserve the listed building's special architectural or historic interest. The assessment therefore focuses on the physical works as they exist now, judged against Managing Change (Interiors) principles - plan-form, hierarchy of spaces, visibility of significant features, and light-touch/reversible construction - rather than on verifying the applicant's historical narrative.

The Community Council's interpretation of the 2008 planning record is accepted as accurate; those records do not evidence widespread en-suite provision. However, this does not alter the statutory LBC assessment, which concerns whether the insertions, in their form and execution, preserve the special interest of the interior.

Objection: That creating multiple en-suite compartments implies subdivision of rooms, new service penetrations and an alteration of the historic plan-form, thereby eroding interior character; and that no heritage impact appraisal has been submitted to demonstrate protection of significant fabric. The Community Council note that the applicant states that bedrooms are "non-historic", a characterisation they contest given the building's Grade B interior listing and the likely presence of original cornicing, ceiling roses, fireplaces and joinery.

Response: The en-suite insertions are contained within bedrooms and stop below existing ceiling levels, leaving decorative plaster features uninterrupted and legible. Based on the submission, there is no evidence of the removal of principal joinery, fireplaces or plasterwork. The arrangement therefore maintains room proportions and decorative lines.

While a standalone heritage appraisal was not submitted, the physical configuration - sub-ceiling partitions, visually recessive interfaces, contained service runs - aligns with the "light-touch" and "reversible" expectations of Managing Change (Interiors). On this basis, the configuration is compatible with preserving the interior's special interest.

Objection: That, even if each addition is limited, the aggregate of 17 en-suite units represents a substantial intensification of sanitary accommodation, materially changing the building's character and increasing servicing demands. The Community Council highlight that historically only two en-suite bedrooms existed, such that the scale of change is much greater than represented.

Response: The cumulative effect has been assessed. Because partitions remain below ceiling level, within existing bedrooms, and do not interrupt decorative lines, the legibility of the building's plan-form and hierarchy of spaces is retained.

The increase in en-suite provision does not, on the evidence available, result in the loss of significant fabric or erode the building's special architectural or historic interest.

Retrospective nature and process

Objection: That works proceeded without prior LBC, with applications presented retrospectively and in a "piecemeal" manner. The Community Council note that the applicant was advised to cease works during an initial visit on 16 September 2025 but did not do so. Concern is expressed about delays in submission and the separation of internal, external and operational proposals into multiple applications, which objectors argue undermines scrutiny and confidence in the process.

Response: The Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 permits retrospective applications. The planning authority must assess such applications on their merits, based solely on whether the works preserve the building's special architectural or historic interest.

Process concerns, while noted, are not grounds for refusal of Listed Building Consent where the statutory preservation test is satisfied.

Matters asserted to be material but which are not determinative for LBC

Objection: That the proposal relates to, or facilitates, a change of use (e.g. to a rehabilitation facility) with associated amenity, traffic, operational and community impacts.

Response: Use, operational matters, amenity, traffic and management issues fall within the scope of planning permission, not Listed Building Consent. They are not determinative in assessing whether internal fabric works preserve special architectural or historic interest.

Objection: That the building and surrounding properties rely on a shared private water supply and/or drainage network, with concerns about capacity and environmental risk arising from the additional en-suite facilities.

Response: Water supply, pressure and drainage capacity relate to servicing and infrastructure. These matters lie outwith the statutory scope of LBC and therefore do not influence the assessment of whether internal works preserve the building's special interest.

Objection: That submissions contain procedural concerns, alleged inaccuracies, and misdescription, and that enforcement action should be taken. The Community Council argue that inaccurate plans make it difficult for consultees to assess compliance with NPF4 and LDP policies regarding historic buildings.

Response: Enforcement and process matters are handled under separate statutory powers. For listed building consent, the critical issue is whether the works carried out preserve the building's special architectural or historic interest. The assessment has been undertaken on the basis of physical works as they exist and their impact on historic fabric, rather than relying on the applicant's characterisation of prior conditions.

Overall position in LBC terms

Having applied the statutory duty with special regard to preservation, and considering the representations, the internal works - configured as room-contained, sub-ceiling en-suite compartments that do not interrupt cornices/ceiling features - have been assessed against national guidance for Interiors and are considered to preserve the listed building's special architectural and historic interest when taken as a whole. (Historic Environment Scotland raised no objection/no comment; the proposal is internal only.).

Impact on the Locality

Under the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997, special regard must be given to the desirability of preserving the listed building and any features of special architectural or historic interest it possesses. The present proposal is confined to internal alterations within existing bedrooms to create 17 en-suite bathrooms; no external fabric or setting effects arise. The central question is whether the internal works, taken as a whole, preserve the listed building's special architectural or historic interest.

In applying the statutory test, regard has been had to national historic environment policy and guidance, including the Historic Environment Policy for Scotland (HEPS) and Historic Environment Scotland's Managing Change in the Historic Environment: Interiors. The relevant principles are that change should be informed and proportionate; alterations should conserve the plan-form and hierarchy of spaces; significant features (such as cornices, ceiling roses, panelling, skirtings, architraves, fireplaces and staircases) should be retained and kept legible; and new insertions should be light-touch, visually recessive and, where practicable, reversible. Local policy in the South Ayrshire Local Development Plan 2 and NPF4 Policy 7 (Historic Assets and Places) supports such an approach to sensitive adaptation of listed interiors.

The works comprise the formation of self-contained en-suite compartments within each of the 17 bedrooms. The submitted information indicates that the partitions are not full-height, stopping below existing ceiling levels such that decorative plaster features (including cornices) are not interrupted. The en-suite insertions sit within bedrooms rather than subdividing principal public rooms, thereby assisting in the continued legibility of the building's plan-form and the hierarchy of spaces.

The conservation considerations are the interfaces between the new en-suite partitions and historic fabric, the routing of services within the rooms, and the scope for future removal without scarring. The submitted information indicates that partitions terminate below ceiling level, allowing decorative cornices and ceiling features to remain uninterrupted and legible within each room. Services associated with the en-suites are contained within the bedroom envelopes and are not shown to require cutting through principal decorative features or joinery. On the evidence available, the interfaces appear visually recessive, and the insertions read as room-contained additions that avoid obscuring or removing significant fabric. The approach (sub-ceiling partitions, minimal intervention at junctions, and contained services) accords with the principles in Managing Change (Interiors) that favour light-touch, reversible adaptation. Taken together, these factors maintain the legibility of room volumes and decorative lines and indicate that the internal alterations preserve the listed building's special architectural and historic interest when judged against the statutory test.

The application is retrospective insofar as works have been undertaken. The 1997 Act provides for such submissions and requires assessment on the effect on special interest; the unauthorised status is not, in itself, determinative. Proportionate post-consent conditions (as-built internal layouts; materials/finishes at junctions; control over any additional services penetrations; and reversibility) are an appropriate means to regularise and exercise conservation control over the completed alterations.

Historic Environment Scotland, as statutory consultee, offers no objection and no comment. The absence of national heritage concerns is a relevant consideration indicating that no issues of national significance have been identified in respect of the internal works.

Representations have been considered. Material points relevant to Listed Building Consent concern: the accuracy of the applicant's baseline (whether the en-suite provision is reinstatement or new insertions), potential effects on plan-form, decorative features and services penetrations, and the claimed cumulative effect of en-suite compartments across multiple bedrooms. These issues are captured in various submissions (for example, the challenges to "like-for-like" and calls for a heritage appraisal; and concerns over subdivision/servicing and aggregate impact). Non-material matters for an LBC determination - such as alleged or intended change of use and associated amenity/traffic/management impacts, as well as private water supply and drainage capacity - have also been raised; these do not bear on the statutory test confined to the effect of the internal works on the listed building's special architectural or historic interest

Having given special regard to the desirability of preservation, and subject to proportionate conditions securing an as-built internal record, detailing and finishes at junctions, control of any further services penetrations, and reversibility, the proposals are capable of preserving the listed building's special architectural and historic interest for the purposes of the 1997 Act.

There are no policy objections to the application proposals as it is considered that the internal works preserve the special architectural or historic interest of Townend House. Given the above assessment of the proposals and having balanced the applicant's rights against the general interest, it is recommended that the application be approved subject to conditions.

8. Conclusion:

Given the above assessment, it is recommended that the application is approved subject to the conditions.

9. Recommendation:

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

- (1C) That the works hereby granted Listed Building Consent shall be commenced within three years of the date of this consent.
- (1R) To be in compliance with section 16 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 as amended by section 20 of the Planning Etc. (Scotland) Act 2006.
- (2C) That the works hereby granted Listed Building Consent shall be implemented in full accordance with the approved plan(s) as listed below unless a variation required by a condition of the consent 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.

9.1 Advisory Notes:

N/A.

9.2 List of Determined Plans:

Drawing - Reference No (or Description): AE(00)001 Post

Drawing - Reference No (or Description): AE(00)001 Pre

Drawing - Reference No (or Description): AE(00)00G Post

Drawing - Reference No (or Description): AE(00)00G Pre

Drawing - Reference No (or Description): AE(00)00L-2

Drawing - Reference No (or Description): AE(00)221 2022 Survey

Drawing - Reference No (or Description): AE(00)22G 2022 Survey

9.3 Reason for Decision (where approved):

It is considered that the proposal does not detrimentally affect the traditional character or appearance of this statutorily listed building.

Background Papers:

Application form, approved plans, and all submitted documentation.

Representations received from members of the public and Symington Community Council.

National Planning Framework 4 (NPF4).

South Ayrshire Local Development Plan 2 (adopted).

Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 (as amended).

Historic Environment Policy for Scotland (HEPS).

Managing Change in the Historic Environment guidance – Interiors (Historic Environment Scotland).

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

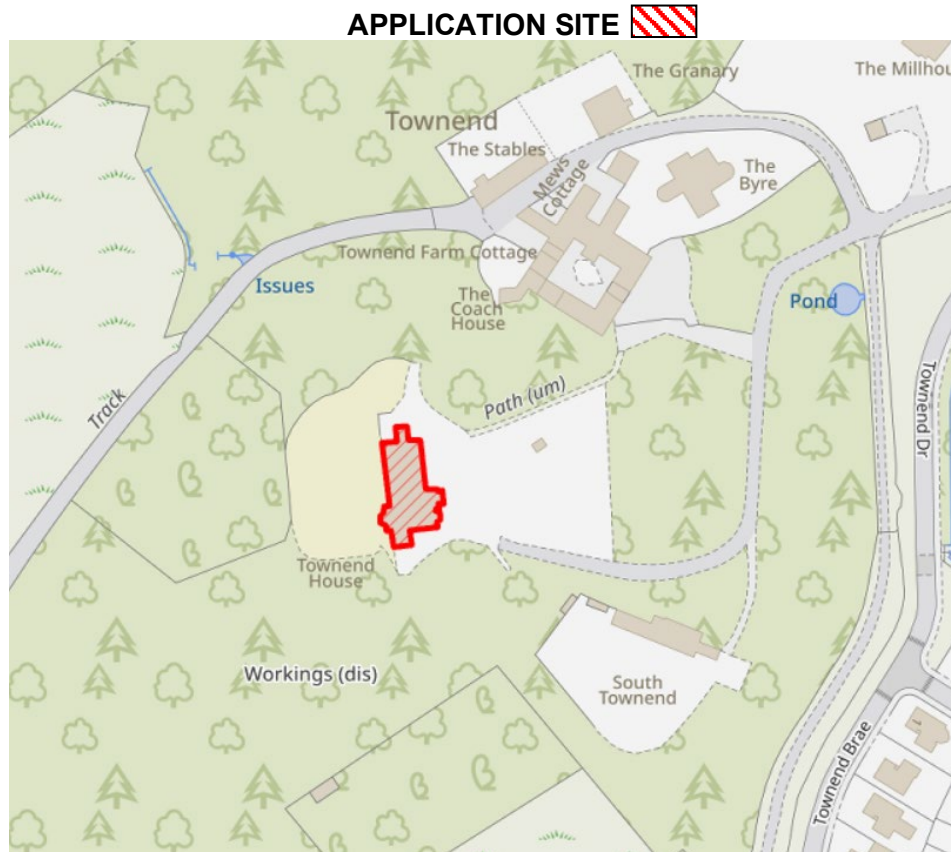
REGULATORY PANEL: 02 APRIL 2026

REPORT BY HOUSING, OPERATIONS AND DEVELOPMENT

25/00690/LBC

TOWNEND HOUSE TOWNEND DRIVE SYMINGTON SOUTH AYRSHIRE KA1 5QL

Location Plan



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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:

<https://publicaccess.south-ayrshire.gov.uk/online-applications/applicationDetails.do?keyVal=T4KKOZBDIRS00&activeTab=summary>

SUMMARY

Listed Building Consent is sought for alterations to Townend House, Symington. Specifically, these relate to external works only. This Listed Building Consent application relates solely to external works carried out to Townend House, a mid-19th-century Category B Listed Building located within the Townend Estate on the south-western edge of Symington. The works comprise alterations to cast-iron rainwater goods, the creation of new or repositioned vent terminals, associated pipework alterations, and making-good to affected stonework. No internal alterations form part of this application.

The application is partially retrospective in that some of the works proposed by the current application have been undertaken on site.

A total of 22 public objections and one objection from Symington Community Council have been received. The majority of issues raised relate to matters of future use, residential amenity, traffic, safety, crime, wellbeing, and appropriateness of the prospective use of Townend House. These issues, while acknowledged, are not material to the assessment of a Listed Building Consent application. The statutory test is solely whether the proposed works preserve the building's special architectural or historic interest, or its setting.

Regulatory Panel (Planning): 02 April 2026

Report by Housing, Operations and Development (Ref: 25/00690/LBC)

Historic Environment Scotland has been consulted as a statutory consultee and has offered no objection and no comment on the works. Following assessment, it is considered that the external alterations do not result in material harm to the character, fabric, or setting of the Category B Listed Building. The application is therefore recommended for approval with conditions.

REPORT BY HOUSING, OPERATIONS AND DEVELOPMENT

REGULATORY PANEL: 02 APRIL 2026

SUBJECT:	LISTED BUILDING CONSENT REPORT
APPLICATION REF:	25/00690/LBC
SITE ADDRESS:	Townend House Townend Drive Symington South Ayrshire KA1 5QL
DESCRIPTION:	Alterations to listed building
RECOMMENDATION:	Approval with conditions

APPLICATION REPORT

Key Information:

- The application was received on 23 October 2025.
- The application was validated on 23 October 2025.
- The case officer visited the application site on 20 February 2026
- Neighbour Notification was not required.
- 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 4 November 2025.
- A Public Notice, under The Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 (as amended) was placed in the Local Press on 4 November 2025.

1. Proposal:

The application site comprises Townend House, a mid-19th-century Category B Listed Building located to the south-west of Symington within the Townend Estate. The site includes the listed building together with its immediate landscaped grounds. Access is taken from a private estate road shared with several other residential properties. Areas of woodland within the wider grounds are identified within the Ancient Woodland Inventory.

Planning application 25/00689/APP, for external alterations to Townend House and the formation of hardstanding for a car park, remains pending determination at the time of writing. Listed Building Consent application 26/00065/LBC, which relates primarily to internal works (namely the formation of approximately 17 en-suite bathrooms) also remains under consideration. These applications are separate from the current proposal, which concerns external works only.

This Listed Building Consent application relates solely to external works undertaken to Townend House. The works comprise alterations to the cast-iron drainage goods, including the installation of new downpipes, the repositioning or reinstatement of drainage outlets, the formation of new or revised vent terminals to serve internal services, and associated making-good to areas of stonework affected by these changes. No internal alterations are included within this application.

It is noted that small vent outlets have been formed on site in positions that do not fully correspond with those shown on the proposed plans. These vents are limited in scale and consider to be visually discreet. Following review, they are not considered to result in any adverse effect on the character, fabric, or architectural interest of the listed building. Their acceptability therefore falls to be considered as part of this retrospective Listed Building Consent application. Based on the information available and site inspection, the vents are assessed as having only minimal visual presence, with no material harm identified.

The application is partially retrospective insofar as external works have already been carried out without prior Listed Building Consent. The Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 allows retrospective applications to be submitted, and the planning authority is required to assess the works on their merits. The unauthorised nature of the works is not, in itself, a ground for refusal.

For clarity, the proposal does not relate to the internal layout of the building, the operation of the facility, or any change of use. The determination of this application is confined to whether the external works preserve the building's special architectural or historic interest and, where relevant, its setting.

The application requires to be reported to the Council's Regulatory Panel as more than ten competent written objections have been received, and an objection has been submitted by Symington Community Council.

2. Consultations:

Historic Environment Scotland - Advised that they have no comments to offer on the proposed external alterations to the listed building. Their response states that this decision should not be interpreted as support for the proposals, but rather that they have identified no heritage concerns requiring intervention or further assessment.

HES further confirmed that the application should be determined by the planning authority in accordance with national and local policy relating to listed buildings and conservation area consent, including the Historic Environment Policy for Scotland (HEPS) and relevant Managing Change guidance.

In summary, HES raised no objection and offered no comments on the proposals.

3. Submitted Assessments/Reports:

None.

4. S75 Obligations:

None.

5. Scottish Ministers Directions:

N/A.

6. Representations:

23 representation(s) have been received, 23 of which object to the proposed development. All representations can be viewed online at <https://publicaccess.south-ayrshire.gov.uk/online-applications/applicationDetails.do?keyVal=T4KKOZBDIRS00&activeTab=summary>

The issues raised by Representees can be summarised as follows.

Matters relating to listed building fabric and external appearance

External pipework, vents and coring of stonework: Several objectors state that modern vent terminals and plastic pipework have been introduced and multiple holes cored through the sandstone façade to serve new drainage/vent runs, which they consider visually intrusive and harmful to the character of the Category B listed building. They also contend that the works go beyond "replacement" and involve additional pipe runs of larger diameter (e.g., 105mm soil pipes) inconsistent with historic materials and detailing.

Accuracy of description/retrospective nature: Objectors argue the submission downplays the extent of external alterations and that works commenced without LBC; while retrospective, they consider the “maintenance” justification inaccurate given the extent of new outlets/vents and visible modern fittings.

Symington Community Council objects, asserting the external works are inaccurately described as “replacement”, that additional waste/soil pipes and multiple façade penetrations have been introduced without prior consent, and that internal alterations are implied by the extent of new external runs. They ask the Council to refuse LBC on accuracy and heritage-impact grounds

Matters claimed to affect the listed building’s setting

Car-parking and grounds presentation: Although primarily a planning (APP) matter, some representations assert that new hardstanding, loss of landscaped ground and a felled/damaged tree alter the immediate setting and detract from the building’s presentation within its grounds.

Non-material consideration relating to the assessment of listed building application 25/00690/LBC

Alleged change of use / nature of residents and service model: Many objectors contend the establishment will operate as a drug and alcohol rehabilitation centre (including prison-to-rehab pathways) rather than the former learning-disability care home, citing perceived risks, safeguarding and community impact. These matters relate to use and operation, not to the effect of the external works on the building’s special interest.

Amenity, safety and perception of crime: Concerns include noise/disturbance, outdoor smoking, anti-social behaviour, children’s safety and general fear of crime. These are not Listed Building Consent considerations.

Traffic, parking and road safety on the private estate road: Increased vehicular movements, emergency access, lighting, and road maintenance burdens are raised.

Water supply/pressure and drainage capacity: Reports of discoloured water, pressure and infrastructure concerns are operational/engineering issues.

Protected species and ecology (bats, woodland fauna): Several objectors seek ecology surveys for grounds works.

Property values and community cohesion: Devaluation and social cohesion.

Procedural/retrospective complaints: Allegations of “salami-slicing”, intention behind works, and operator behaviour.

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:

In determining an application for Listed Building Consent, the planning authority is required to give special regard to the desirability of preserving the building (i.e. its special architectural or historic interest, including its fabric, features and appearance) and, where relevant, its setting. This flows from the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997. The principal question is whether the works, taken as a whole, preserve the listed building’s special interest; where change is proposed, whether it is justified, necessary, and executed in a manner and with materials that respect the building’s character.

In applying the statutory test, regard is had to:

National policy for the historic environment, including the principles in the Historic Environment Policy for Scotland (HEPS) and the Scottish Government’s Managing Change in the Historic Environment guidance, which encourage a plan-led, evidence-based and fabric-first approach to change;

NPF4 Policy 7 (Historic Assets and Places), which supports works that protect and enhance the historic environment and requires alterations to be sympathetic in design, materials and execution; and

South Ayrshire Local Development Plan 2 – Historic Environment policy, which seeks to safeguard the special interest of listed buildings and ensure that any alterations are appropriate, proportionate and reversible where practicable, using materials and details that respect the original character.

Other Policy Considerations (including Government Guidance)

In addition to the statutory tests under the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 and the Development Plan policies relating to the historic environment, regard has been had to the following national policy and guidance relevant to works affecting listed buildings:

Historic Environment Policy for Scotland (HEPS)

HEPS establishes the high-level policy principles and outcomes for decision-making affecting the historic environment. Of particular relevance are the principles that change should be informed, carefully managed and seek to protect and enhance the special interest of historic assets; and that interventions should be justified by need, proportionate, and carried out to an appropriate standard. In determining listed building proposals, decision-makers should consider whether the works will preserve the listed building's special architectural or historic interest, and where change is proposed, whether it is evidenced, minimised, and delivers an overall outcome that sustains the building's long-term significance. These principles are applied in service of (and do not displace) the statutory tests in the 1997 Act.

Managing Change in the Historic Environment: Setting

The Managing Change guidance on Setting recognises that a historic asset's setting contributes to how it is experienced, understood and appreciated. Proposals should therefore assess whether change will alter the character or quality of the asset's setting, taking into account the prominence, visibility, and cumulative impact of alterations. For Listed Building Consent proposals limited to external fixtures, the relevant consideration is whether the elevational changes—in their location, extent, material and finish—would materially affect the way the building is perceived in key views or within its immediate landscaped context. Where works are discreetly sited, limited in extent, and specified in appropriate traditional materials and finishes, they are less likely to give rise to an adverse effect on setting.

Managing Change in the Historic Environment: External Fixtures

The guidance on External Fixtures advises that new or altered external services (rainwater goods, vents, flues, pipework, cabling and the like) should be minimised, rationalised, and located to least prominent elevations where practicable. Traditional materials and profiles are preferred; the use of cast-iron rainwater goods is generally appropriate for buildings of the period. The guidance also expects careful routing and alignment to avoid visual clutter, and high-quality making-good of any redundant fixings or penetrations, using compatible stone repairs and lime-based mortars so as not to scar or stain the façade. Where limited modern components are technically unavoidable, they should be visually recessive (colour-matched) and confined to secondary elevations to avoid harm to principal fronts.

NPF4 – Policy on Historic Assets and Places

National Planning Framework policy on the historic environment supports alterations to listed buildings where proposals are sympathetic in design and materials, and where they protect and enhance the asset's special interest and, where relevant, its setting. Although NPF4 is part of the wider Development Plan context, in the LBC consideration these provisions assist in interpreting whether the design, materials and detailing of proposed works accord with good conservation practice.

Objector Concerns

A total of 23 representations were received, all of which object to the proposed development. The matters raised are summarised below, followed by the planning authority's response.

Matters relating to listed building fabric and external appearance

Objection: That modern plastic pipework, vent terminals and associated coring through the stonework have been installed, and that the extent and type of external works is harmful to the architectural character of the Category B listed building.

Response: The application seeks listed building consent for external alterations including the reinstatement and reconfiguration of cast-iron rainwater goods and the formation or repositioning of vent terminals. The permanent external pipework is cast iron and is considered appropriate to the building. Vents have been formed in locations not shown on the proposed plans. These are small-scale and visually recessive, and are assessed as not resulting in harm to the listed building's character or fabric. A condition is attached requiring submission and approval of as-built details for any vents not shown on the approved drawings, ensuring their regularisation and securing appropriate materials and making-good.

Objection: That the description of development understates the extent of works and that elements were carried out without prior Listed Building Consent.

Response: The Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 allows retrospective applications. The planning authority is required to assess the works on their merits, and any unauthorised nature of the works cannot influence the determination of the application. The application proposes external works to the listed building, and the authority has assessed the effect of those works on the building's special architectural and historic interest.

Objection: That additional external pipe runs imply internal alterations and that the scale of external intervention indicates works beyond "replacement".

Response: Internal works are subject to separate application 26/00065/LBC and are not part of the present application proposal. The current application relates solely to external works, which have been assessed in terms of their scale, visibility, materials and impact on the listed building. No material harm has been identified.

Matters claimed to affect the listed building's setting

Objection: That new hardstanding, tree works and the presentation of the grounds alter the building's setting.

Response: These matters form part of planning application 25/00689/APP and do not fall within the scope of this listed building consent application. The external works under this application do not materially alter the wider setting of the listed building.

Non-material consideration relating to the assessment of listed building application 25/00690/LBC

Objection: Concerns regarding alleged change of use to a rehabilitation facility, associated amenity impacts, perceived risks, safeguarding, anti-social behaviour and crime.

Response: Use, operation and amenity matters are not material to the determination of Listed Building Consent. The statutory test relates solely to the effect of the works on the building's architectural or historic interest.

Objection: Concerns relating to traffic, road safety, parking, lighting, and maintenance of the private estate road.

Response: These are not matters for Listed Building Consent. The current application relates solely to external works, which have been assessed in terms of their scale, visibility, materials and impact on the listed building. No material harm has been identified.

Objection: Concerns relating to water pressure, supply, drainage capacity and engineering issues.

Response: Such matters are operational and not relevant to the statutory LBC assessment.

Objection: Comments on protected species, ecology and woodland.

Response: The proposed works comprise alterations to cast-iron rainwater goods, the creation of new or repositioned vent terminals, associated pipework alterations, and making-good to affected stonework. Given the extent of the works proposed by the current application, it is not considered that there shall be an adverse impact on protected species, ecology and woodland.

Objection: Concerns about property values, impact on the community, procedural matters, and the intention of the applicant.

Response: These matters are not material considerations for Listed Building Consent. The planning authority is required to assess the external works and their effect on the building's special interest.

Impact on the Locality

The principal issue is the effect of the proposed external works on the special architectural or historic interest of Townend House (Category B), and, where relevant, on its setting. In determining the application, special regard must be given to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses, in accordance with the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997.

The proposal is confined to external fabric changes: reinstatement and reconfiguration of cast-iron rainwater goods; installation or repositioning of vent terminals to serve internal services; and associated making-good of affected masonry. No internal alterations, change of use or operational matters fall within the scope of this Listed Building Consent.

Historic Environment Scotland has offered no objection and no comment. Weight is attached to the absence of national heritage concern. Determination therefore proceeds in line with the statutory duty and with due regard to relevant policy and guidance, including the Historic Environment Policy for Scotland (HEPS) and Managing Change in the Historic Environment (notably External Fixtures and Setting), which support informed, proportionate change employing appropriate traditional materials, discreet siting and high-quality repairs.

Representations include matters that are not material to the statutory LBC test - namely, use and operation of the premises, residential amenity, traffic and access on the private estate road, servicing, ecology, property values and perceived crime. These carry no weight in the determination. Material points relate to the visibility, extent and detailing of external pipework and vent terminals, the coring of stonework, the accuracy of description, and the retrospective character of some works. The 1997 Act provides for determination of retrospective applications; the unauthorised status of works is not, in itself, determinative. The question is whether the works, taken as a whole, preserve the building's special interest.

On materials, the permanent drainage goods are specified as cast iron, an appropriate traditional material for a mid-19th-century house. On design and siting, the arrangement of external services reads as coherent and functional. In principal views the components are of a type and finish that do not compete with the established elevational composition. There is no persuasive evidence that the works would result in visual clutter or a discordant effect such as to erode architectural character.

A site inspection confirms that small vent outlets have been formed in positions not fully corresponding to the submitted drawings. These are limited in scale and visually recessive. Their presence does not alter the overall character of the principal elevations and does not harm the listed fabric. To regularise and control the detailing of any vent terminals not shown on the approved drawings, a condition requires submission and approval of as-built details. This ensures appropriate conservation standards are secured. For the avoidance of doubt, any plastic pipework observed on site does not form part of the permanent drainage solution. In terms of fabric impact, the making-good associated with moved or reinstated outlets and vents is modest.

On setting, the works comprise building-mounted fixtures and related repairs. Given their nature, material and siting, no adverse effect is identified on how the listed building is experienced within its immediate landscaped context.

Having given special regard to the desirability of preservation, the external works (subject to the condition requiring approval of as-built vents not shown on the plans) are considered to preserve the special architectural and historic interest of Townend House.

There are no policy objections to the application proposals as it is considered that the external works preserve the special architectural or historic interest of Townend House. Given the above assessment of the proposals and having balanced the applicant's rights against the general interest, it is recommended that the application be approved.

8. Conclusion:

Given the above assessment, it is recommended that the application is approved subject to conditions.

9. Recommendation:

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

- (1C) That the works hereby granted Listed Building Consent shall be commenced within three years of the date of this consent.
- (1R) To be in compliance with section 16 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 as amended by section 20 of the Planning Etc. (Scotland) Act 2006.
- (2C) That the works hereby granted Listed Building Consent shall be implemented in full accordance with the approved plan(s) as listed below unless a variation required by a condition of the consent 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) Notwithstanding the plans hereby approved, within 3 months of the date of this consent revised drawings and an accompanying schedule shall be submitted to, and approved in writing by, the Planning Authority showing all external vent terminals formed on the building which are not shown on the approved plans. For the avoidance of doubt, the submission shall identify: (i) precise locations on scaled elevations with a numbered key, (ii) the dimensions/profile of each terminal, and (iii) the material and finish/colour. Thereafter, the development shall accord with the approved details, and no alteration to those vent terminals shall take place without the prior written approval of the Planning Authority.
- (3R) To regularise and control the external vent terminals not shown on the approved plans, thereby preserving the special architectural and historic interest of the listed building.

9.1 Advisory Notes:

N/A.

9.2 List of Determined Plans:

Drawing - Reference No (or Description): AE(00)010

Drawing - Reference No (or Description): AE(00)011

Drawing - Reference No (or Description): AE(00)012

Drawing - Reference No (or Description): AE(00)013

Drawing - Reference No (or Description): AE(00)014

Drawing - Reference No (or Description): AE(00)015

Drawing - Reference No (or Description): AE(00)016

Drawing - Reference No (or Description): AE(00)017

Drawing - Reference No (or Description): AE(00)00L Rev. A

9.3 Reason for Decision (where approved):

It is considered that the proposal does not detrimentally affect the traditional character or appearance of this statutorily listed building.

Background Papers:

Application form, approved plans, and all submitted documentation.

Representations received from members of the public and Symington Community Council.

National Planning Framework 4 (NPF4).

South Ayrshire Local Development Plan 2 (adopted).

Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 (as amended).

Historic Environment Policy for Scotland (HEPS).

Managing Change in the Historic Environment guidance – External Fixtures (Historic Environment Scotland).

Managing Change in the Historic Environment guidance – Setting (Historic Environment Scotland).

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: 02 APRIL 2026

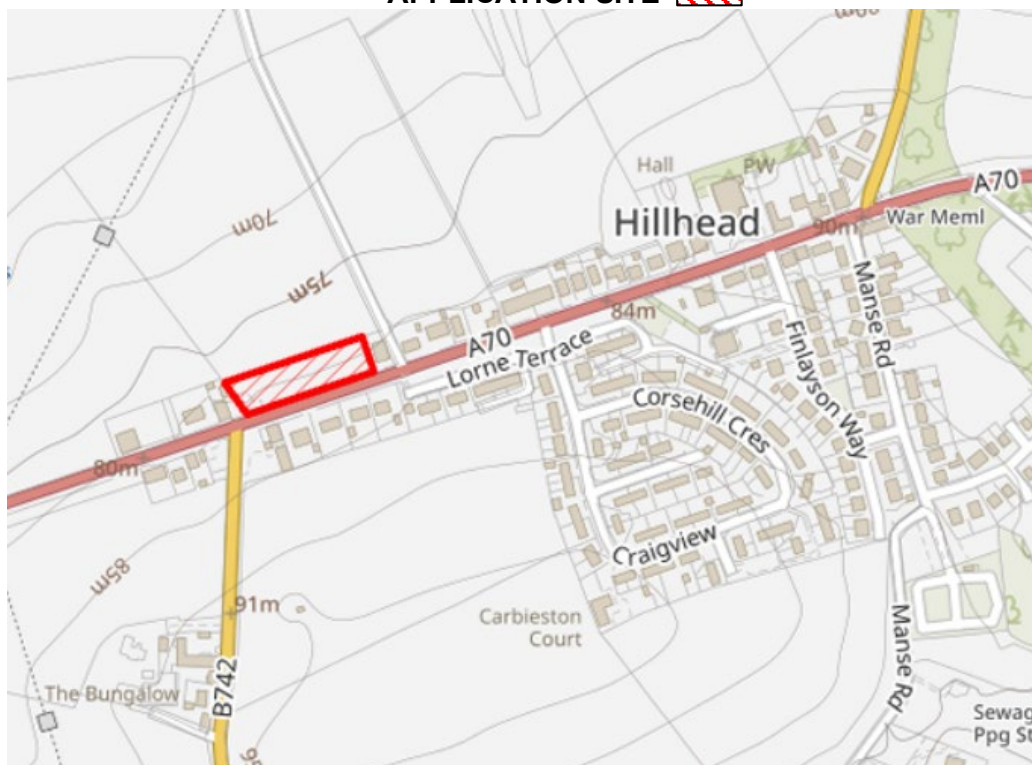
REPORT BY HOUSING, OPERATIONS AND DEVELOPMENT

25/00823/APP

LAND AT HILLHEAD COYLTON 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:

<https://publicaccess.south-ayrshire.gov.uk/online-applications/applicationDetails.do?keyVal=T73E4RBDK1E00&activeTab=summary>

Summary

Planning permission is sought for the erection of 6 dwellinghouses and associated development to the north of the A70 Ayr/ Coylton Road at Hillhead, close to the junction of the A70 and the B742. The site comprises of an elongated broadly rectangular portion of land which presents a frontage onto the A70 to the south-east, and forms a gap site in-between existing residential properties at 11b and 13c.

The acceptability of the site for residential development has been historically established under various applications, and most recently under application 24/864/PPP with planning permission in principle being granted, subject to conditions, for the erection of 5 dwellinghouses and associated development.

The site is designated in the Adopted South Ayrshire Local Development Plan 2 (LDP2) as being within a residential area. The application has been assessed against the various material planning considerations which include the provisions of the development plan, consultations, planning history, representations received and the impact of the proposed development on the locality. The assessment concludes that the proposed development complies with the development plan. The consultation responses do not raise any issues of over-riding concern. Equally, 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, and therefore it is recommended that the application is approved subject to conditions.

The application requires to be reported to the Council's Regulatory Panel, in accordance with the Council's approved procedures for the handling of planning applications and Scheme of Delegation, as an objection has been received from Coylton Community Council, and the recommendation is for approval, subject to conditions.

REPORT BY HOUSING, OPERATIONS AND DEVELOPMENT

REGULATORY PANEL: 02 APRIL 2026

SUBJECT:	PLANNING APPLICATION REPORT
APPLICATION REF:	25/00823/APP
SITE ADDRESS:	Land At Hillhead Coylton South Ayrshire
DESCRIPTION:	Erection of 6 dwellinghouses
RECOMMENDATION:	Approval 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 (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 11 December 2025.
- The application was validated on 11 December 2025.
- A Site Visit was carried out by the Planning Authority on 13 January 2026.
- Neighbour Notification, under Regulation 18 of The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013, was carried out by the Planning Authority on 12 December 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 13 January 2026.

1. Proposal:

Planning permission is sought for the erection of 6 dwellinghouses and associated development. The application site is located to the north of the A70 Ayr/ Coylton Road at Hillhead, and close to the junction of the A70 and the B742 which is located to the south-west of the site. The site comprises of an elongated broadly rectangular portion of land, which extends to approximately 3,098 sq. metres (0.3 ha), and which presents a frontage onto the A70 to the south-east. The site slopes from the frontage of the site to the rear, and is characterised by unmaintained grassland, and sporadic self-seeded trees. The site forms a gap site in-between existing residential properties at 11b and 13c, and as such residential properties and their curtilages are positioned to both sides of the site, with agricultural land lying to the north.

The submitted plans show 6 detached dwellings positioned along the frontage of the site and parallel to the A70. Each property is shown to have its own access off the A70, two parking spaces with garden ground and circulation space around each dwelling. Two house types are proposed, all of which are to accommodate 3 bedrooms. The houses are set within the slope of the site, with the houses being single storey when viewed from the south. Due to the sloping topography, the rear of the dwellings is lower than the frontage, with each house having a basement level. The proposed external materials comprise predominantly of; roughcast render, with stone accent cladding at the basement level, grey concrete roof tiles, black framed windows and doors, with solar PV panels mounted on the roofs.

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 an objection has been received from Coylton Community Council, and the recommendation is for approval, subject to conditions.

2. Consultations:

Scottish Water - no objection.

Ayrshire Roads Alliance - no objection, subject to conditions/ advisory notes.

Environmental Health - no objection, subject to conditions/ advisory notes.

AECOM - no objection, subject to conditions/ advisory notes.

Scottish Power - no objection.

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/ agent has provided the below information in support of the development proposals, the salient points of which can be summarised as follows;

Design Statement - considers the character of the site and sets out how the development proposal and its design is appropriate to, and responds to the site conditions, including the sloping topography, character and pattern of adjacent properties to either side of the gap site. Each unit is also noted to have a plot size in excess of 500 sq metres, and garden ground which meets the Council's requirements. The submission also considers that the development meets with the conditions of the recent planning permission in principle at the site (24/00864/PPP), and aligns with the policy provisions of the development plan as set out in NPF4, and the Adopted South Ayrshire Local Development Plan 2. The design statement concludes that the development is the right development in the right place, and the design solution is appropriate to the site.

Preliminary Ecological Appraisal - notes that character of the site to be unmaintained grassland, with sporadic self-seeded trees. No evidence of protected species were found at the site, with negligible to low potential for bat roosts at the site. The development includes biodiversity improvement measures including, short flowering lawns, trees, and homes for small birds and bats.

Road Traffic Noise Impact Assessment - considers the potential for noise from road traffic on the development, and recommends mitigation measures for windows on the southern elevation including, the use of enhanced double glazing and trickle vents as an alternative means of internal ventilation. Subject to the aforementioned measures being implemented at the site, the report concludes that noise impact on the development will be of neutral levels of significance across the 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:

9 representation(s) have been received, 9 of which object to the proposed development. All representations can be viewed online at <https://publicaccess.south-ayrshire.gov.uk/online-applications/applicationDetails.do?keyVal=T73E4RBDK1E00&activeTab=summary>

The principal issues raised by Representees (including those from Coylton Community Council) are summarised as follows;

- Traffic and transport concerns;
- Residential amenity;
- Character of area;
- Other concerns;

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)

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

The provisions of NPF4 must, however, be read and applied as a whole, and as such, no policies should be read in isolation. The application has been considered in this context. An assessment of the proposals against the provisions of NPF4 is set out below.

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

- Policies 1 and 2 - Tackling the Climate and Nature Crisis, and Climate Mitigation and Adaptation;
- Policy 3 - Biodiversity;
- Policy 5 - Soils;
- Policy 9 - Brownfield, vacant and derelict land and empty buildings;
- Policy 13 - Sustainable Transport;
- Policies 14 and 15 - Design, Quality and Place and Local Living and 20-minute neighbourhoods;
- Policy 16 - Liveable Places - Quality homes;

Policy 1 gives significant weight to the global climate emergency in order to ensure that it is recognised as a priority in all plans and decisions. Policy 2 seeks to ensure that emissions from new development are minimised as far as possible. A healthy natural environment is recognised as a key to reducing emissions.

Policy 3 states that development proposals will contribute to the enhancement of biodiversity, integrating nature-based solutions where possible and in accordance with national and local guidance. Measures should be proportionate to the nature and scale of development. Any potential adverse impacts, including cumulative impacts, of development proposals on biodiversity, nature networks and the natural environment will be minimised through careful planning and design. This will take into account the need to reverse biodiversity loss, safeguard the ecosystem services that the natural environment provides, and build resilience by enhancing nature networks and maximising the potential for restoration.

Policy 5 purpose is to protect carbon-rich soils, restore peatlands and minimise disturbance to soils from development. The application site is classified as 3.2 quality, and therefore not prime quality agricultural land. In addition, the site does not function as agricultural land, and more closely relates to the urban form of the village at this locale.

Policy 9 seeks to direct development to the right place, maximising the use of existing assets (such as brownfield, vacant and derelict land and empty buildings), and minimising additional land take (such as greenfield developments). While the application site comprises of undeveloped land, as noted above, the site is not utilised for agricultural purposes, and more closely relates to the urban form of the village at this locale. In addition, the site is prescribed as being within a residential area in the LDP2, and has also been the subject of previous application approvals for housing development, which have not been implemented.

Policy 13 considers the issue of sustainable transport and active travel and is supportive of development in locations which support sustainable travel, and travel by means other than private vehicle. Policies 14 and 15 seek to encourage and promote the 'Place Principle' through the creation of connected and compact neighbourhoods where people can meet the majority of their needs within a reasonable distance of their home. Policy 16 seeks to encourage, promote and facilitate the delivery of more high quality, affordable and sustainable homes, in the right locations, providing choice across tenures that meet the diverse housing needs of people and communities and in terms of 16 f) ii and iii, in terms of facilitating local living, and in terms of providing for smaller scale opportunities within an existing settlement boundary. Given the aforementioned policies, it is considered that the proposals offer the opportunity to provide additional residential properties in a suitable and sustainable location.

For the reasons noted in this report, it is considered that the proposals align with the provisions of NPF4.

(ii) South Ayrshire Local Development Plan 2

NPF4 and the policies which apply in the context of the development proposal subject to this planning application largely overlap with the policy considerations and requirements of LDP2. Whilst there are some differences in specific criteria requirements within certain consistent and overarching policies between NPF4 and LDP2, it is not considered that any of these would constitute an apparent material policy conflict which would require a particular policy of NPF4 to be considered in place of a policy in LDP2.

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):

- Sustainable Development;
- Development Management;
- Residential Policy within Settlements, Release Sites and Windfall Sites;
- Affordable Housing;
- Land Use and Transport;
- Natural Heritage;

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.

The above policies direct development proposals to existing settlements, and in particular, the use of vacant, redundant or brownfield sites. The LDP Affordable Housing policy seeks an on-site target contribution of 25% of the total of units from new housing developments of over 15 units or more, or a site size equal to, or more than 0.6 ha. In this instance, the site area is less than 0.6 ha, and the submission suggests a development of less than 15 units, therefore the affordable housing policy does not apply to the current submission.

It is also noted that the principle of the development proposal at this location has already been established through the recent grant planning permission in principle for the erection of 5 dwellinghouse and associated development under application 24/00864/PPP. In addition, the grant of permission under applications 02/00528/FUL, 04/00420/REM and 06/00482/FUL is also important in historically establishing the principle of residential development at the site as being acceptable. While the provisions of the development plan have been updated since the consideration of the earlier historic applications, the site remains part of a residential area, and is therefore considered suitable for residential development, as evidenced by the grant of planning permission most recently under application 24/00864/PPP. While the current application is for the erection of 6 units at the site, the application submission demonstrates that 6 units can be accommodated at the site, with each unit having its own access, parking and private garden ground, with the proposed layout considered to be broadly reflective of the pattern of development in the immediate locale. Further consideration of the details of the development proposals is considered below.

Overall, for the reasons noted above, and elsewhere in this report, the proposals are considered to accord with the above noted policies of the development plan comprising of the combined provisions of NPF4 and the SALDP.

(iii) Other Policy Considerations (including Government Guidance)

Developing with Nature Guidance (NatureScot):

The above provides guidance on securing positive effects for biodiversity from local development to support NPF4 policy 3(c). This guidance has been published in support of policy 3(c) of National Planning Framework 4 in relation to planning applications. As noted above, the submitted Preliminary Ecological Appraisal report has been submitted, which identifies a range of potential biodiversity enhancements, including, short flowering lawns, trees, and homes for small birds and bats. The submitted information has been considered to be satisfactory to the Council's ecological advisors (AECOM), subject to conditions, including that precise details of the biodiversity enhancement measures shall be submitted for agreement, prior to the commencement of development. Subject to appropriate planning conditions, it is not considered that the proposals shall adversely affect the natural heritage of the site.

South Ayrshire Council - Planning Policy Guidance - 'Open Space and Designing New Residential Developments';

The Council's Planning Policy Guidance entitled 'Open Space and Designing New Residential Developments' is also material to the consideration of the application. The guideline sets out what is considered to be appropriate garden sizes for new residential development, and also seeks a qualitative approach to open space provision. This approach ensures that residential properties are serviced by sufficiently sized gardens for their inhabitants and also provides for adequate distances from boundaries to protect the neighbours' privacy from overlooking. Appropriately sized gardens also help to provide an appropriate setting for a dwellinghouse in its surroundings. The guideline states detached, semi-detached and terraced properties should be provided with rear gardens in proportion to their size. Rear gardens will be expected to be 1.5 times the size of the ground floor area for detached. A depth of 9 metres for rear gardens is also sought, along with a minimum of 4 metres between dwellings. In terms of garden ground provision, the submitted layout, each property is shown to have side and rear garden ground in excess of the one and a half times the ground floor area of each dwelling, rear gardens with a depth in excess of 9 metres, and more than 4 metres between each dwelling.

Additionally, the above policy guidance requires the provision of a financial commuted sum towards off-site play provision so as to contribute towards the play area needs generated developments of between 5 and 15 units. Given the number of units proposed a commuted sum in lieu of communal on-site play provision is necessary. The applicant/ agent are willing to provide a commuted sum, and are aware the monies will require to be received before any decision to approve the application can be issued. Overall, having considered the development, the proposals are considered to align with the Council's policy guidance on open space, subject to the receipt of a commuted sum. The application is considered in this context.

(iv) Planning History of the Site

Various earlier planning applications are noted to have established the principle of residential development at the site, as follows;

24/00864/PPP - planning permission in principle for the erection of 5 dwellinghouses and associated development was granted, subject to conditions.

06/00482/FUL - planning permission was granted, subject to conditions, under this application for the erection of 2 detached dwellings, to the eastern portion of the site. This permission has not been implemented.

04/00420/REM - reserved matters application was approved, subject to conditions for the erection of a residential development consisting of 5 detached dwellings. This permission has not been implemented.

02/00528/FUL - planning permission was granted for the erection of a detached dwellinghouse at the western boundary of the application site. This permission has not been implemented.

The aforementioned planning permissions are material to the assessment of the current application, in that they establish the principle of housing at the site as being acceptable. The application is considered in this context.

(v) Objector Concerns

The representations received in relation to the proposals are responded to below, as follows;

Traffic and transport concerns - Existing high volumes of traffic and associated congestion, proposed development will result in additional traffic and will exacerbate existing congestion, road and pedestrian safety concerns particularly given proximity to school, and traffic lights, concern in relation to the formation of additional accesses to/ from A70, need for development to accord with South Ayrshire Local Development Plan in terms of not adversely impacting road safety, traffic flow or the safe movement of pedestrians;

The Ayrshire Roads Alliance has been consulted as part of the consideration of the application, with no objection having been offered to the residential development of the site from a transport/ traffic, access or servicing perspective. Therefore, it is not considered that the proposed development of the site raises issues in relation to road safety.

Residential amenity - potential lack of garden ground for houses compared to neighbouring properties;

As noted above, the development is considered to align with the Council's policy guidance in relation to the provision of open space within new housing developments. The proportion of open space for the proposed development is considered to be commensurate with the open space provision of neighbouring properties along the north of the A70.

Character of area - loss of greenspace and loss of open view along A70, open aspect should be retained, potential impact on wildlife;

The site is not designated as open space within the local development plan. As evidenced in the planning history section above, the site has a long-standing history of planning permission being granted for residential development, and the pattern of development along the roadside is reflective of the locale. As such, the loss of the open aspect is not sufficient to out-weigh the positive attributes of the development as noted within this report; the application is considered in this context. The potential impact of the development on wildlife is considered elsewhere in this report. It should also be noted that the proposals offer an opportunity for small scale biodiversity enhancements, including the provision of boundary planting for feeding and natural habitat creation along with purpose built small scale habitat provision.

Other concerns - Perceived lack of need for the development and the lack of additional facilities or services;

In this instance, the principle of residential development has already been established over various applications over the years. The development proposals shall provide the opportunity for a small number of additional houses in a suitable location within an established built-up area, and therefore the proposals are considered to be an appropriately located development in a sustainable location. Given the small scale of the development, a commuted sum is required so as to facilitate the provision and/ or upgrading of off-site play equipment in the locale, which shall provide a wider community benefit as a consequence of the development.

vi. Impact on the Locality

The application site represents a gap site in-between existing residential properties which extend along the road frontage of the A70. Existing detached single storey residential properties at 11b and 13c Hillhead bound the site to the east and west. The aforementioned properties are sited on or close to the road frontage, and each with their own vehicular access to/ from the main road, which is a pattern and form of development which typifies this locus at Hillhead. Similarly, the proposals replicate the established pattern of development of the area, with the layout indicating the properties to be recessed from the frontage of the site, and broadly in alignment with the position of the neighbouring dwelling at 13c to the east. The rear boundary of the site is also noted to broadly align with the rear boundary of the neighbouring properties at 11b and 13c Hillhead. Off road parking to meet the appropriate standards identified by the ARA is proposed for each property. Private side and rear garden ground is provided in accordance with the Council's planning guidance. Overall, the proposed plot sizes, noted by the applicant/ agent to be in excess of 500 sq. metres each, are considered commensurate with that of the neighbouring properties to either side. Therefore, the proposals are not considered to result in the over-development of the site.

From a visual amenity perspective, the proposed houses are shown to be single storey in height, with the submitted street elevation showing the proposed houses to be of a similar scale and mass to the neighbouring properties to the east and west, and also to be no higher than the aforementioned neighbouring properties. Like the neighbouring properties, the proposed houses respond to the sloping topography of the site, with the rear portion of the dwelling being set down into the site. The proposed external materials noted above are considered to be acceptable. The submitted drawings also show the existing hedge to the frontage of the site as being retained, with the exception of the new vehicular openings. The retention of the existing hedge is considered appropriate. However, there is further potential to enhance the biodiversity of the site through the use of natural planting to the rear boundary with the adjacent agricultural land in lieu of the suggested fencing, and also, where possible, through tree and shrub planting within the site. Suitable conditions can be attached to secure the landscaping and boundary treatment of the site. Given the aforementioned, and for other reasons noted in this report, the development is considered to be consistent with the visual character of the area, subject to conditions.

In terms of residential amenity, the design has considered the amenity of the proposed houses and also that of the existing neighbouring properties. No habitable side facing windows are proposed between either the existing or proposed properties. The rear elevation of each property aspects northwards to the agricultural land. Each property is set approximately 5 - 6 metres apart, with a greater distance of between 9 metres to up to 13 metres (closest distance) separating the existing neighbouring properties to the east and west of the site, respectively. The submitted drawing suggests low boundary fencing in between each property and also to the rear. However, so as to ensure the privacy and amenity of the respective existing and proposed properties, higher boundary treatment will be necessary; this could take the form of higher boundary fencing to the side boundaries and natural planting to the rear of the site; appropriate condition(s) can be attached in this regard. Overall, given the layout and configuration of the development, and the separation distance to neighbouring properties, it is not considered that the proposals shall adversely impact on neighbouring properties by way of over-shadowing or overlooking, subject to suitable conditions noted herein.

As noted above, the submission is also accompanied by a noise report which considers the potential noise nuisance from the road on the amenity of the dwellings, and recommends mitigation measures including, the use of enhanced double glazing and trickle vents as an alternative means of internal ventilation for the rooms positioned on the southern elevations. Subject to the aforementioned measures being implemented at the site, the report concludes that noise impact of the development will be of neutral levels of significance across the development. The Council's Environmental Health Service has been consulted and offers no objection to the development proposals, subject to the implementation of mitigation measures. The ability to use mitigation measures as a means to alleviate any potential noise nuisance further evidences that a suitable residential environmental and standard of amenity for the development can be provided.

As noted above, the Ayrshire Roads Alliance has been consulted as part of the consideration of the application, with no objection having been offered to the residential development of the site from a transport/ traffic, access or servicing perspective. Therefore, it is not considered that the proposed development of the site raises issues in relation to road safety.

There are no policy objections and following the above assessment, and it is considered that the proposed development is compatible with the surrounding residential environment and pattern of development in the locale in terms of its siting, scale, height and design. Overall, subject to suitable conditions being attached, the development is not considered to have a significant adverse impact on the setting, character and appearance of the area, or on the residential amenity of the neighbouring properties.

8. Conclusion:

The application has been assessed against the various material considerations which include 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.

The assessment concludes that the proposed development complies with the development plan and associated planning 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 submitted objections have been fully considered but do not raise any issues that would merit refusal of the application. Similarly, the consultation responses received do not raise any issues of over-riding concern that cannot be addressed by way of suitable condition(s). It is considered that the site context, building design, layout and finish are satisfactory and together with the imposition of suitable planning conditions, will ensure an acceptable development which shall facilitate the development of a site which has a long-standing history establishing the residential development of the site to be acceptable.

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 payment of a commuted sum in lieu of onsite parking equipment, and appropriate conditions.

9. Recommendation:

It is recommended that the application is approval subject to payment of a commuted sum in lieu of play equipment and imposition of 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, with the exception of the new accesses to and from the proposed houses, the existing hedgerow along the public road, shall remain in situ and shall be retained and maintained for the lifetime of the development.
- (3R) In the interests of visual amenity and biodiversity.
- (4C) That the development shall be implemented in accordance with the pre-construction surveys, mitigation, and biodiversity enhancement recommendation measures outlined in section 5. and 6. of the Preliminary Ecological Report dated October 2025 as prepared by Wild Surveys Ltd. Precise details of the biodiversity enhancement measures, shall be submitted for the written approval of the Council, as planning authority prior to the commencement of development, and thereafter shall be implemented as agreed, prior to the first occupation of the dwellings, and shall be retained for the lifetime of the development.
- (4R) In the interests of ecology and so as to retain and improve biodiversity at the site.
- (5C) That, prior to the commencement of development, details shall be submitted for the prior written approval of the planning authority of natural boundary planting of native species to be planted along the northern boundary of the site and the adjacent agricultural land. The details shall include the siting, numbers, species, and heights (at time of planting) of all trees, shrubs, and hedges to be planted. The scheme as approved shall be implemented within 6 months / first planting season following the completion or occupation of the development, whichever is the sooner. The open space/landscaped area shall be retained as open space and to this approved standard.
- (5R) In the interests of visual amenity, biodiversity enhancement and to ensure a satisfactory standard of local environmental quality.
- (6C) That the development shall be implemented in accordance with the discussion, mitigation and conclusions as set out in section 7. and 8. of the Road Traffic Noise Impact Assessment (rev 00 ref 8014-00-00) dated November 2025 as prepared by New Acoustics. Precise details of the noise mitigation measures to be employed at the site shall be submitted for the written approval of the Council, as planning authority, and thereafter shall be implemented as agreed, prior to the first occupation of the dwellings, and shall be retained for the lifetime of the development.
- (6R) In the interest of residential amenity.

- (7C) That the presence of any previously unsuspected or un-encountered contamination that becomes evident during the development of the site shall be brought to the attention of the Planning Authority within one week. At this stage, a comprehensive contaminated land investigation shall be carried out if requested, and which shall be submitted to for the formal prior written approval of the Council as planning authority. The investigation shall be completed in accordance with a recognised code of practice such as British Standards Institution 'The investigation of potentially contaminated sites - Code of Practice' (BS 10175: 2001, or as may be amended). The report shall include a site-specific risk assessment of all relevant pollutant linkages, as required in Scottish Government Planning Advice Note 33 (or as may be amended). Any unacceptable risk or risks as defined under Part IIA of the Environmental Protection Act 1990, shall be the subject of a detailed remediation strategy which shall be submitted for the formal prior written approval of the Council as planning authority. Remediation of the site shall be carried out in accordance with the approved remediation plan prior to the occupation of the development. Any amendments to the approved remediation plan shall not be implemented unless approved in writing by the Planning Authority.
- (7R) To ensure all contamination within the site is dealt with.
- (8C) That visibility sightline splays at the proposed site access junction onto A70 of 2.4 metres by 43 metre, as shown in 25.147.01(004)A, 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.
- (8R) 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.
- (9C) 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 the Ayrshire Roads Alliance, before any work commences on site.
- (9R) In the interest of road safety and to avoid the discharge of water onto the public road.
- (10C) That the proposed vehicular access from the site onto A70 shall be constructed in accordance with the specifications in the SCOTS National Roads Development Guide. Each point of access shall be constructed, as approved by condition and in conjunction with any necessary Roads Construction Consents and/or permits, prior to occupation of the development.
- (10R) In the interest of road safety and to ensure an acceptable standard of construction.
- (11C) That the private access shall be surfaced for a minimum of 2 metres as measured from the rear of the public roadway, prior to occupation of the first dwellinghouse within the development. Precise detail and specifications of the required surfacing shall be submitted for the approval of the Planning Authority in consultation with the Ayrshire Roads Alliance before any work commences on site.
- (11R) In the interest of road safety and to ensure an acceptable standard of construction.
- (12C) That the public footway on A70 along the full length of the development frontage of 100 metres shall be maintained to the specification as provided by the Ayrshire Roads Alliance, prior to occupation of the development.
- (12R) In the interest of road safety and to ensure an acceptable standard of construction.
- (13C) That a total of 12 off-road parking spaces shall be provided within the existing site boundary to satisfy provision levels as defined within the SCOTS National Roads Development Guide. The total parking provision shall be made up of the following:

- 2 in-curtilage spaces for 6 x 2-3-bedroom dwellinghouses = 12 off road spaces;

Details of parking layouts designed to comply with the guidance set out in the Council's National Roads Development Guide, and Designing Streets as National Policy, shall be submitted for the prior approval of the Planning Authority in consultation with the Ayrshire Roads Alliance.

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

- (14C) That driveway dimensions associated with dwellinghouses shall accord with the following dimensions:
- A single-width driveway: 6.0m (minimum) in length x 2.75m (minimum, up to 3.0m maximum) in width;
 - A double-width driveway: 6.0m (minimum) in length x 4.8m (minimum, up to 5.5m maximum) in width;
 - A three-car driveway: 10.5m (minimum) in length for tandem parking x 4.8m (minimum, up to 5.5m maximum) in width (creating an "L" shaped drive configuration of double width where the driveway meets the public road);

Triple-width driveways for single properties will not be permitted by the Ayrshire Roads Alliance.

- (14R) In the interest of road safety and to ensure that there is adequate space for manoeuvring and turning.
- (15C) That designated bin collection point shall be located a minimum of 0.5 metres from the public network, before occupation of the development. Details and specification of the siting and design of bin collection points shall be submitted for the approval of the Planning Authority in consultation with the Ayrshire Roads Alliance, prior to any work commencing on site.
- (15R) In the interests of road safety.
- (16C) 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. A full breakdown of all vehicle numbers anticipated to be generated by the development over the construction period, broken down by vehicle classification. The detail provided shall require to be sufficient to highlight periods of peak development traffic generation, and provide both estimated daily and weekly trip number estimates;
 3. 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;
 4. Details of parking facilities to accommodate all construction traffic throughout the construction programme to avoid placing the adjacent road network under undue pressure;
 5. Details of measures/ contractual agreements to be put in place to manage the compliance of contractors and sub-contractors with using agreed/approved construction traffic routes and vehicle parking. This shall include any associated monitoring procedures, and any specific training and disciplinary measures to be established to ensure the highest standards are maintained;
 6. Details of all public road signing and lining arrangements to be put in place during both the construction period, and for the operation of the site thereafter. This detail shall include any additional advisory/warning signage and/or temporary traffic control measures which may be required during the construction period;
 7. Full details of all arrangements for emergency vehicle access;
 8. Full 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;
 9. Measures to accommodate pedestrians and cyclists where appropriate, and details of a nominated road safety person;
 10. All materials delivery lorries (dry materials) to be sheeted to reduce dust and spillage onto the public roads;
 11. Details of wheel wash facilities to be established at the site entrance or an alternative suitable location to ensure no tracking of mud onto the public highway;

12. Full details on the process for the identification and undertaking of any necessary repairs to the construction traffic route, including the mechanism for coordination with the Roads Authority.

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.

(16R) In the interests of road safety.

9.1 Advisory Notes:

- (1) To prevent noise disturbance in the interests of local residential amenity, the hours of the operation of works hereby approved shall be restricted to between 08.00 hours and 18.00 hours Monday to Friday inclusive, and 08.00 hours to 13.00 hours on Saturdays. No operations or activity shall take place at any time on a Sunday.
- (2) In order to minimise nuisance in the surrounding area from noise and vibrations, during all demolition and construction works, the plant and machinery used should be in accordance with BS 5228; Noise Control on Construction and Open Sites and the Control of Pollution Act 1974. To prevent nuisance all reasonably practicable steps to minimise the formation of dust in the atmosphere and in the surrounding area must be taken.
- (3) Advice on light pollution is contained within the Institution of Lighting Professionals "Guidance Note 1 The Reduction of Obtrusive Light" Guidance Note 1 for the reduction of obtrusive light 2021 | Institution of Lighting Professionals (theilp.org.uk)
- (4) Scottish Power Distribution Plc have overhead line and underground cables within the vicinity of the proposals. For a plan of the apparatus, please contact requestforplansscotland@spenergynetworks.co.uk. For advice on working near our apparatus, please visit https://www.spenergynetworks.co.uk/pages/working_near_our_network.aspx or contact customer.resolution@spenergynetworks.co.uk
- (5) That a Road Opening Permit is required in addition to planning consent for any work to be undertaken within the public road limits. An application for a Road Opening Permit should be made separately to the Council as Roads Authority, prior to works commencing on site.
- (6) 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.
- (7) 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 Council as Roads Authority and the relevant utility companies.
- (8) 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.
- (9) The Council as Roads Authority advises that the applicant/ developer will be responsible for the reinstatement of the public footway/ carriageway along the entire frontage of the site in compliance with the Council's National Roads Development Guide.
- (10) The Council as Roads Authority advises that access to the site shall be by way of dropped kerbs, in accordance with paragraph 3.1.2 of the Council's National Roads Development Guide.
- (11) The Council as Roads Authority advises that the Council will not be liable to adopt the drainage system as it is wholly contained within private ownership.
- (12) The Council as Roads Authority advises that access to the site shall be by way of a footway crossing designed in accordance with the SCOTS National Roads Development Guide, and that any redundant footway crossing shall be reinstated to adjacent footway line and level before completion of the development. All costs incurred with crossing existing footway / verge to be borne by the applicant/ developer and carried out to the specification of the Council as Roads Authority.
- (13) Scottish Water asset plans can be obtained from our appointed asset plan providers:
Site Investigation Services (UK) Ltd
Tel: 0333 123 1223
Email: sw@sisplan.co.uk
www.sisplan.co.uk

Scottish Water's current minimum level of service for water pressure is 1.0 bar or 10m head at the customer's boundary internal outlet. Any property which cannot be adequately serviced from the available pressure may require private pumping arrangements to be installed, subject to compliance with Water Byelaws. If the developer wishes to enquire about Scottish Water's procedure for checking the

water pressure in the area, then they should write to the Development Operations department at the above address.

If the connection to the public sewer and/or water main requires to be laid through land out-with public ownership, the developer must provide evidence of formal approval from the affected landowner(s) by way of a deed of servitude.

Scottish Water may only vest new water or waste water infrastructure which is to be laid through land out with public ownership where a Deed of Servitude has been obtained in our favour by the developer.

The developer should also be aware that Scottish Water requires land title to the area of land where a pumping station and/or a Sustainable Drainage System (SUDS) proposed to vest in Scottish Water is constructed. Please find information on how to submit application to Scottish Water at the Customer Portal.

9.2 List of Determined Plans:

Drawing - Reference No (or Description): 25.147.01(001)

Drawing - Reference No (or Description): 25.147.01(002)

Drawing - Reference No (or Description): 25.147.01(003)

Drawing - Reference No (or Description): 25.147.01(004)

Drawing - Reference No (or Description): 25.147.02(001)

Drawing - Reference No (or Description): 25.147.02(002)

Drawing - Reference No (or Description): 25.147.02(003)

Drawing - Reference No (or Description): 25.147.02(004)

Drawing - Reference No (or Description): 25.147.02(005)

Drawing - Reference No (or Description): 6667.THA-001 Rev A

Drawing - Reference No (or Description): 6667.THA-002 Rev A

Drawing - Reference No (or Description): 25.147.01(004)A

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

Supporting Information - Reference No (or Description): Preliminary Ecological Appraisal Report

Supporting Information - Reference No (or Description): Road Traffic Noise Impact Assessment

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. Application form, drawings and supporting information
2. Representations
3. National Planning Framework 4 (NPF 4)
4. Adopted Local Development Plan 2 (LDP2) and related policy guidance
5. Consultation responses
6. Historic Planning Application references 24/00864/PPP, 06/00482/FUL, 04/00420/REM and 02/00528/FUL

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:

Fiona Sharp, Supervisory Planner (Development Management) - Telephone 01292 616 147

REGULATORY PANEL: 02 APRIL 2026

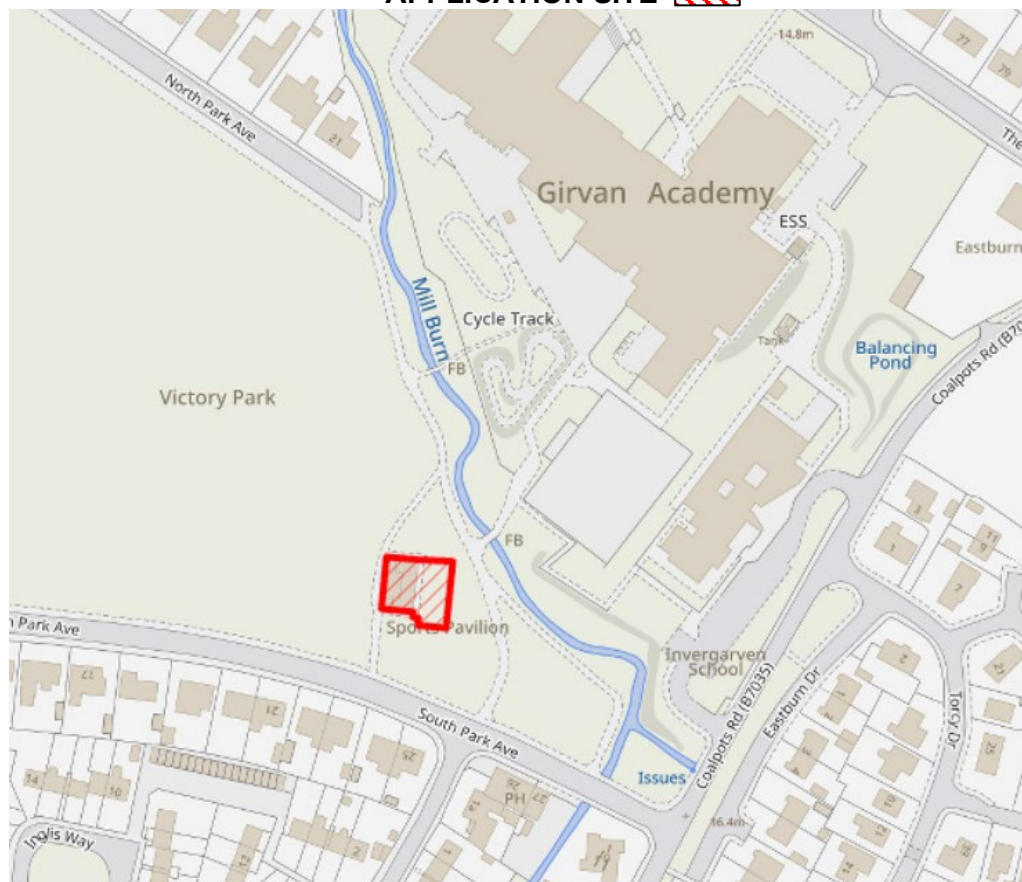
REPORT BY HOUSING, OPERATIONS AND DEVELOPMENT

25/00250/APP

VICTORY PARK AND PAVILION SOUTH PARK AVENUE GIRVAN 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:

<https://publicaccess.south-ayrshire.gov.uk/online-applications/applicationDetails.do?keyVal=SV5OPFBDM2X00&activeTab=summary>

Summary

Planning permission is sought for alterations and extension to the existing sports pavilion and associated change of use of open space, installation of an underground attenuation tank, and associated drainage works. The proposals are located at, and to the north of Victory Park, South Park Avenue, Girvan. The development seeks to extend the facility so as to upgrade and improve the existing changing pavilion by providing additional and improved changing facilities, along with WC and accessible facilities, a community room, kitchen, office and various storage areas. The proposed extension necessitates the development of part of the wider open space.

The existing premises along with the adjacent open space is under the ownership of the Council. The applicant is the local Youth Football Club which is seeking to improve the existing facilities for a wider range of sport, along with community facilities intended to benefit the wider community.

The site is designated in the Adopted South Ayrshire Local Development Plan 2 (LDP2) as being within an area of open space, with the existing changing pavilion also considered to be a community facility. The application has been assessed against the various material planning considerations which include the provisions of the development plan, consultations, planning history of the site, representations received and the impact of the proposed development on the locality. The assessment concludes that the proposed development complies with the development plan. The consultation responses do not raise any issues of over-riding concern. Equally, the points raised in submitted 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 the proposal will not have a significant adverse impact on the amenity of the locality. Accordingly, it is recommended that the application is approved subject to conditions.

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 the Council has a financial and ownership interest in the site, and one or more written objection has been received.

REPORT BY HOUSING, OPERATIONS AND DEVELOPMENT

REGULATORY PANEL: 02 APRIL 2026

SUBJECT:	PLANNING APPLICATION REPORT
APPLICATION REF:	25/00250/APP
SITE ADDRESS:	Victory Park And Pavilion South Park Avenue Girvan South Ayrshire
DESCRIPTION:	Alterations and extension to existing sports pavilion and associated change of use of open space, installation of underground attenuation tank, and associated drainage works
RECOMMENDATION:	Approval, subject to 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 23 April 2025.
- The application was validated on 28 April 2025.
- A Site Visit was carried out by the Planning Authority on 7 August 2025.
- Neighbour Notification, under Regulation 18 of The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013, was carried out by the Planning Authority on 28 April 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 6 May 2025.

1. Proposal:

Planning permission is sought for alterations and extension to the existing sports pavilion and the associated change of use of open space, installation of an underground attenuation tank, and associated drainage works. The proposals are located at, and to the north of Victory Park, South Park Avenue, Girvan. The development seeks to extend the facility so as to upgrade and improve the existing changing pavilion by providing additional and improved changing facilities, along with WC and accessible facilities, a community room, kitchen, office and various storage areas. The proposed extension necessitates the development of part of the wider open space.

The application site is located within the boundaries of Victory Park, Girvan, which is a large area of public open space, which contains existing grassed pitches, an all-weather surface sports pitch, and children's play park. The existing sports/ changing pavilion is a single storey building located to the south-east of the open space and towards South Park Avenue. Open space bounds the site, with Mill Burn a small watercourse located a short distance to the north-east. South Park Avenue and residential properties beyond lie to the south of the site. Girvan Academy and Invergarven school lie further to the north, and north-east of the site.

The proposed extension is designed to 'wrap-around' the eastern and southern elevations to form a larger single storey changing pavilion. The proposed extension covers approximately 386 sq metres, with the new building reaching approximately 580 sq metres. Internally, the proposed building is to accommodate changing, showering, along with WC and accessible facilities, a community room, kitchen, office and various storage areas. The building shall remain single storey in height with a shallow pitched roof, constructed of profiled metal sheeting. The remaining external materials comprise of a combination of; cladding panels to match the roof, smooth cement render painted cream, and a facing brick basecourse. The proposed drainage measures include the installation of an underground attenuation tank, filtration trench, and outfall, and are necessary to adequately service the development. The applicant is the local Youth Football Club which is seeking to improve the existing facilities for a wider range of sport, along with community facilities intended to benefit the wider community.

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 the Council has a financial and ownership interest in the site, and one or more written objection has been received.

2. Consultations:

Ayrshire Roads Alliance - no objection.

Ayrshire Roads Alliance (Flooding) - no objection.

Property & Asset Management - no objection.

Environmental Health - no objection.

West Of Scotland Archaeology Service - no objection.

Scottish Environment Protection Agency - no objection.

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/ agent has provided the below information in support of the development proposals, the salient points of which can be summarised as follows;

Flood Risk Assessment (FRA) – considers the risk of flooding from the nearby Mill Burn, and from all other sources, concluding and predicting that minor changes to flood depths, water levels, and flood extents are possible in the vicinity of the extension, but that there would be no changes 50 metres upstream or downstream of the extension, and therefore concluding that the development shall not have a tangible impact on third parties. The FRA notes that the development is a water compatible use, and makes recommendations to mitigate the risk of flooding, including; the raising of ground levels by approximately 0.30 metres (300 millimetres) and by utilising flood resistant and resilient materials.

Surface Water Drainage Strategy – seeks to provide a sustainable and integrated surface water management scheme for the site, and aims to ensure there is no increase in downstream flood risk by managing discharges from the site to the local water environment in a controlled manner. The proposed strategy is to capture surface water runoff from the site in a filter trench which is then routed to an underground attenuation tank, after which it will then discharge to the Mill Burn. The submitted Drainage Strategy demonstrate sufficient storage and treatment capacity is available at the site.

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:

137 representation(s) have been received, the majority of which support the proposals, one of which objects to the proposed development. All representations can be viewed online at <https://publicaccess.south-ayrshire.gov.uk/online-applications/applicationDetails.do?keyVal=SV5OPFBDM2X00&activeTab=summary>

The main issues raised in the objection can be summarised as principally relating to;

- Traffic and Transport concerns;
- Locational concerns;
- Procedural concerns regarding neighbour notification;

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.

One incomplete representation has been received due to no full postal address having been received. Incomplete representations cannot be considered, as noted in Annex C para C.1 of Council's approved procedures for handling planning applications and Scheme of Delegation.

7. Assessment:

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

(i) National Planning Framework 4 (NPF4)

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.

The following policies of NPF4 are relevant in the assessment of the application and can be viewed in full online at [National Planning Framework 4 - gov.scot \(www.gov.scot\)](https://www.gov.scot/national-planning-framework-4):

- 9 - Brownfield, vacant and derelict land and empty buildings;
- 14 - Design, quality and place;
- 15 - Local living and 20-minute neighbourhoods;
- 21 - Play recreation and sport;
- 22 - Flood and water management;

Policy 9 emphasises the need to make efficient use of existing buildings, land and infrastructure and to redevelop rural and urban brownfield sites before greenfield sites. 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. With regards to 'Placemaking', Policy 14 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 (i.e. healthy, pleasant, connected, distinctive, sustainable, and adaptable). Further consideration of the design and layout of the development is set out below. Policy 15 encourages and promotes the Place Principle as a means to create connected and compact neighbourhoods where people can meet the majority of their needs within a reasonable distance of their home i.e. local living. Policy 21 encourages the provision of spaces and opportunities for play, recreation and sport.

In terms of flooding, policy 22 promotes the avoidance of flood risk, and confirms that proposals at risk of flooding or in a flood risk area will only be supported in a limited number of instances, including; where proposals are for the redevelopment of an existing building or site, for an equal or less vulnerable use (criterion iii), and also where proposals are for water compatible uses (criterion ii.). NPF4 includes essential facilities such as changing rooms serving outdoor sports and recreation facilities within the category of water compatible uses. Additionally, the existing and established use of the premises as changing facilities for the adjacent sports pitches is materially significant, and therefore, the proposed extension to provide additional, extended and improved changing facilities would be no more vulnerable in land use terms than the established use of the site. Therefore, it is considered that the proposals accord with NPF Policy 22 criteria ii. and iii. in terms of; representing a water compatible use, and also constituting the redevelopment of an existing building or site for an equal or less vulnerable use. Notwithstanding the aforementioned policy position, the submission is accompanied by a Flood Risk Assessment and supporting information which has been considered by SEPA, which has no objection, and refers to its standing advice. In addition, the Ayrshire Roads Alliance in their capacity as the local Flood Risk Management Authority (FMRA) has also been consulted, and has offered no objection to the proposals. Given the aforementioned, the proposals are considered to align with NPF4 and related guidance; the application is considered in this context.

Overall, given the small-scale nature of the proposals to alter and extend an existing building, the public benefits arising, and that the development is ancillary to, and will facilitate the on-going use of the wider recreational use of the area, it is considered that the proposals align with the provisions of NPF4.

(ii.) South Ayrshire Local Development Plan 2

NPF4 and the policies which apply in the context of the development proposal subject to this planning application largely overlap with the policy considerations and requirements of LDP2. Whilst there are some differences in specific criteria requirements within certain consistent and overarching policies between NPF4 and LDP2, it is not considered that any of these would constitute an apparent material policy conflict which would require a particular policy of NPF4 to be considered in place of a policy in LDP2.

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;
- Open Space;
- Community Facilities;
- Land Use and Transport;
- Flooding and Development;

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.

Strategic Policy 1: Sustainable Development seeks to support the principle of sustainable development by making sure that development (inter alia) respects, protects and where possible, enhances natural, built and cultural heritage resources, is in keeping with the character of the landscape and the setting of settlements, embraces the principles of 'place-making', is in an accessible location. Strategic Policy 2: Development Management ensures development is in accordance with the site's land use and will be appropriate in terms of layout, scale, massing, design and materials in relation to their surroundings and surrounding land use, that the proposals do not have an unacceptable impact on the amenity of nearby land uses. Further consideration of the impact of the proposal on the built environment and residential amenity of properties in the vicinity, is set out below.

The Local Development Plan promotes the creation of sustainable communities and directing development to environmentally suitable places with infrastructure. The application site is an existing changing pavilion located with an area of public open space and close to various playing fields, existing educational facilities, and in close proximity to residential properties. Given the aforementioned, the proposals are considered to provide additional and improved recreational facilities at the site to the benefit of users of the facilities, which is likely to include some residents and members of the nearby community. In addition, the proposed layout is also shown to include a community room intended for use by local sporting charities for teaching/ coaching use. Overall, the proposals are considered to be appropriately sited, and to represent the improvement of an existing community facility with the potential for wider community benefits; as such the proposals accord with the above noted policies of the LDP and in particular, the Community Facility policy.

Given that the site lies within a larger area of open space, the proposals also require to be carefully considered against the LDP policy in relation to open space. The LDP open space policy also requires consideration of the value of open spaces, in order that locally significant green spaces which are valued and valuable to the wider environment are afforded appropriate safeguarding. As such, consideration is required of the individual site-specific factors relating to this site, and the area in which it is set. Development proposals also require to be considered based on the planning merits of the proposal and any individual site-specific circumstances, or material planning considerations arising. The application has been considered in this context, and the following is noted; the application site forms part of a larger area of open space, and the proposals involve a change of use of the open space to provide for an extended changing pavilion. The resultant footprint of development extends to approximately 580 sq metres, which is an increase of approximately 386 sq metres. In quantitative terms, the open space which would be lost as a result of the proposed development represents approximately 0.4% of the larger area of open space (estimated to be approximately 85,400 sq metres). In this context, the area of land to be developed is relatively small in size. In contrast, under the proposals, the remaining area of land adjacent to the application site will remain as open space and be available for use by residents in the locality. Additionally, it is considered that the use of open space as part of the development, would improve, not only the facilities for the local community, but also the amenity value of the open space for the benefit of residents and the wider community. The applicant is considered in this context.

With regard to traffic/ parking road safety implications associated with the development proposals, the Ayrshire Roads Alliance has been consulted on the application and offer no objection subject to conditions. The comments of the Ayrshire Roads Alliance can be addressed by way of appropriate planning conditions.

NPF4 policy 22 provides the up-to-date policy regarding planning and flooding which is applicable in the assessment of planning applications and, which supersedes the LDP2 policy in this regard. An assessment of the proposals relative to NPF4 policy 22 is set out above.

Overall, for the reasons noted above, and elsewhere in this report, the proposals are considered to accord with the above noted policies of the development plan comprising of the combined provisions of NPF4 and the SALDP.

(iii.) Other Policy Considerations (including Government Guidance)

Planning Advice Note - PAN65 - Planning and Open Space recognises that "open spaces are important for our quality of life. They provide the setting for a wide range of social interactions and pursuits that support personal and community well-being. They allow individuals to interact with the natural environment and provide habitats for wildlife. They can also be important in defining the character and identity of settlements". PAN65 considers sports areas to be open space where they are described as "large and generally flat areas of grassland or specially designed surfaces, used primarily for designated sports (including playing fields, golf courses, tennis courts and bowling greens) and which are generally bookable". The proposals are ancillary to the open space use of the site, and therefore, it is considered that the principle of the proposal is consistent with this government advice note.

South Ayrshire Open Space Strategy 2012 - The Strategy, which is based on a quantitative and qualitative audit of open space in South Ayrshire, sets out a vision for the provision, management, and maintenance of open spaces within the Council's area. Whilst generally seeking to protect and improve open spaces, the Strategy does not preclude them from being developed - particularly when the development improves the facilities associated with the open space. Notwithstanding, development proposals also require to be considered based on the provisions of the development plan, merits of the proposal and any individual site-specific circumstances arising, and also the planning history of the site. The application has been considered in this context.

(iv.) Planning History of the Site

Planning permission was granted under application 21/00413/APP for alterations and extension to the existing sports pavilion which is the subject of this application. The aforementioned application approved an extension to the south-eastern and rear elevation of the existing premises. While the development permitted under application 21/00413/APP has not been implemented, the granting of permission under this application is materially significant in establishing the acceptability in planning terms of the erection of an extension to the existing pavilion; the application is considered in this context.

(v.) Representations Received

The majority of representations received in relation to the proposal are supportive of the development, and consider the proposals to be beneficial in terms of providing improved and extended facilities for the benefit of the users of the facility and also providing direct and in-direct benefits to the wider community and town as a whole. The terms of the supporting representations are noted.

The objecting representation is summarised, and responded to below, as follows;

Existing traffic congestion, and a potential increase in traffic congestion;

The Ayrshire Roads Alliance (ARA) offer no objection to the application proposals and therefore the proposals are considered acceptable from a traffic/ parking/ road safety perspective.

Extended building is far away from new all-weather pitch;

The proposals involve the extension of the existing changing facilities which serve the open space, and the application requires to be considered on this basis. The applicant is not required to consider alternatively suggested or preferred locations; the application is considered in this context. It is also of note that planning permission has previously been granted for an extension of the existing changing facilities under an earlier application 21/00413/APP.

Were houses in close proximity notified of the development proposals:

Planning authorities are obliged to undertake the neighbour notification of planning applications in accordance with the provisions of the planning legislation, which in summary requires notice to be sent to premises on neighbouring land, with neighbouring land being defined as an area or plot of land (other than a road) which, in whole or in part is contiguous with or within 20 metres of the boundary of the land for which the development is proposed. The application has been notified in accordance with the aforementioned arrangements.

(vi.) Impact on the Locality

The development proposals involve the provision of extended and improved changing facilities within an established wider recreational area, along with some associated infrastructure. As noted elsewhere in this report, the proposals are considered to relate to the use of the land, and are appropriately sited so as to make use of the existing changing pavilion. There are no concerns regarding the proposals, which are considered to be appropriately, sited and designed, with the development noted to wrap around two sides of the existing building, and to take its design cues from the height, scale, massing and overall design of the existing pavilion. The proposed external materials noted above are not considered to be out-of-keeping with the existing building, or locale.

It is recognised that, although the application site is a community facility, it is situated close to residential properties, noting that the development is located approximately 32 metres from the closest residential property to the south, which is marginally closer than the existing pavilion which is positioned approximately 38 metres from the closest property. It is also of note that the a public road (South Park Avenue) separates the application site from residential properties. Notwithstanding, the aforementioned distances, it is considered that nearby residential properties shall continue to experience a level of amenity which is reflective of their location adjacent to a recreational area, which presently contains an existing changing pavilion; the application is considered in this context.

Given the established use of the site, its planning history, and the distance to nearby properties, it is considered that the development is acceptable in planning terms, and is appropriately sited to meet the needs of users of the facility, without significant impact on the amenity of the area, and as such the proposals do not warrant a different recommendation. Overall, the proposals are considered to improve and make a positive contribution to an existing community facility by providing additional and improved recreational facilities at the site to the benefit of users of the facilities, and also to the benefit of the community.

The drawings submitted with the application proposals have recently been updated to reflect the recommendations of the Flood Risk Assessment in terms of; increasing the raising of ground levels by approximately 0.30 metres (300 millimetres), and in terms of setting out details of the sustainable and integrated surface water management scheme for the site, which includes capturing surface water runoff from the site in a filter trench which is then routed to an underground attenuation tank, after which it will then discharge to the Mill Burn. The submitted Drainage Strategy demonstrate sufficient storage and treatment capacity is available at the site, and therefore no increase in downstream flood risk by managing discharges from the site to the local water environment in a controlled manner. Appropriate conditions and advisory notes can be attached to any permission in terms to ensure that the recommendations set out in the applicant's Flood Risk Assessment and associated Surface Water Drainage Strategy are implemented, as per the advice of the Flood Risk Management Authority.

Overall, there are no policy objections and following the above assessment, it is considered that the proposal, subject to suitable conditions being attached, will not have a significant adverse impact on the setting, character and appearance of the area, or on the residential amenity of the neighbouring properties.

8. Conclusion:

The proposed development complies with the development plan for the reasons as outlined above. The proposal is considered to have an acceptable relationship to surrounding land and buildings, and an acceptable impact on the locality. The consultation responses do not raise any issues of over-riding concerns. Equally, the points raised in the representations have been fully considered, but do not raise any issues that would merit a different recommendation. Given the above assessment of the proposal and having balanced the applicant's rights against the general interest, it is recommended that the application be approved subject to the following conditions.

9. Recommendation:

It is recommended that the application is approved, subject to 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 development shall be implemented in accordance with the flood risk mitigation measures outlined in section 6 of the submitted Flood Risk Assessment dated October 2025 as prepared by Kaya Consulting. The mitigation measures shall be implemented, as agreed, prior to the first use of the development hereby approved, and thereafter retained, as agreed, for the lifetime of the development.
- (3R) So as to adequately mitigate against the risk of flooding within the site, and immediate locale.
- (4C) That prior to the commencement of development, precise details of the proposed attenuation feature to capture surface water run off from the site shall be submitted for the prior written approval of the planning authority, in conjunction with the local Flood Risk Management Authority. Thereafter, the development shall be implemented as per the agreed specification, and in conjunction with the mitigation measures outlined in section 3 of the Outline Surface Water Drainage Strategy dated October 2025 as prepared by Kaya Consulting, prior to the first use of the development hereby approved, and thereafter retained, as agreed, for the lifetime of the development.
- (4R) So as to ensure that the site is served by a suitable sustainable urban drainage system.

9.1 Advisory Notes:

- (1) That a Road Opening Permit is required in addition to planning consent for any work to be undertaken within the public road limits. An application for a Road Opening Permit should be made separately to the ARA as Roads Authority, prior to works commencing on site.
- (2) The Council as Roads Authority advises that all works on the carriageway to be carried out in accordance with the requirements of the Transport (Scotland) Act 2005 and the Roads (Scotland) Act 1984.
- (3) In order to comply with the requirements of the New Roads and Street Works Act 1991, all works carried out in association with the development on the public road network, including those involving the connection of any utility to the site, must be co-ordinated so as to minimise their disruptive impact. This co-ordination shall be undertaken by the developer and his contractors in liaison with the local roads authority and the relevant utility companies.
- (4) The Council as Roads Authority advises that any costs associated with the relocation of any street furniture shall require to be borne by the applicant / developer.
- (5) In order to minimise nuisance in the surrounding area from noise and vibrations, during all demolition and construction works, the plant and machinery used should be in accordance with BS 5228; Noise Control on Construction and Open Sites and the Control of Pollution Act 1974.
- (6) Advice on light pollution is contained within the Institution of Lighting Professionals "Guidance Note 1 The Reduction of Obtrusive Light".

9.2 List of Determined Plans:

Drawing - Reference No (or Description): 01

Drawing - Reference No (or Description): 02

Drawing - Reference No (or Description): 03A A

Drawing - Reference No (or Description): 04 REV A

Drawing - Reference No (or Description): 05

Drawing - Reference No (or Description): BP01

Drawing - Reference No (or Description): BP03

Drawing - Reference No (or Description): LOC01 REV A

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

Supporting Information - Reference No (or Description): Flood Risk Assessment

Supporting Information - Reference No (or Description): Surface Water Strategy

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. Application form, drawings and supporting information
2. Representations
3. National Planning Framework 4 (NPF 4)
4. Adopted Local Development Plan 2 (LDP2)
5. PAN65 – Open Space
6. Open Space Strategy
5. Consultation responses
6. Planning application 21/00413/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:

Fiona Sharp, Supervisory Planner (Development Management) - Telephone 01292 616 147

REGULATORY PANEL: 02 APRIL 2026

REPORT BY HOUSING, OPERATIONS AND DEVELOPMENT

25/00457/APP

LAND AT A759 FROM AUCHINGATE INTERCHANGE TO B730 DRYBRIDGE ROAD
DUNDONALD DUNDONALD 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:

<https://publicaccess.south-ayrshire.gov.uk/online-applications/applicationDetails.do?keyVal=SZJ3BNBDGEQ00&activeTab=summary>

Summary

The application under consideration relates to the formation of an Active Travel Route (ATR) connecting Barassie Railway Station with the village of Dundonald. As the applicant is the Council acting as Roads Authority (Ayrshire Roads Alliance), a substantial portion of the route benefits from permitted development rights under Class 31 of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 (as amended), which allows works carried out by a roads authority on land adjoining an existing road where required for, or incidental to, its maintenance or improvement.

The sections requiring planning permission, and therefore forming the basis of this application, are those where the ATR deviates from the A759 to the north-east of Hillhouse Quarry. From that point, the route turns north towards the Troon-Kilmarnock railway line, proceeds eastwards to connect with Olympic Business Park, and then runs south to re-join the A759, providing a continuous connection to Dundonald.

The application is part-retrospective. The matter was brought to the attention of the Planning Service following concerns raised by a landowner relating to works associated with the ATR. Following investigation and discussions with Ayrshire Roads Alliance, it was concluded that the relevant sections of the route required the benefit of planning permission. An application was subsequently submitted, and additional information was sought from ARA to address matters raised in representations received.

The application has received support from Dundonald Community Council and has generated three objections.

Consultation responses have been received from Network Rail and Ayrshire Roads Alliance, neither of which object to the proposed development.

The proposals have been assessed against the relevant policies of National Planning Framework 4, the adopted South Ayrshire Local Development Plan 2, and all other material considerations. While there are concerns that the proposal does not fully meet the provisions of NPF4 policy 3 (biodiversity), on balance the development is considered acceptable as it provides sustainable connections between communities and key infrastructure, and contributes positively to the objectives of active travel.

Accordingly, it is recommended that the application is approved, subject to conditions, for the reasons set out in this report.

REPORT BY HOUSING, OPERATIONS AND DEVELOPMENT

REGULATORY PANEL: 02 APRIL 2026

SUBJECT:	PLANNING APPLICATION REPORT
APPLICATION REF:	25/00457/APP
SITE ADDRESS:	Land At A759 From Auchingate Interchange To B730 Drybridge Road Dundonald Dundonald South Ayrshire
DESCRIPTION:	Formation of cycle path, landscaping and associated works
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 17 July 2025.
- The application was validated on 29 July 2025.
- A Site Visit was carried out by the Planning Authority on 21 August 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 6 August 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 12 August 2025.

1. Proposal:

Planning permission is sought for the formation of a cycle path, landscaping and associated works forming part of an Active Travel Route (ATR) connecting Barassie Railway Station with the village of Dundonald. The wider ATR extends for approximately 2.4km, traversing land comprising agricultural pasture, woodland and marsh, and is intended to enhance access to the surrounding countryside while strengthening active travel connections between Dundonald, Olympic Business Park, Barassie, Troon and Barassie Railway Station.

Much of the wider ATR benefits from Permitted Development rights under Class 31 of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 (as amended), which allows works by a roads authority where required for the maintenance or improvement of an existing road. However, this planning application relates specifically to those sections of the route that deviate from the A759 to the north-east of Hillhouse Quarry. From this point, the route turns north towards the Troon–Kilmarnock Railway Line, before continuing eastwards to connect with Olympic Business Park, and then returning south to re-join the A759 to provide a continuous link to Dundonald.

The application is partly retrospective, as works have already been undertaken on the route to which this submission relates.

Part of the application site passes through the provisional Shewalton Moss Wildlife Site, and another section crosses land identified by the Coal Authority as being of Low Risk.

In accordance with the Council's approved procedures, the application requires to be reported to the Regulatory Panel, as the Council has a financial interest in the site and more than one competent written objection has been received.

2. Consultations:

Network Rail (Railtrack Property) - No objection.

Ayrshire Roads Alliance – No objection.

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:

Four representations have been received, three of which object to the proposed development. One of the objections has been submitted by the Scottish Wildlife Trust.

The Dundonald Community Council have submitted a representation in support of the application proposals.

All representations can be viewed online at <https://publicaccess.south-ayrshire.gov.uk/online-applications/applicationDetails.do?keyVal=SZJ3BNBDGEQ00&activeTab=summary>

The issues raised by Representees can be summarised as follows.

Objectors raise concerns regarding the adequacy and completeness of the submitted information, including the absence of detailed construction methodology, drainage design, landscaping and tree protection measures, together with uncertainty regarding access arrangements and the accuracy of certain plans. Representations highlight the sensitivity of the land through which the route passes, citing peatland, wetland and woodland habitats, and refer to perceived impacts on ground stability, hydrology, existing vegetation, and neighbouring landholdings. Additional matters raised include reported works undertaken prior to the determination of the application, queries regarding the source and movement of imported material, potential effects on nearby watercourses, questions around neighbour notification, and suggestions that a more comprehensive environmental assessment should have been required.

Dundonald Community Council initially submitted a holding objection due to the timing of their meeting and their need for further information. Following engagement with Ayrshire Roads Alliance and subsequent consideration, the Community Council has withdrawn that objection and confirmed its support for the application.

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

7. Assessment:

The material considerations in the assessment of this planning application are the provisions of the development plan, objector concerns and the impact of the proposal on the 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 \(www.gov.scot\)](https://www.gov.scot/national-planning-framework-4):

- NPF4 Policy 1: Tackling Climate and Nature
- NPF4 Policy 2: Climate Mitigation and Adaption
- NPF4 Policy 3: Biodiversity
- NPF4 Policy 5: Soils
- NPF4 Policy 13: Sustainable Transport
- NPF4 Policy 14: Design, quality and place
- NPF4 Policy 15: Local living and 20 minute neighbourhoods

The provisions of NPF4 must, however, be read and applied as a whole, and as such, no policies should be read in isolation. The application has been considered in this context.

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

(ii) South Ayrshire Local Development Plan 2

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

- Strategic Policy 1: Sustainable Development
- Strategic Policy 2: Development Management
- LDP2 Policy: Land Use & Transport
- LDP2 Policy: Natural Heritage
- LDP2 Policy: Outdoor Public Access & Core Paths

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 concerns of the objectors are summarised and considered as follows:

- Inadequate and/or incomplete submission (method statements, drainage, landscaping, tree protection, plan accuracy).

The application is determined on its planning merit and it is the responsibility of the applicant to ensure that information is correct/ accurate. While the application is partially retrospective, a proportionate planning condition can secure biodiversity and ecological enhancements. The condition will require a concise Landscape and Biodiversity Enhancement Scheme (LBES) (native planting, habitat enhancement, establishment/aftercare) alongside and any protective measures for retained vegetation.

- Ecological impacts (peatland, wetland and woodland interests; habitat loss; species disturbance; cumulative effects).

The ecological sensitivity of the route corridor is recognised, particularly where it passes in proximity to marshy ground, wetland features and woodland edges. The objection submitted by the Scottish Wildlife Trust (SWT) raises substantive concerns regarding the impact of the works on the Shewalton Moss Wildlife Site, including habitat disturbance, loss of native vegetation, the absence of a pre-construction ecological appraisal, and a perceived lack of meaningful biodiversity enhancement. Although SWT is not a statutory consultee, its submission is a material consideration, and the issues raised have been afforded appropriate weight within the assessment.

A significant difficulty arises from the retrospective nature of the application, which means that elements of the route were constructed prior to any ecological assessment, thereby limiting the Planning Authority's ability to establish a clear baseline or to confirm the scale and nature of impacts on sensitive habitats. As a result, and in the absence of pre-works surveys, it cannot be demonstrated with certainty that the proposal complies fully with the expectations of NPF4 Policy 3 (Biodiversity), particularly in relation to early identification, avoidance and minimisation of ecological impacts.

The applicant, Ayrshire Roads Alliance (ARA), has provided photographic evidence asserting that the constructed sections predominantly follow existing grassland and that only a small number of self-seeded birch trees were removed. While this indicates that direct habitat loss may have been limited, such evidence does not replace the need for a robust ecological appraisal, nor does it allow the Planning Authority to wholly discount the risk of inadvertent impacts on wetland or woodland edge habitats.

In response to the concerns raised, the applicant has proposed a series of post-construction biodiversity enhancements, including:

- planting of native mixed hedgerows to augment wildlife corridors;
- creation of a new wetland area of meaningful size;
- establishment of native tree planting groves suitable for the local environment; and
- ongoing eradication of Japanese knotweed, which will help prevent further degradation of surrounding habitats.

These interventions represent positive steps and are capable of delivering longer-term ecological benefits. However, in the context of NPF4 Policy 3, such measures are compensatory rather than preventative and therefore do not fully address the policy expectation to avoid harm at the outset. For this reason, while the enhancements are welcomed, it is not considered that the proposal demonstrably meets all elements of Policy 3 of NPF4.

- Hydrology, drainage and risk to nearby watercourses.

The non-PD sections of the ATR have a contained footprint relative to the wider cycle track, and significant hydrological change is not anticipated. Standard construction best practice, ensuring that surface water is managed without adverse effect on adjacent ground or watercourses is anticipated.

- Ground stability, peat/soils handling and imported material.

Objectors refer to potential disturbance, compaction and the movement of materials. The LBES will secure appropriate planting and aftercare to stabilise verges and reinstate vegetation, ensuring that soils are safeguarded and that the route integrates with surrounding ground conditions. Any issues connected to historic working methods are separable from the planning merits relative to the application under assessment.

- Works undertaken prior to determination (retrospective nature).

The retrospective status of part of the route is not, of itself, a reason for refusal; the Planning Acts provide for the submission and determination of applications for development already carried out. The proposal has been assessed on its planning merits, with a recommended condition securing environmental betterment.

- Route selection and non-linear alignment (availability of a more direct corridor).

The Planning Authority are required to assess the application proposed. The proposed route -deviating north towards the Troon–Kilmarnock railway line, east to Olympic Business Park, then south to re-join the A759-delivers the strategic connectivity sought by national and local policy, while utilising existing movement corridors where practicable. Land ownership/availability is not a determining consideration; the alignment proposed has been assessed on its merits and is found capable of providing a safe and coherent connection.

- Access and safety (interfaces with the public road network; proximity to the railway).

Network Rail raises no objection, indicating that proximity to the railway can be managed by standard asset-protection measures if required. The Council's Ayrshire Roads Alliance (ARA) offer no objection from a road safety perspective.

- Construction-phase impacts (noise, dust, temporary access/haul routes).

Construction-phase impacts are generally not material planning considerations in this context, as they relate to short-term operational matters rather than the long-term planning merits of the development. Any remaining activity is expected to be short-term and managed by the Roads Authority under their standard operational procedures.

- Lighting, visual impact and amenity.

No general route lighting is proposed.

- Long-term maintenance and management.

The route will be maintained by the ARA for the lifetime of the development. Establishment and aftercare for new planting will be secured through the LBES, ensuring that environmental benefits are delivered and sustained.

(iv) Impact on the Locality

Sections 25(1) and 37(2) of the Town and Country Planning (Scotland) Act 1997, as amended, require decisions to be made in accordance with the development plan unless material considerations indicate otherwise. The development plan comprises National Planning Framework 4 (NPF4) (adopted 13 February 2023) and the South Ayrshire Local Development Plan 2 (LDP2) (adopted August 2022). In the event of any incompatibility, the later policy prevails (section 24(3) of the 1997 Act). This application has been assessed on that basis.

Principle of Development and Sustainable Transport (NPF4 13, 15; LDP2 Land Use & Transport / Outdoor Access)

The proposal provides a continuous active travel connection between Barassie Railway Station and Dundonald, improving opportunities for walking, wheeling and cycling and strengthening links to public transport and local services. This is strongly supported by NPF4 Policy 13 (sustainable transport and safe, inclusive access) and Policy 15 (local living/20-minute neighbourhood outcomes), and by LDP2 policies promoting active travel networks and core path connectivity.

For clarity within this section, the proposed alignment:

- deviates from the A759 to the north-east of Hillhouse Quarry;
- turns north towards the Troon–Kilmarnock Railway Line;
- then heads east to connect with Olympic Business Park; and
- turns south to re-join the A759, providing the link onward to Dundonald.

It is understood that a more direct, straight-through corridor was not available to the applicant due to land availability. While land ownership is not a determining planning consideration, the route that is before the Planning Authority must be assessed on its merits.

Network Rail offers no objection, confirming that the proximity to the Troon–Kilmarnock line can be managed via normal asset-protection controls if required.

Design, Climate and Place (NPF4 1, 2, 14)

By facilitating mode shift away from private car use, the proposal supports emissions reduction and climate resilience (NPF4 Policies 1 and 2). The linear alignment alongside existing corridors is context-appropriate and, with suitable finishes, signage and lighting (where required), can deliver a legible, safe and attractive route consistent with Policy 14 and LDP2 design criteria.

Biodiversity and Local Environmental Effects (NPF4 1, 3, 5; LDP2 Natural Heritage)

Representations, including an objection from the Scottish Wildlife Trust (SWT), highlight the ecological sensitivity of the corridor, particularly in relation to marshy ground, wet woodland edges and land adjacent to the provisional Shewalton Moss Wildlife Site. Concerns include potential effects on peat soils, hydrology, woodland margins, habitat loss and inadequate ecological information.

Although SWT is not a statutory consultee, its input is a material consideration and has been given material weight. It is recognised that the retrospective nature of the application has materially limited the Planning Authority's ability to understand baseline ecological conditions or avoid impacts at source. As a consequence, it cannot be demonstrated with certainty that the proposal fully satisfies all expectations of NPF4 Policy 3 (Biodiversity), which normally requires early ecological appraisal, avoidance of impacts, and demonstrable biodiversity enhancement.

The applicant (ARA) has provided information indicating that the constructed elements largely follow areas of existing grassland, with only a small number of self-seeded birch trees removed. While this suggests limited direct habitat loss, the absence of pre-development ecological surveys prevents full verification of these claims. SWT's concerns are therefore valid and relevant to the planning balance.

In response, ARA has committed to a suite of post-construction biodiversity measures, including:

- native mixed-hedgerow planting to strengthen wildlife corridors;
- creation of a new wetland area of meaningful scale;
- planting of native tree groves suited to local conditions; and
- ongoing eradication of Japanese knotweed, preventing further habitat degradation.

These measures are positive and can contribute to improved ecological function along the corridor. However, they are compensatory, rather than preventative, and do not fully negate the policy tension identified under NPF4 Policy 3.

Nonetheless, NPF4 policies must be applied as a whole, and development must be assessed in the round, considering both environmental constraints and wider strategic benefits. The ATR provides clear public benefits in terms of accessibility, health, safety, carbon reduction and sustainable travel.

To secure the best achievable ecological outcome, a strengthened Landscape and Biodiversity Enhancement Scheme (LBES) condition is recommended. This will require:

- habitat creation and enhancement appropriate to the peatland/wetland/woodland context;
- measurable biodiversity enhancement (e.g., wet flush strengthening, native scrub/woodland-edge planting, pollinator-rich verges);
- protection of retained features during any remaining works; and
- maintenance and monitoring over an appropriate establishment period.

Coal Mining Legacy

A short section lies within a Low-Risk Coal Authority area. Standard advisory notes can be applied, with a stop-and-notify provision if unrecorded features are encountered. This residual risk is acceptable given the limited ground interventions.

Biodiversity/peat/hydrology/vegetation

The LBES, recommended by the suggested planning condition, will target native habitat enhancement and light-touch protection of retained features, ensuring no unacceptable ecological effects and delivering a net positive outcome over the establishment period.

Drainage/water environment

The route's limited impermeable footprint means standard best-practice construction finishes and verge planting within the LBES are sufficient to avoid off-site effects; any localised issues can be resolved through detailing and maintenance.

Overall, there is clear policy support within NPF4 and LDP2 for improved active travel infrastructure. The proposal would deliver public benefits in terms of connectivity, safety, health, wellbeing and reduced emissions. These benefits attract significant positive weight.

Conversely, the lack of pre-construction ecological information and the concerns raised by SWT weigh against the proposal. While the assessment is unable to conclude that the development fully satisfies NPF4 Policy 3, the ecological shortcomings largely arise from the retrospective nature of the works. It is not considered that refusal of permission at this stage would offer a more effective or proportionate means of securing ecological improvement. It is considered, the ecological effects can be addressed satisfactorily through the imposition of a robust LBES condition.

Taking all relevant NPF4 policies together and having regard to the totality of the planning balance, it is concluded that the proposal is acceptable, provided that conditions are applied to secure biodiversity enhancement and environmental protection.

Given the above assessment of the proposals and having balanced the applicant's rights against the general interest, it is recommended that the application be approved.

8. Conclusion:

Given the above assessment, it is recommended that the application is approved subject to conditions.

9. Recommendation:

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

- (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 the development hereby permitted must be begun within **three years** of the date of this permission.
- (2R) 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.
- (3C) A proportionate Landscape and Biodiversity Enhancement Scheme (LBES) shall be submitted for the prior written approval of the Planning Authority within six weeks of the date of this decision. The LBES shall include:
 - a) Details of native mixed hedgerow planting along identified sections of the route
 - b) Details of native tree and scrub planting, including the location and indicative composition of proposed woodland groves
 - c) Details of the creation of the proposed wetland area, including its indicative extent and planting approach
 - d) Measures for biodiversity enhancement along the route corridor, such as pollinator rich verge treatments and strengthening of wet flushes/margins where appropriate
 - e) Protective measures for retained vegetation during any remaining works
 - f) Details of continued management and treatment of invasive nonnative species, including Japanese knotweed
 - g) A maintenance and aftercare schedule for a minimum period of five years, including replacement of failed planting as necessary.

Thereafter, the LBES as approved shall be implemented in the first planting season following its approval, unless otherwise agreed in writing by the Planning Authority, and all planting and habitat creation shall thereafter be retained and maintained in accordance with the approved LBES.

- (3R) To secure proportionate landscape and biodiversity enhancement; to ensure no net loss of biodiversity and deliver environmental improvement in accordance with National Planning Framework 4 Policies 1 and 3 and Policy: Natural Heritage of the South Ayrshire Local Development Plan 2.

9.1 Advisory Notes:

- (1) The development could be in an area where there are gas mains and services. Please see the link below for further information and actions required of you:
<https://www.south-ayrshire.gov.uk/planning-decisions>

9.2 List of Determined Plans:

Drawing - Reference No (or Description): 207817-D-AT-00001

Drawing - Reference No (or Description): 207817-D-AT-00002

Drawing - Reference No (or Description): 207817-D-AT-00101

Drawing - Reference No (or Description): 207817-D-AT-00102

Drawing - Reference No (or Description): 207817-D-AT-00103

Drawing - Reference No (or Description): 207817-D-AT-00104

Drawing - Reference No (or Description): 207817-D-AT-00105

Drawing - Reference No (or Description): 207817-D-AT-00106

Drawing - Reference No (or Description): 207817-D-AT-00107

Drawing - Reference No (or Description): 207817-D-AT-00108

Drawing - Reference No (or Description): 207817-SWE-ATT-S4-DR-D-0111

Drawing - Reference No (or Description): 207817-SWE-ATT-S4-DR-D-1107

Drawing - Reference No (or Description): 207817-SWE-ATT-S4-DR-D-1230

Drawing - Reference No (or Description): 207817-SWE-L-S4-DR-D-30004 Rev. 01

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) Representations
- (3) Adopted South Ayrshire Local Development Plan 2
- (4) Scottish Government National Planning Framework 4

Integrated Impact Assessment:

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

Person to Contact:

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