

County Buildings
Wellington Square
AYR KA7 1DR
Tel No: 01292 612189

8 March 2022

To:- Councillors Connolly (Chair), I. Campbell, Cavana, Clark, Fitzsimmons, Kilpatrick, Mackay, McGinley and Toner.

Dear Councillor

SOUTH AYRSHIRE LOCAL REVIEW BODY

You are requested to participate in the above Panel to be held on **Tuesday, 15 March 2022 at 2.00 p.m.** for the purpose of considering the undernoted business. **Please note that a briefing/microphone test for all Panel Members will take place online at 1.40 p.m.**

This meeting will be conducted remotely. The meeting will be live-streamed and available to view at <https://south-ayrshire.public-i.tv/>

Yours sincerely

Catriona Caves
Head of Legal, Human Resources and Regulatory Services

B U S I N E S S

1. Declarations of Interest.
2. New Case for Review – Planning permission in principle of erection of Storage shed at 1 Stairgillan House H730 from Council Boundary at Stair Bridge to B743 at Carngillan Cottages Tarbolton, Mauchline, South Ayrshire, KA5 5NN.

[Application Summary](#)

3. New Case for Review – Planning permission in principle of erection of 2 new Dwellinghouses at Former Adamton Cottages C106 from B739 Junction near Adamton House To C138 Junction South of Langlands north east of Prestwick, Monkton, South Ayrshire.

[Application Summary](#)

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

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SOUTH AYRSHIRE COUNCIL

LOCAL REVIEW BODY

NOTE of CURRENT POSITION

Site Address:	1 STAIRGILLAN HOUSE B730 FROM COUNCIL BOUNDARY AT STAIR BRIDGE TO B743 AT CARNGILLAN COTTAGES TARBOLTON MAUCHLINE SOUTH AYRSHIRE KA5 5NN
Application:	21/00682/APP ERECTION OF STORAGE SHED

Appointed Officer's Decision:	Refusal
Date Notice of Review Received:	29 th November 2021

Current Position:	New Case for Review
Documentation:	The following documents in relation to the review are attached: Pages 1 to 4 – Report of Handling Pages 5 to 9 – Notice of Review and Supporting Information Pages 10 to 37 – Planning Application and Supporting Information Pages 38 to 39– Decision Notice
New Material:	No
Additional Material Any other Comments:	N/A
Dated:	8th March 2022

South Ayrshire Council

Place Directorate

Report of Handling of Planning Application

Application Determined under Delegated Powers where less than five objections have been received.
The Council's Scheme of Delegation can be viewed at <http://www.south-ayrshire.gov.uk/committees/>

Reference No:	21/00682/APP
Site Address:	1 Stairgillan House B730 From Council Boundary At Stair Bridge To B743 At Carngillan Cottages Tarbolton Mauchline South Ayrshire KA5 5NN
Proposal:	Erection of storage shed
Recommendation:	Refusal

REASON FOR REPORT

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

1. **Site Description:**

The application site is the rear curtilage of 1 Stairgillan House, B730, south of Tarbolton.

2. **Planning History:**

There is no relevant planning history in the assessment of the application.

3. **Description of Proposal:**

Planning permission is sought to erect a storage shed within the curtilage of the dwellinghouse. Details are contained within the submitted plans. A supporting statement accompanies the application submission and provides a rationale for the siting, scale and design of the proposed shed.

4. **Consultations:**

Ayrshire Roads Alliance offers no response.

5. **Submitted Assessments/Reports:**

In assessing and reporting on a planning application the Council is required to provide details of any report or assessment submitted as set out in Regulation 16, Schedule 2, para 4(c) (i) to (iv) of the Development Management Regulations. None.

6. **S75 Obligations:**

In assessing and reporting on a planning application the Council is required to provide a summary of the terms of any planning obligation entered into under Section 75 of the Town and Country Planning (Scotland) Act in relation to the grant of planning permission for the proposed development. None.

7. **Scottish Ministers Directions:**

In determining a planning application, the Council is required to provide details of any Direction made by Scottish Ministers under Regulation 30 (Directions requiring consultation), Regulation 31 (Directions

requiring information), Regulation 32 (Directions restricting the grant of planning permission) and Regulation 33 (Directions requiring consideration of condition) of The Town and Country Planning (Development Management Procedure)(Scotland) Regulations 2013, or under Regulation 50 (that development is EIA development) of the Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2017. None.

8. Representations:

No representations were received.

9. Development Plan:

Section 25 of the Town and Country Planning (Scotland) Act 1997 (as amended) indicates that in making any determination under the Planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material considerations indicate otherwise.

The proposal has been considered against the Local Development Plan's Spatial Strategy and is in accordance with the strategy.

The following policies are relevant in the assessment of the application and can be viewed in full online at <http://www.south-ayrshire.gov.uk/planning/local-development-plans/local-development-plan.aspx>

LDP Policy: Sustainable Development; and
LDP Policy: Rural Housing.

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

The development proposal has been assessed against the above policies and is considered to contrary to the development plan, as outlined further, below.

The statutory Local Development Plan (LDP) for the area currently comprises the South Ayrshire Local Development Plan (adopted in September 2014) and its associated Supplementary Guidance, as well as the Town Centre and Retail Local Development Plan, adopted in 2017.

At a special meeting on 1 September, the Council considered representations on the Modified Proposed Replacement South Ayrshire Local Development Plan (MPLDP2), submitted in response to public consultation, and agreed (1) to submit the Plan, without further modification, to the Scottish Ministers for Examination; and (2) the Plan would be a material consideration in determining planning applications, with the weight accorded to it increasing as it progresses through the statutory process.

As MPLDP2 now represents the Council's settled position on the Development Plan it wishes to progress to adoption, it is a material consideration in the assessment of planning applications. However, it remains the subject of unresolved representations, which will be considered by the Scottish Government's Directorate of Planning and Environmental Appeals (DPEA), as part of the Examination process.

In considering development proposals, the Council may now apportion significant weight to those principles or policies of MPLDP2 which are not the subject of unresolved representations, but MPLDP2 is otherwise unlikely to be the determining factor in the determination of Planning Applications, remaining subordinate in status to the adopted LDP.

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

Scottish Planning Policy (SPP) is a statement of Scottish Government policy on how nationally important land use matters should be addressed across the country and reflects Scottish Ministers' priorities for the operation of the planning system in Scotland. SPP contains Principal Policy on Sustainability which introduces a presumption in favour of development that contributes to sustainable development, but reinforces the statutory status of the development plan as the starting point for decision-making. Accordingly, SPP advocates the need for planning to direct the "right development to the right place". This approach is to be implemented by the spatial strategies within development plans and subsequent development management decisions.

Additionally, SPP has subject policies of relevance to the proposal including Promoting Rural Development which expects rural development to promote a pattern of development that is appropriate to the character of the particular area whilst protecting and enhancing environmental quality.

Given the above, it is considered that the proposed shed does not accord with the provisions of SPP on the basis that the proposal does not result in a pattern of development that is appropriate to the character of the particular rural area. This aspect is considered in further detail below.

South Ayrshire Council's Supplementary Guidance (SG) on Rural Housing indicates that detached garages should reflect the design and character of the dwellinghouse. The SG also indicates that ancillary buildings should be used to create a sense of enclosure, define space and built in a style with materials similar to the house. The proposed shed is located within the curtilage of the existing dwellinghouse and, by virtue of its scale, size and design is not considered to reflect the character of Stairgillan House.

11. Assessment (including other material considerations):

Due to current Government Guidance involving Covid-19 Pandemic and current working practices, a site visit was not carried out to the application site. However, the site has been assessed in terms of Google Maps, the applicant's site photographs and local knowledge of the case officer.

Planning permission is sought to erect a storage shed within the rear curtilage of 1 Stairgillan House, Tarbolton. Stairgillan House sits in a prominent locale immediately adjacent to B730 and B743, and is a converted waterhouse which comprises two semi-detached dwellinghouses. It is recognised that the locale comprises a small cluster of residential dwellinghouses within a rural setting.

The proposed storage shed, which is to be sited behind an existing garage, has a footprint of approximately 159m² (10.6 metres in width and 15 metres in length) and reaches a height of approximately 5.7m. The finishing materials comprise polyester coated profiled steel cladding, precast wall panels and a roller garage door. The submitted supporting statement sets out the rationale for the siting of the proposed shed which is to house a large goods vehicle currently owned by the occupier of the property at 1 Stairgillan House.

While there are no objections to the principle of erecting an outbuilding within the curtilage of the application site, there are concerns that the proposed storage shed is not ancillary to the main dwelling which it serves, and is excessive for a domestic property within a rural setting. The footprint of the dwellinghouse is approximately 112m², whereas the proposed storage shed equates to 159m², which is greater than that of the dwellinghouse, and over 3 times the footprint of the existing garage sited within the rear curtilage. The shed's dimensions are more reflective of a commercial building and do not reflect the domestic outbuildings found within the locale. Due to the excessive scale of the proposed shed it is also considered to be unduly visually prominent, particularly when viewed from the B730 from Tarbolton.

Therefore, it is considered that the proposed storage shed is contrary to the provisions of the LDP Policies Sustainable Development, and Rural Housing, SPP and also the Council's 'Rural Housing' guidance, as the proposed shed considered excessive for a domestic ancillary outbuilding within the curtilage of a dwellinghouse within a rural setting.

On this basis, it is considered that the application is refused, as set out, below.

12. Recommendation:

It is recommended that the application is refused.

Reasons:

- (1) That the proposed storage shed is contrary to LDP policies: Sustainable Development, Rural Housing, SPP and the Council's Planning Guidance on Rural Housing, as the development is considered to be excessive in its scale, design and massing in relation to its rural domestic setting and shall be visually prominent within the rural landscape.

Advisory Notes:

List of Plans Determined:

Drawing - Reference No (or Description): **Refused E(--)**01

Drawing - Reference No (or Description): **Refused L(-)**01

Drawing - Reference No (or Description): **Refused L(--)**02

Drawing - Reference No (or Description): **Refused** L(--)03

Drawing - Reference No (or Description): **Refused** L(--)04

Other - Reference No (or Description): **Refused** PLANNING STATEMENT

Reason for Decision (where approved):

Equalities Impact Assessment

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

<i>Decision Agreed By:</i>	<i>Appointed Officer</i>
<i>Date:</i>	<i>19 August 2021</i>



County Buildings Wellington Square Ayr KA7 1DR Tel: 01292 616 107 Email: planning.development@south-ayrshire.gov.uk

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

Thank you for completing this application form:

ONLINE REFERENCE 100432411-004

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

Applicant or Agent Details

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

Applicant Agent

Agent Details

Please enter Agent details

Company/Organisation: VE-TECH CONCRETE LTD

Ref. Number:

You must enter a Building Name or Number, or both: *

First Name: *

Building Name:

Last Name: *

Building Number:

Telephone Number: *

Address 1 (Street): *

Extension Number:

Address 2:

Mobile Number:

Town/City: *

Fax Number:

Country: *

Postcode: *

Email Address: *

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

Individual Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:	<input type="text" value="Mr"/>	You must enter a Building Name or Number, or both: *
Other Title:	<input type="text"/>	Building Name: <input type="text" value="1 STAIRGILLAN HOUSE"/>
First Name: *	<input type="text" value="JOHN"/>	Building Number: <input type="text"/>
Last Name: *	<input type="text" value="TEMPLETON"/>	Address 1 (Street): * <input type="text" value="B730"/>
Company/Organisation	<input type="text"/>	Address 2: <input type="text"/>
Telephone Number: *	<input type="text" value="07590046763"/>	Town/City: * <input type="text" value="TARBOLTON"/>
Extension Number:	<input type="text"/>	Country: * <input type="text" value="SCOTLAND"/>
Mobile Number:	<input type="text"/>	Postcode: * <input type="text" value="KA5 5NN"/>
Fax Number:	<input type="text"/>	
Email Address: *	<input type="text" value="templeton3@btinternet.com"/>	

Site Address Details

Planning Authority:	<input type="text" value="South Ayrshire Council"/>
Full postal address of the site (including postcode where available):	
Address 1:	<input type="text" value="1 STAIRGILLAN HOUSE"/>
Address 2:	<input type="text" value="TARBOLTON"/>
Address 3:	<input type="text"/>
Address 4:	<input type="text"/>
Address 5:	<input type="text"/>
Town/City/Settlement:	<input type="text" value="MAUCLINE"/>
Post Code:	<input type="text" value="KA5 5NN"/>

Please identify/describe the location of the site or sites

Northing	<input type="text" value="625711"/>	Easting	<input type="text" value="243202"/>
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Description of Proposal

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

PROPOSED SHED TO HOUSE LORRY

Type of Application

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

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

What does your review relate to? *

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

Statement of reasons for seeking review

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

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

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

We are of the understanding that the proposed building meets the criteria set in the The Council's Supplementary Planning Guidance 'House Alterations and Extensions' as demonstrated on our e-mail to Planning dept. dated 16th August 2021 (submitted prior to decision being made). 3d sketch of site showing proposed building in relation to its surroundings was submitted along with email, to demonstrate that the scale, design and massing of the development is in keeping with its surroundings.

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

Yes No

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

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

Planning justification statement

Application Details

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

21/00682/APP

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

22/06/2021

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

24/08/2021

Review Procedure

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

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

Yes No

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

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

Yes No

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

Yes No

Checklist – Application for Notice of Review

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

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

Yes No

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

Yes No

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

Yes No N/A

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

Yes No

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

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

Yes No

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

Declare – Notice of Review

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

Declaration Name: Mrs JANEY BAIRD

Declaration Date: 05/11/2021



County Buildings Wellington Square Ayr KA7 1DR Tel: 01292 616 107 Email: planning.development@south-ayrshire.gov.uk

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

Thank you for completing this application form:

ONLINE REFERENCE 100432411-001

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

Type of Application

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

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

Description of Proposal

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

PROPOSED SHED TO HOUSE LORRY

Is this a temporary permission? *

Yes No

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

Yes No

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

No Yes – Started Yes - Completed

Applicant or Agent Details

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

Applicant Agent

Agent Details

Please enter Agent details

Company/Organisation:	VE-TECH CONCRETE LTD		
Ref. Number:	<input type="text"/>	You must enter a Building Name or Number, or both: *	
First Name: *	JANEY	Building Name:	STRANDHEAD FARM
Last Name: *	BAIRD	Building Number:	<input type="text"/>
Telephone Number: *	01292540525	Address 1 (Street): *	B730
Extension Number:	<input type="text"/>	Address 2:	<input type="text"/>
Mobile Number:	<input type="text"/>	Town/City: *	TARBOLTON
Fax Number:	<input type="text"/>	Country: *	SCOTLAND
		Postcode: *	KA5 5NP
Email Address: *	jbaird@ve-tech.com		

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

Individual Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:	Mr	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text"/>	Building Name:	1 STAIRGILLAN HOUSE
First Name: *	JOHN	Building Number:	<input type="text"/>
Last Name: *	TEMPLETON	Address 1 (Street): *	B730
Company/Organisation	<input type="text"/>	Address 2:	<input type="text"/>
Telephone Number: *	<input type="text"/>	Town/City: *	TARBOLTON
Extension Number:	<input type="text"/>	Country: *	SCOTLAND
Mobile Number:	<input type="text"/>	Postcode: *	KA5 5NN
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text"/>		

Site Address Details

Planning Authority:

South Ayrshire Council

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

Address 1:

1 STAIRGILLAN HOUSE

Address 2:

TARBOLTON

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

MAUCLINE

Post Code:

KA5 5NN

Please identify/describe the location of the site or sites

Northing

625711

Easting

243202

Pre-Application Discussion

Have you discussed your proposal with the planning authority? *

Yes No

Site Area

Please state the site area:

2048.00

Please state the measurement type used:

Hectares (ha) Square Metres (sq.m)

Existing Use

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

Yard / garden area

Access and Parking

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

Yes No

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

Are you proposing any change to public paths, public rights of way or affecting any public right of access? * Yes No

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

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

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

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

Water Supply and Drainage Arrangements

Will your proposal require new or altered water supply or drainage arrangements? * Yes No

Do your proposals make provision for sustainable drainage of surface water?? * Yes No
(e.g. SUDS arrangements) *

Note:-

Please include details of SUDS arrangements on your plans

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

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

Yes

No, using a private water supply

No connection required

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

Assessment of Flood Risk

Is the site within an area of known risk of flooding? * Yes No Don't Know

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

Do you think your proposal may increase the flood risk elsewhere? * Yes No Don't Know

Trees

Are there any trees on or adjacent to the application site? * Yes No

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

Waste Storage and Collection

Do the plans incorporate areas to store and aid the collection of waste (including recycling)? * Yes No

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

PROPOSAL TO HOUSE LORRY - NO REFUSE / RECYCLING STORAGE FACILITIES REQUIRED

Residential Units Including Conversion

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

Yes No

All Types of Non Housing Development – Proposed New Floorspace

Does your proposal alter or create non-residential floorspace? *

Yes No

All Types of Non Housing Development – Proposed New Floorspace Details

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

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

Not in a Use Class

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

159

If Class 1, please give details of internal floorspace:

Net trading spaces:

Non-trading space:

Total:

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

PROPOSED SHED TO HOUSE LORRY

Schedule 3 Development

Does the proposal involve a form of development listed in Schedule 3 of the Town and Country Planning (Development Management Procedure (Scotland) Regulations 2013) *

Yes No Don't Know

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

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

Planning Service Employee/Elected Member Interest

Is the applicant, or the applicant's spouse/partner, either a member of staff within the planning service or an elected member of the planning authority? *

Yes No

Certificates and Notices

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

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

Are you/the applicant the sole owner of ALL the land? *

Yes No

Is any of the land part of an agricultural holding? *

Yes No

Certificate Required

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

Certificate A

Land Ownership Certificate

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

Certificate A

I hereby certify that –

(1) - No person other than myself/the applicant was an owner (Any person who, in respect of any part of the land, is the owner or is the lessee under a lease thereof of which not less than 7 years remain unexpired.) of any part of the land to which the application relates at the beginning of the period of 21 days ending with the date of the accompanying application.

(2) - None of the land to which the application relates constitutes or forms part of an agricultural holding

Signed: JANEY BAIRD

On behalf of: Mr JOHN TEMPLETON

Date: 22/06/2021

Please tick here to certify this Certificate. *

Checklist – Application for Planning Permission

Town and Country Planning (Scotland) Act 1997

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

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

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

Yes No Not applicable to this application

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

Yes No Not applicable to this application

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

Yes No Not applicable to this application

Town and Country Planning (Scotland) Act 1997

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

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

Yes No Not applicable to this application

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

Yes No Not applicable to this application

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

Yes No Not applicable to this application

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

- Site Layout Plan or Block plan.
- Elevations.
- Floor plans.
- Cross sections.
- Roof plan.
- Master Plan/Framework Plan.
- Landscape plan.
- Photographs and/or photomontages.
- Other.

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

Provide copies of the following documents if applicable:

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

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

Declare – For Application to Planning Authority

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

Declaration Name: Mrs JANEY BAIRD

Declaration Date: 22/06/2021

Payment Details



Created: 22/06/2021 15:08

SOUTH AYRSHIRE COUNCIL

Refused under the Town and Country Planning (Scotland) Act, 1997 (As Amended), subject to reasons specified in the notification of this decision by South Ayrshire.

Planning Statement

Proposal :

Erection of New Shed to House Lorry

Site address :

1 Stairgillan House, Tarbolton,
KA5 5NN

Applicant :

John Templeton
1 Stairgillan House, Tarbolton,
KA5 5NN

Date :

22.06.21

Introduction

This Statement has been prepared for John Templeton, of 1 Stairgillan House, Tarbolton, KA5 5NN to illustrate the process that has led to the development proposal, justification for the proposal, and its planned method of operation.

Background Information

1 Stairgillan consists of dwelling house for Linda and John Templeton and operating centre for their haulage company.

Operator Licence Nr. OM0030850.

- Refer to Appendix A for Vehicle Operator License.
- Refer to Appendix B for photographs of existing site.

Applicant currently owns :

- 2 nr LGV's (Large goods vehicles)
- 1 nr trailer
- 1 nr cement tanker

1 nr LGV is parked outside 1 Stairgillan House. The remaining vehicles are based at Strandhead Farm, Tarbolton.

Proposal

The proposal is for a new shed to securely house 1 nr LGV which is currently parked outside within curtilage of site.

Proposed siting

The proposed building has been positioned at rear of curtilage behind existing garage and dwelling house to reduce impact of building from main road.

Appendix A

Vehicle Operators License

JOHN TEMPLETON & LINDA JANET TEMPLETON

Licence details (OM0030850)

Business type	Partnership
Trading names	LA TRANSPORT (AYRSHIRE)
Partners	LINDA JANET TEMPLETON JOHN TEMPLETON
Licence type	Standard National
Licence status	Valid
Continuation date	31 May 2022
Traffic area	Scotland

Contact details

Address	1 STAIRGILLAN HOUSE, TARBOLTON, MAUCHLINE, KA5 5NN, GB
---------	--

Operating centres

Operating centre	Vehicles	Trailers
STRANDHEAD FARM, TARBOLTON, MAUCHLINE, KA5 5NP, GB	3	3
1 STAIRGILLAN HOUSE, TARBOLTON, MAUCHLINE, KA5 5NN, GB	1	0

Transport Managers

Name
LINDA JANET TEMPLETON

Related operator licences

There are no related licences

Appendix B

Photographs of Existing Site



Planning Statement

Proposal :

Erection of New Shed to
House Lorry

Site address :

1 Stairgillan House, Tarbolton,
KA5 5NN

Applicant :

John Templeton
1 Stairgillan House, Tarbolton,
KA5 5NN

Date :

22.06.21

Revised 29.10.21

Introduction

This Statement has been prepared for John Templeton, of 1 Stairgillan House, Tarbolton, KA5 5NN to illustrate the process that has led to the development proposal, justification for the proposal, and its planned method of operation.

Background Information

1 Stairgillan consists of dwelling house for Linda and John Templeton and operating centre for their haulage company.

Operator Licence Nr. OM0030850.

- Refer to Appendix A for Vehicle Operator License.
- Refer to Appendix B for photographs of existing site.

Applicant currently owns :

- 2 nr LGV's (Large goods vehicles)
- 1 nr trailer
- 1 nr cement tanker

1 nr LGV is parked outside 1 Stairgillan House. The remaining vehicles are based at Strandhead Farm, Tarbolton.

Existing Building / Dwelling Houses adjacent

The existing building was formerly Tarbolton Water House and converted into 2 nr dwellings in 2006. Due to its former use and height, the dwellings are formed over 3 floors with a height of 8.5m from ground to ridge.

Proposal

The proposal is for a new shed to securely house 1 nr LGV which is currently parked outside within curtilage of site.

Proposed siting / scale / design

3d sketch of site showing proposed building in relation to its surroundings shown on Appendix 1 along photographs from adjacent roads shown on Appendix 2 to demonstrate the following:

- The proposed building has been positioned at rear of curtilage behind existing garage and dwelling house to reduce impact of building from main road.
- Scale of proposed building is considerably smaller than adjacent dwellings (2.74m lower) and respects its neighbouring buildings.
- Careful consideration has been given to the siting of the proposed building in relation to existing dwelling house and garage. By positioning the new building to the rear of the site and behind the existing garage it significantly reduces the overall visual impact of the building.
- The existing mature trees behind the site ensures the proposed building is 'grounded' into its surroundings from all adjacent roads (B730 and B744).
- When approaching site, proposed building is primarily concealed by the existing dwellings and mature trees adjacent.

Although majority of proposed front elevation is obstructed by existing garage, this elevation could be rendered in keeping with existing buildings adjacent.

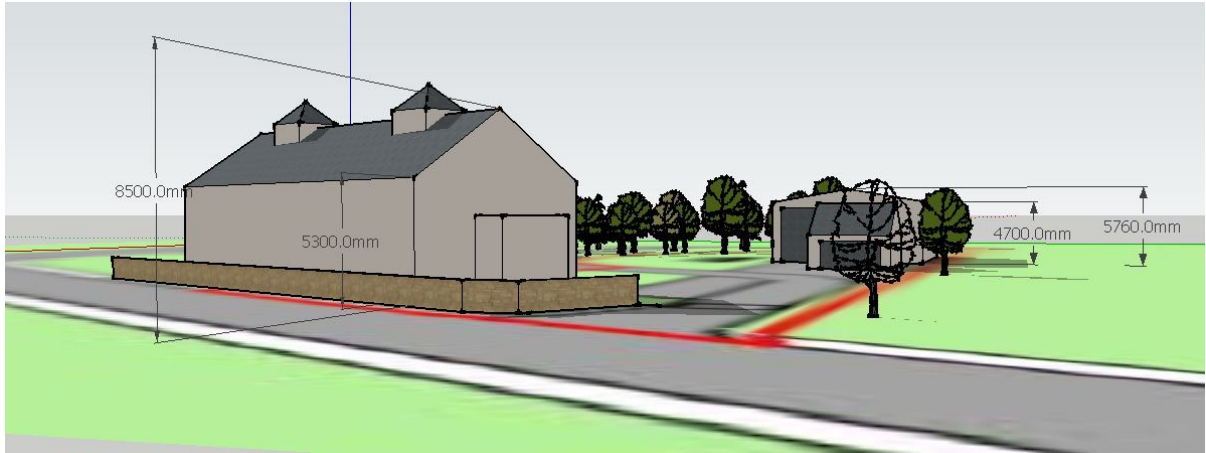
Conclusion

Our client has discussed new building with his neighbours and they are all fully supportive of the proposal.

Our clients lorry is currently parked within the site curtilage and we are of the understanding that the proposed building has been sited and designed to perform its intended function i.e. to house lorry securely and the scale, design and massing of the proposed building is in keeping with its surroundings.

We are of the understanding that the proposed building meets the criteria set in The Council's Supplementary Planning Guidance 'House Alterations and Extensions'.

Appendix 1 – 3d Image of proposed building in relation to its surroundings



Appendix 2 – Photographs from adjacent roads



Photograph approaching site from B743




Photograph approaching site from B743

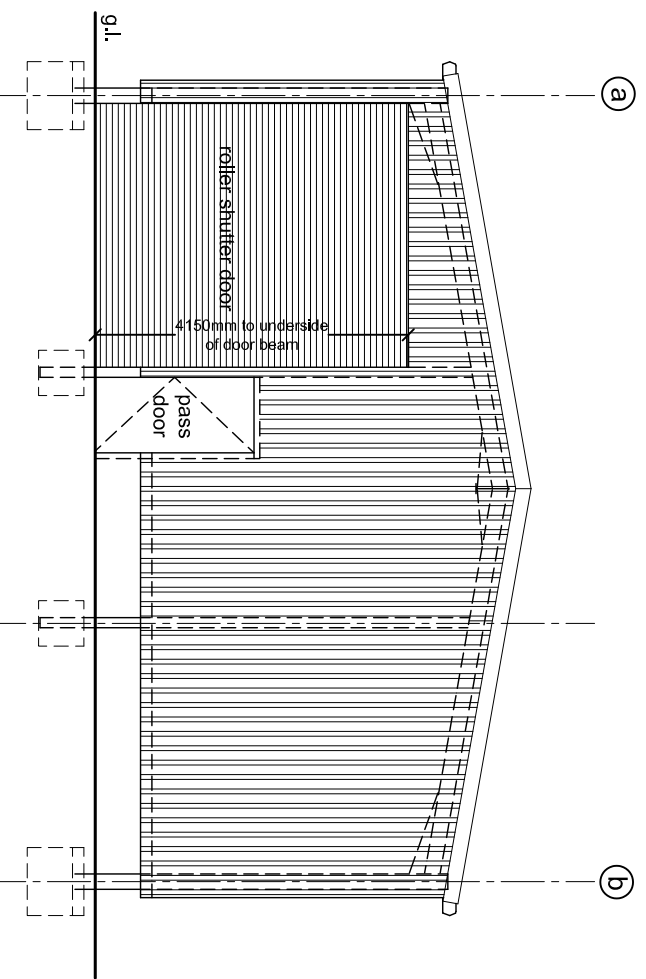


Photograph approaching site from B730

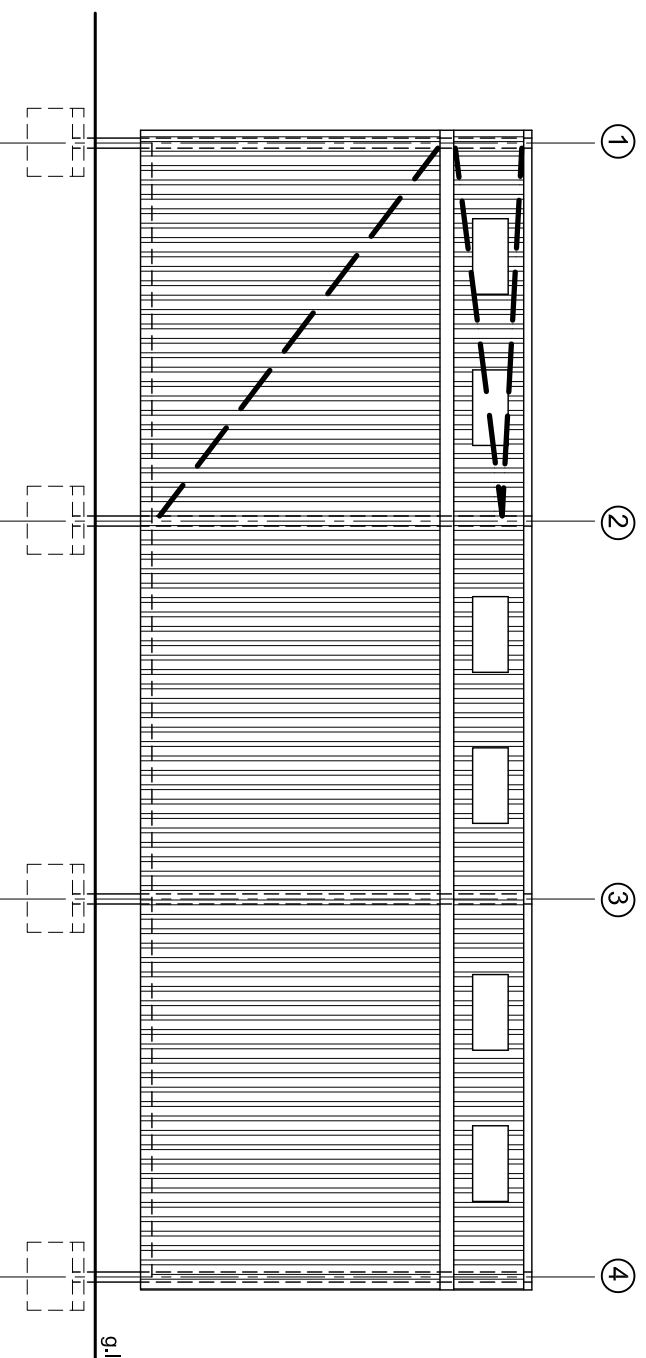


Photograph approaching site from B730

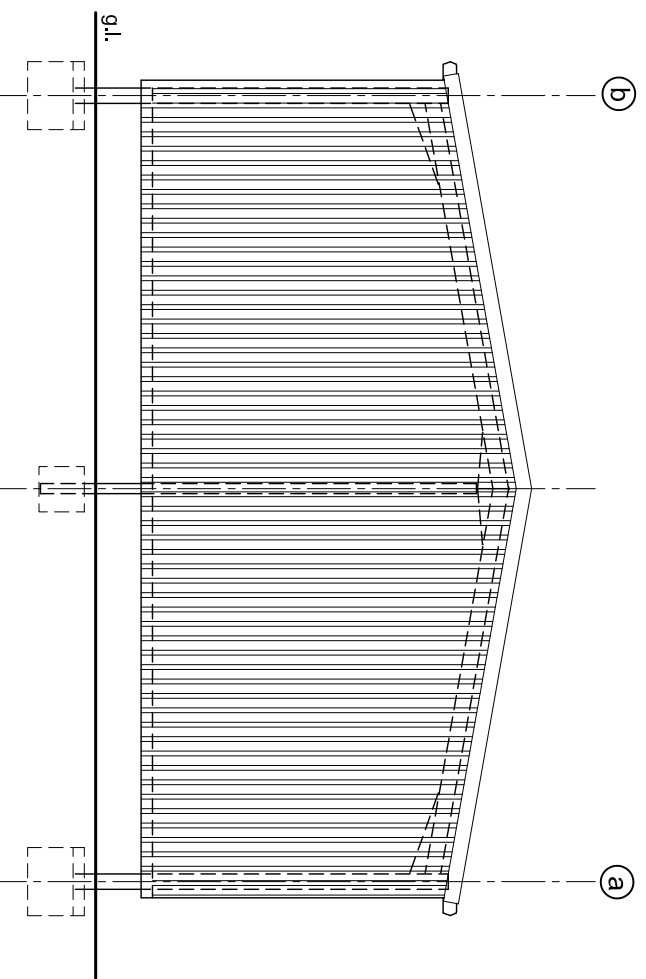
Roof Cladding: Steadmans AS35 0.7mm Polyester coated profiled steel roof cladding or equal and approved Anti condensation internal finish External Colour : Anthracite Grey	Walls: 0.9m high precast wall panels by Atlas or similar, full height blockwork wall adjacent to boundary
Roof lights: Rooflights to match roof sheeting profile by Steadmans or equal and approved	Surface Water Drainage: Clean roof water drainage to be existing surface water drain
Rainwater goods: Trinline gutter Colour : Anthracite Grey PVC downpipes by Marley or similar	Foul Drainage: No foul drainage required
Cladding: Steadmans AS24 profiled polyester coated cladding or equal and approved Colour : Anthracite Grey	Bracing: Diagonal roof bracing and eaves bracing 88.9 x 3.2 chs shown thus: 



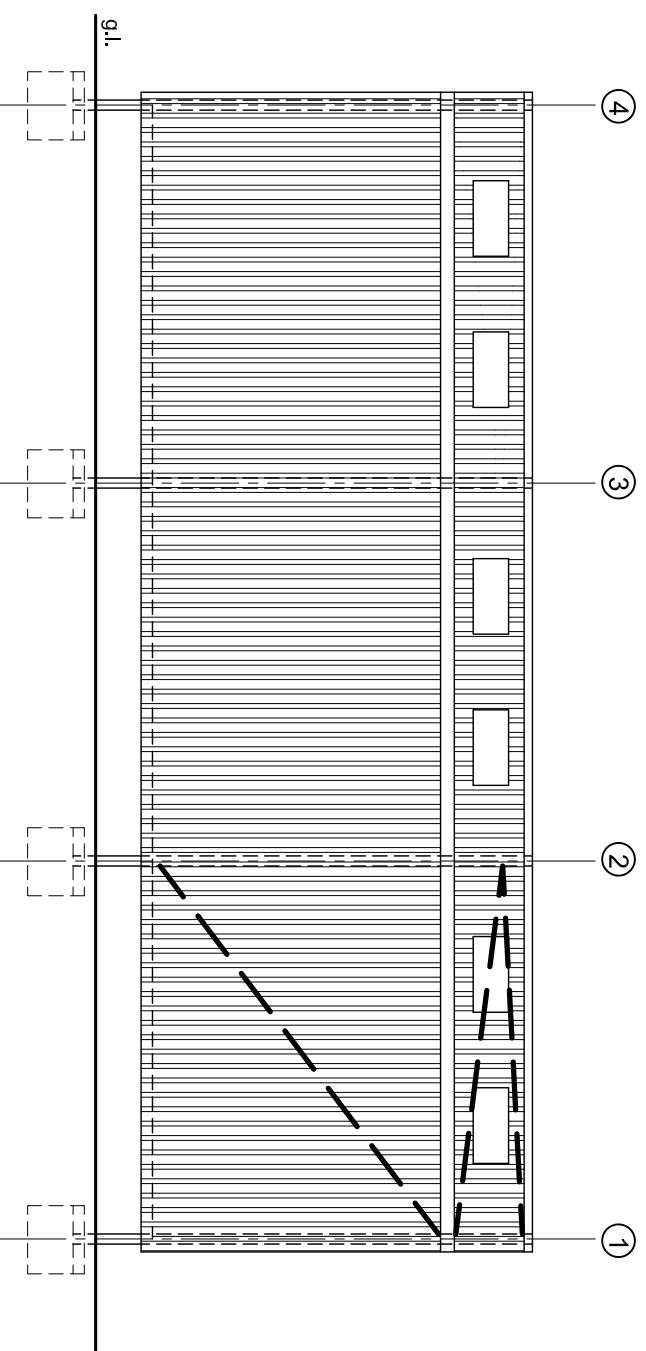
East Elevation (1:100)



South Elevation (1:100)



West Elevation (1:100)



North Elevation (1:100)

VE-TECH CONCRETE LTD

ARCHITECTURAL SERVICES

Strandhead Farm, Tarbolton, KA5 5NP
 Tel : 01292 540525

note
 Do not scale this drawing, use figured dimensions only,
 check dimensions on site, report any discrepancies to
 the client before proceeding

client / project
 J. Templeton

Proposed garage to house Lorry
 1 Stairgillan House, Tarbolton, KA5 5NN

drawing

Elevations

job no.	dwg no.	date
n/a	L(-)02	June '21
scale	drawn by	rev.
1:100	J. Baird	

revision nr / date / description

drawing status



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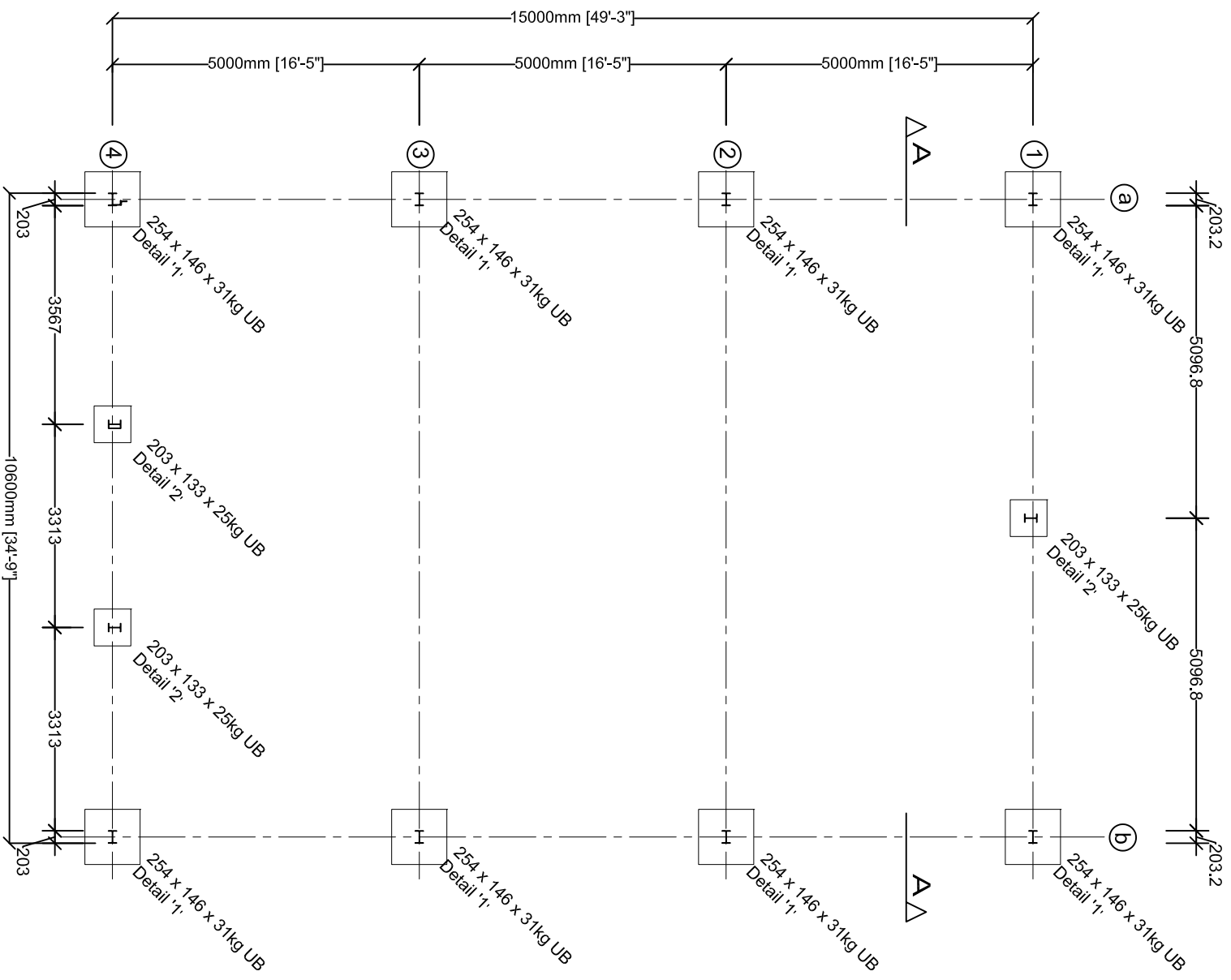
client / project
J. Templeton
Proposed garage to house Lorry
1 Stairgillan House, Tarbolton, KA5 5NN

drawing
Existing and Proposed Block Plan

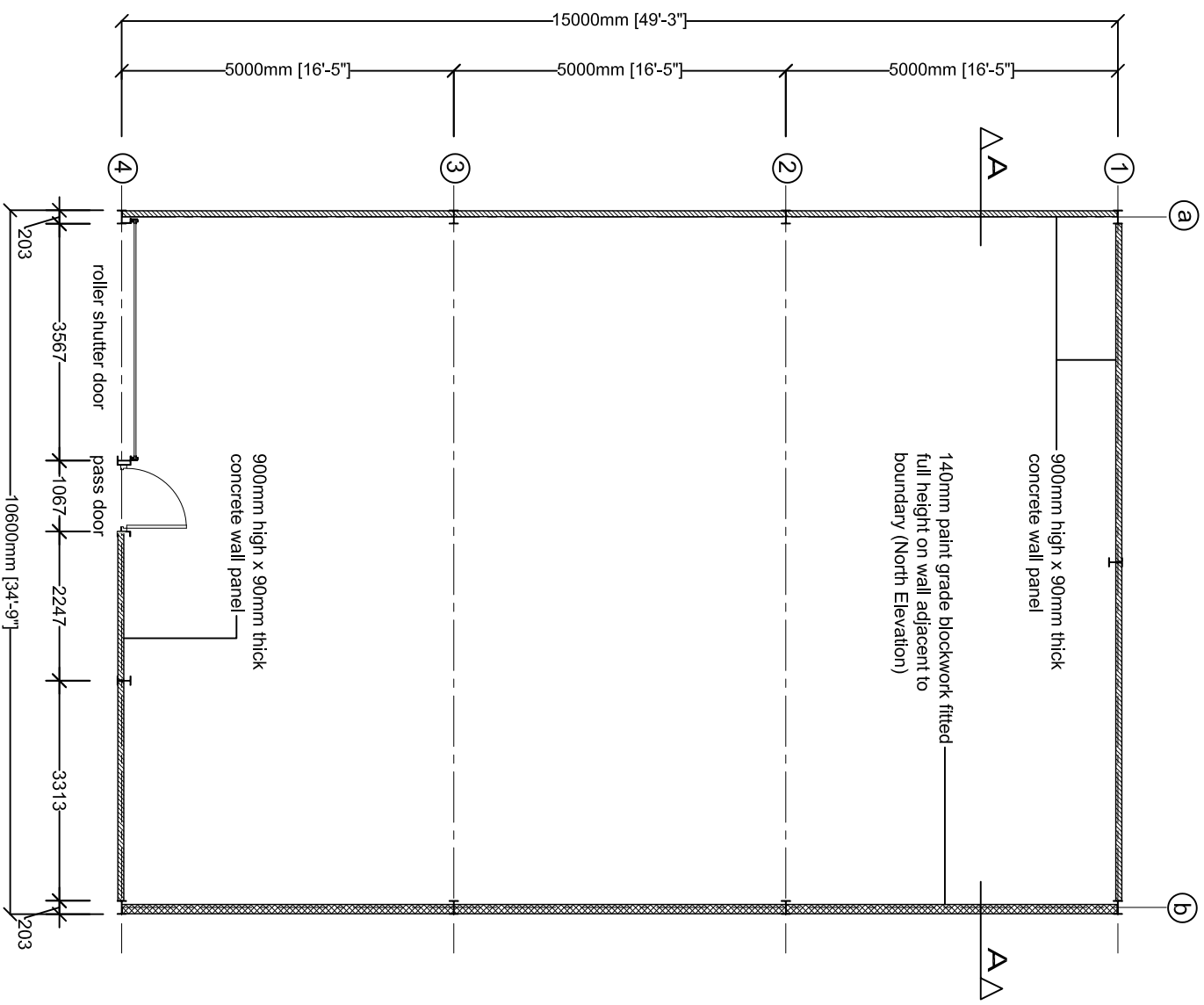
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scale 1:500	drawn by J. Baird	rev.

revision nr / date / description

drawing status



Foundation & Stanchion Layout (1:100)



Floor plan (1:100)

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 ARCHITECTURAL SERVICES
 Strandhead Farm, Tarbolton, KA5 5NP
 Tel : 01292 540525

note
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client / project
 J. Templeton

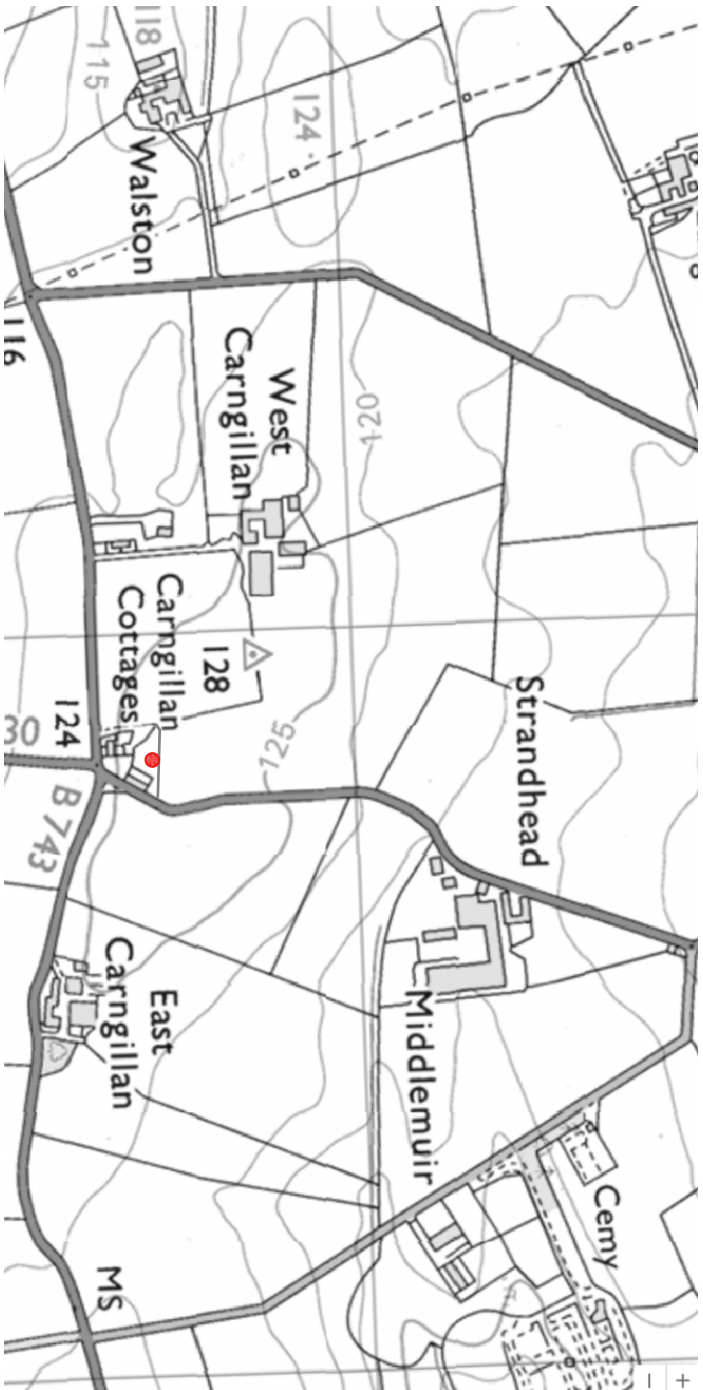
Proposed garage to house Lorry
 1 Stairgillan House, Tarbolton, KA5 5NN

drawing
 Foundation and Stanchion Layout /
 Floor plan

job no.	dwg no.	date
n/a	L(-)01	June '21
scale	drawn by	rev.
1:100	J. Baird	

revision nr / date / description

drawing status



LOCATION PLAN (1:10,000)



VE-TECH CONCRETE LTD

ARCHITECTURAL SERVICES

Strandhead Farm, Tarbolton, KA5 5NP
Tel : 01292 540525

*note
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client / project
J. Templeton

Proposed garage to house Lorry
1 Stairgillan House, Tarbolton, KA5 5NN

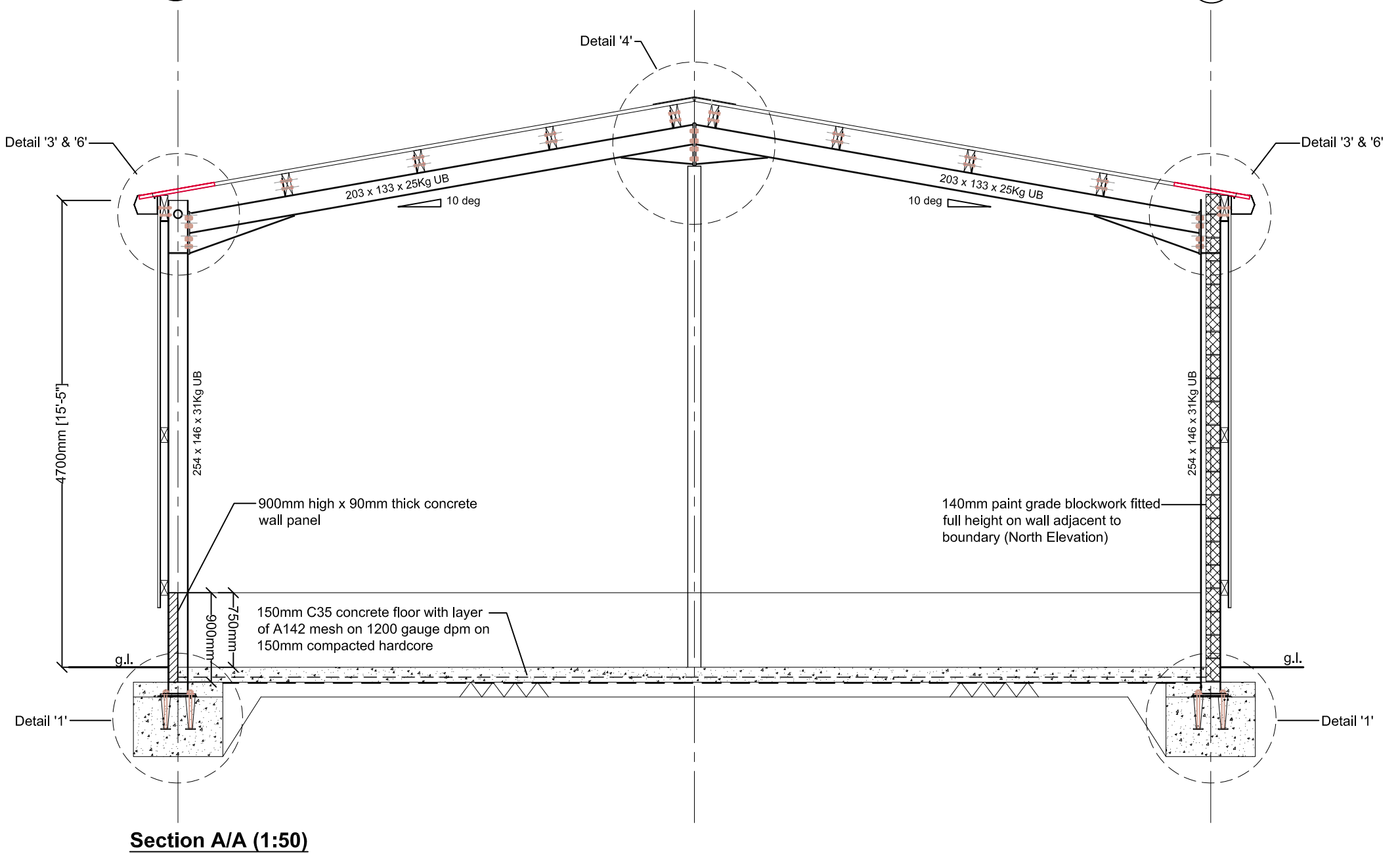
drawing

Location Plan

job no.	dwg no.	date
n/a	E(->)01	June '21
scale	drawn by	rev.
1:100	J. Baird	

revision nr / date / description

drawing status

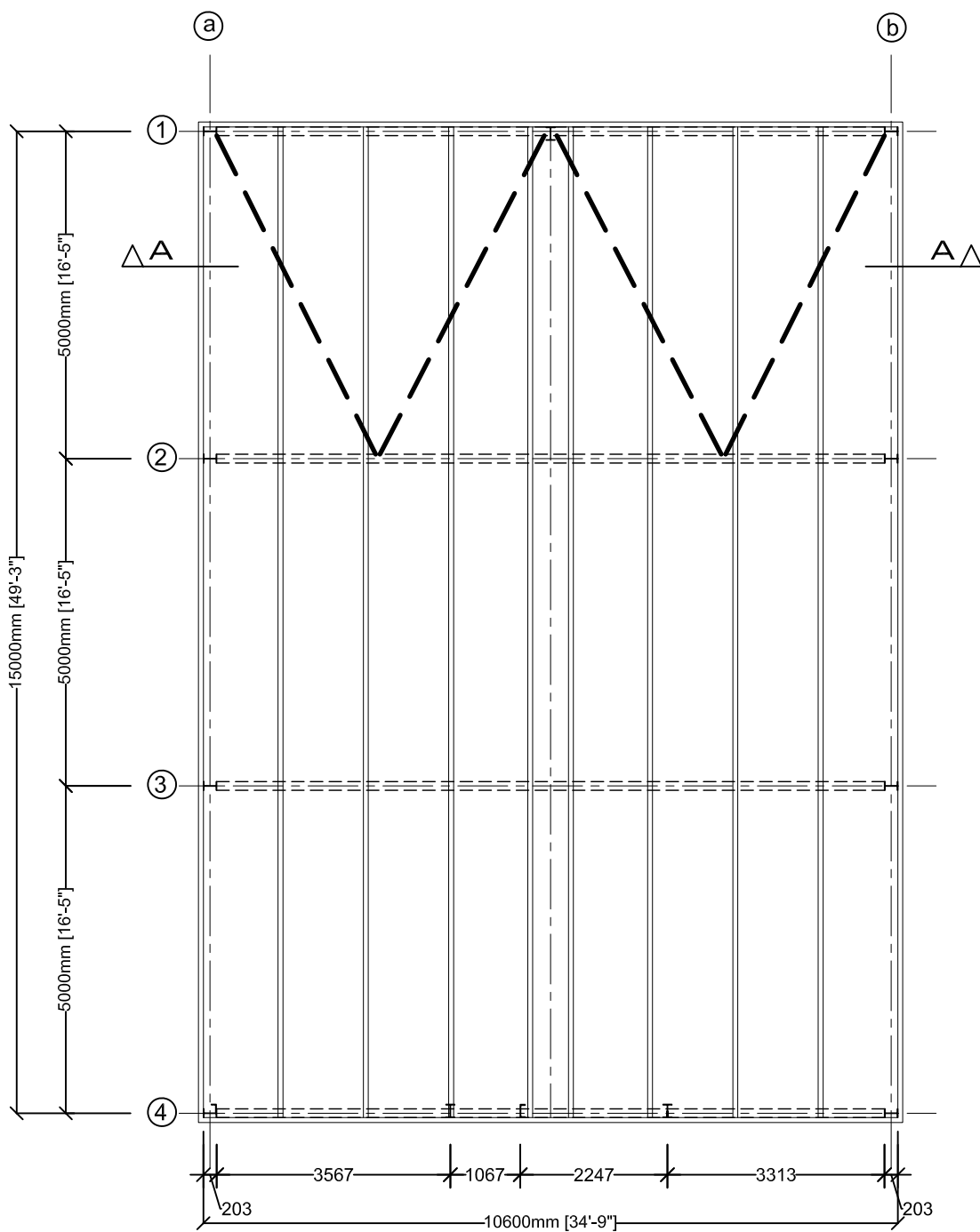


Section A/A (1:50)

diagonal bracing 88.9 x 4 chs
shown thus:

203 x 133 x 25kg UB rafters
@ max. 5.0m. crs

225 x 75 C16 timber roof purlins @
@ max. 1350mm crs



Rafter & Purlin Layout (1:100)

VE-TECH CONCRETE LTD
ARCHITECTURAL SERVICES

Strandhead Farm, Tarbolton, KA5 5NP
Tel : 01292 540525

note
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the client before proceeding

client / project

J. Templeton

Proposed garage to house Lorry
1 Stairgillan House, Tarbolton, KA5 5NN

drawing

Section A/A, Rafter and Purlin Layout

job no. n/a	dwg no. L(-)03	date June '21
scale varies	drawn by J. Baird	rev.

revision nr / date / description

drawing status



SOUTH AYRSHIRE COUNCIL

Refused under the Town and Country Planning (Scotland) Act, 1997 (As Amended), subject to reasons specified in the notification of this decision by South Ayrshire.

VE-TECH CONCRETE LTD
 ARCHITECTURAL SERVICES
 Strandhead Farm, Tarbolton, KA5 5NP
 Tel : 01292 540525

note
 Do not scale this drawing, use figured dimensions only, check dimensions on site, report any discrepancies to the client before proceeding

client / project
 J. Templeton
 Proposed garage to house Lorry
 1 Stairgillan House, Tarbolton, KA5 5NN

drawing
 Existing and Proposed Block Plan

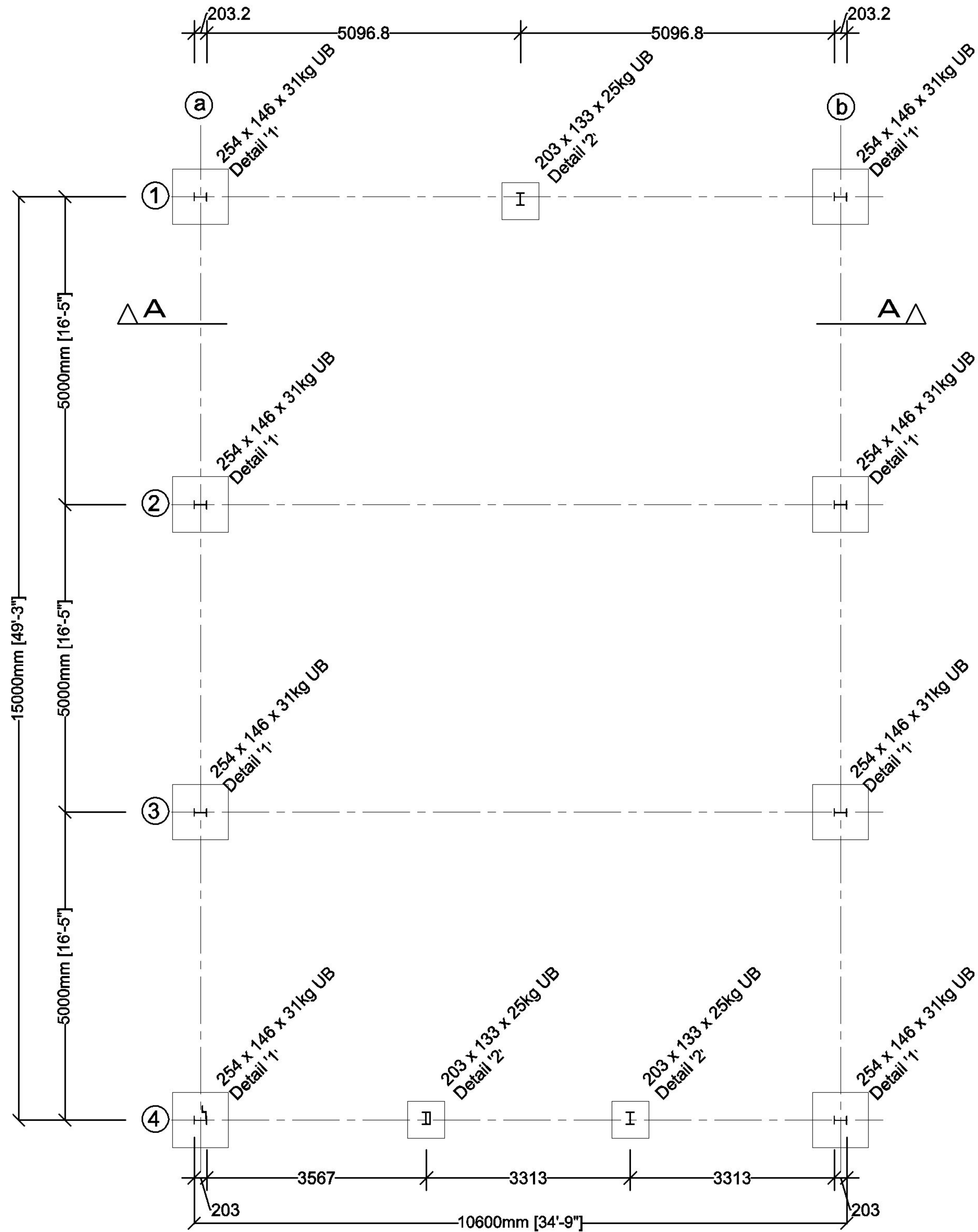
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scale 1:500	drawn by J. Baird	rev.

revision nr / date / description

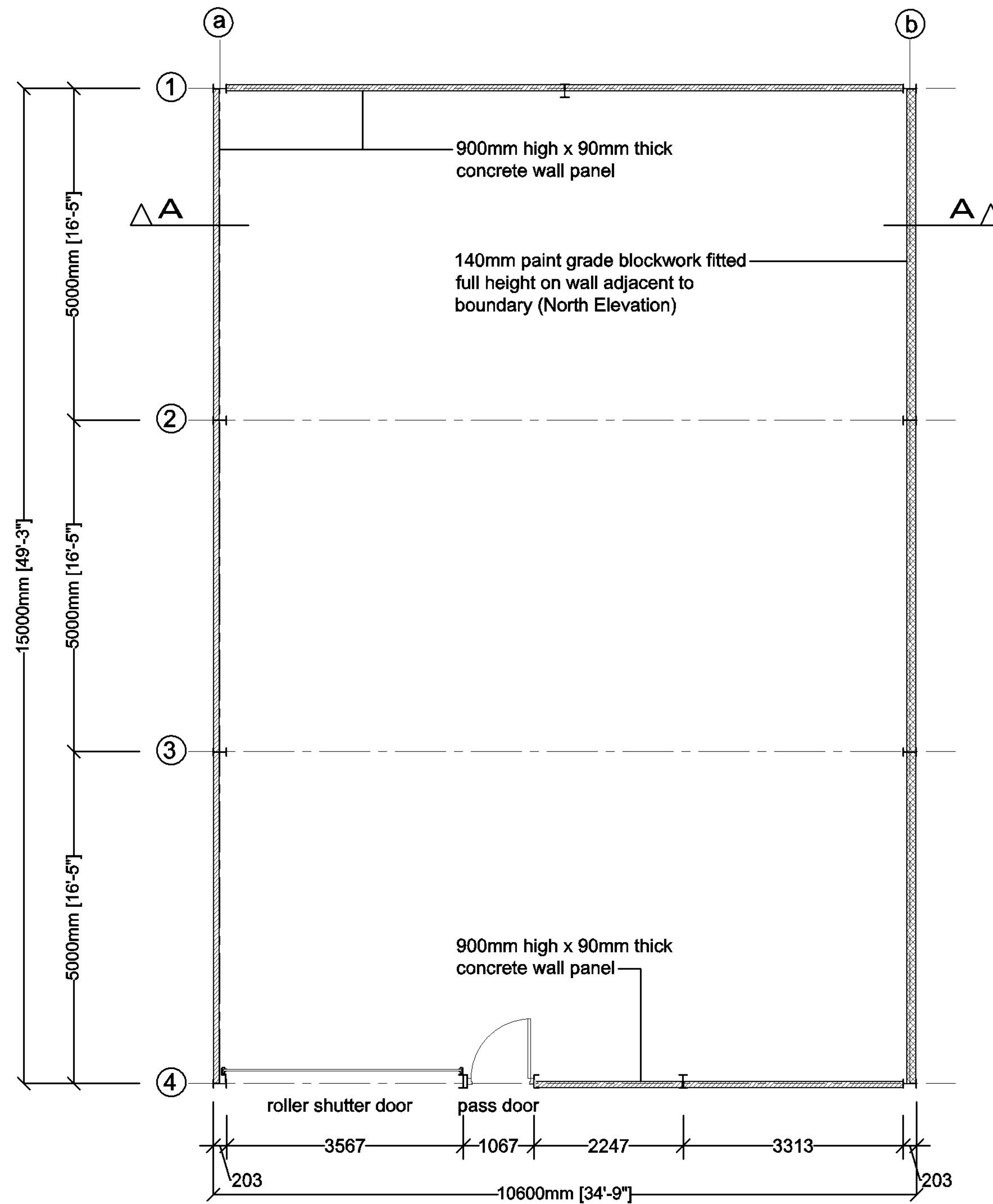
drawing status

SOUTH AYRSHIRE COUNCIL

Refused under the Town and Country Planning (Scotland) Act, 1997 (As Amended), subject to reasons specified in the notification of this decision by South Ayrshire.



Foundation & Stanchion Layout (1:100)



Floor plan (1:100)

VE-TECH CONCRETE LTD
ARCHITECTURAL SERVICES

Strandhead Farm, Tarbolton, KA5 5NP
Tel : 01292 540525

note
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client / project

J. Templeton

Proposed garage to house Lorry
1 Stairgillan House, Tarbolton, KA5 5NN

drawing

Foundation and Stanchion Layout /
Floor plan

job no. n/a	dwg no. L(-)01	date June '21
scale 1:100	drawn by J. Baird	rev.

revision nr / date / description

drawing status

PLANNING & BUILDING WARRANT ISSUE

Roof Cladding:

Steadmans AS35 0.7mm Polyester coated profiled steel roof cladding or equal and approved
Anti condensation internal finish
External Colour : Anthracite Grey

Roof lights:

Rooflights to match roof sheeting profile by Steadmans or equal and approved

Rainwater goods:

Trimline gutter
Colour : Anthracite Grey
PVC downpipes by Marley or similar

Cladding:

Steadmans AS24 profiled polyester coated cladding or equal and approved
Colour : Anthracite Grey

Walls:

0.9m high precast wall panels by Atlas or similar, full height blockwork wall adjacent to boundary


Surface Water Drainage:

Clean roof water drainage to be existing surface water drain

Foul Drainage:

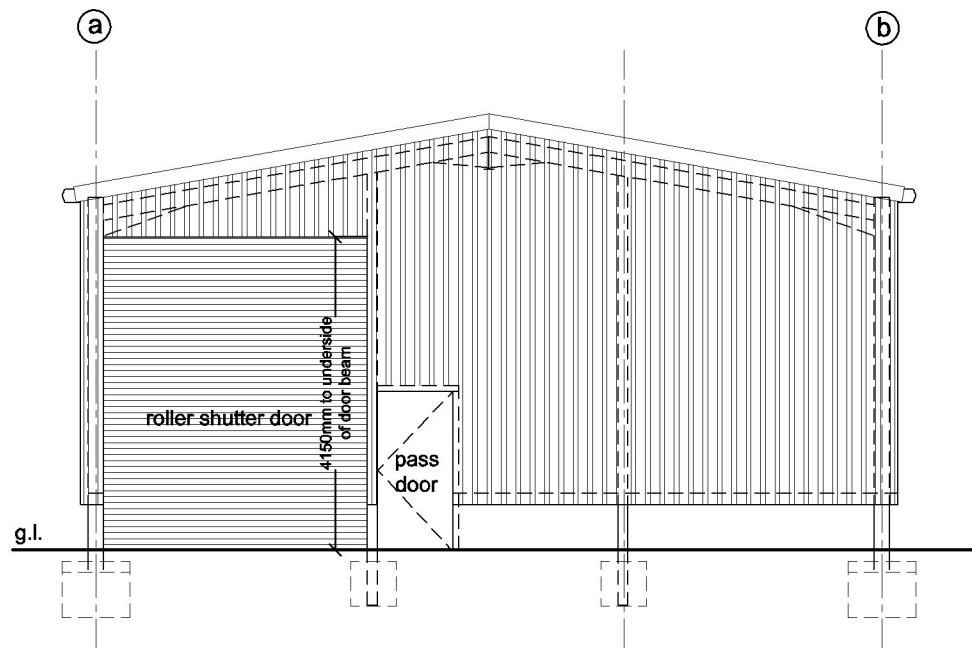
No foul drainage required

Bracing:

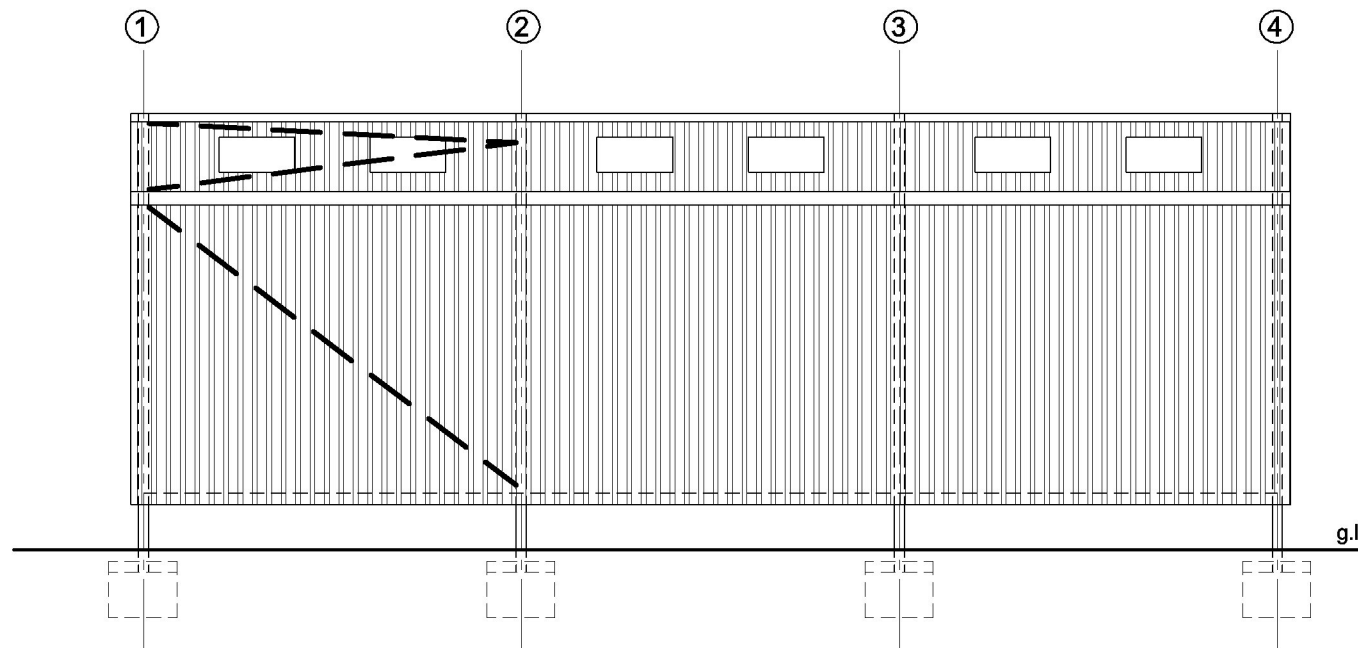
Diagonal roof bracing and eaves bracing 88.9 x 3.2 chs shown thus: 

SOUTH AYRSHIRE COUNCIL

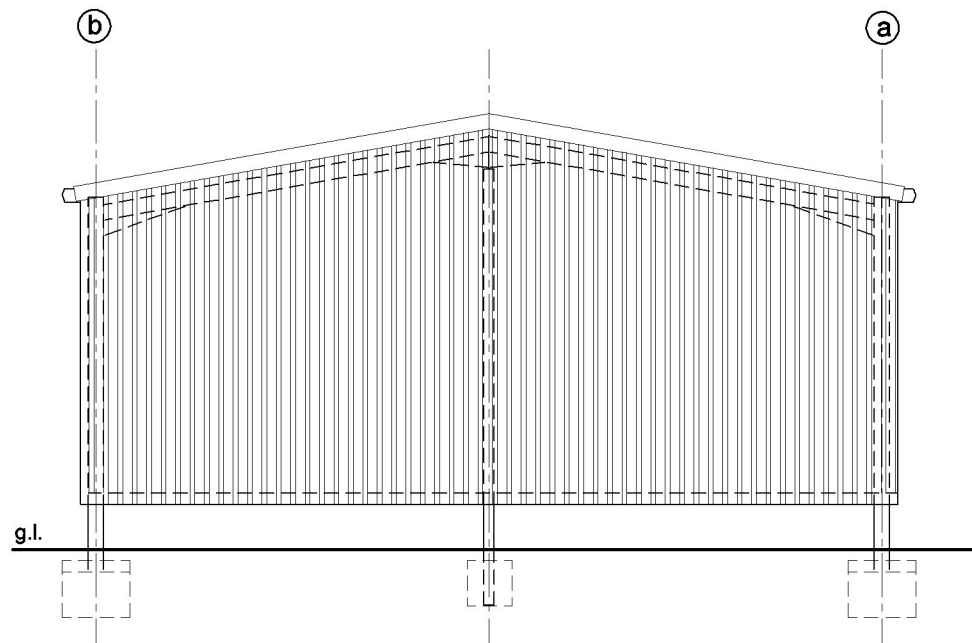
Refused under the Town and Country Planning (Scotland) Act, 1997 (As Amended), subject to reasons specified in the notification of this decision by South Ayrshire.



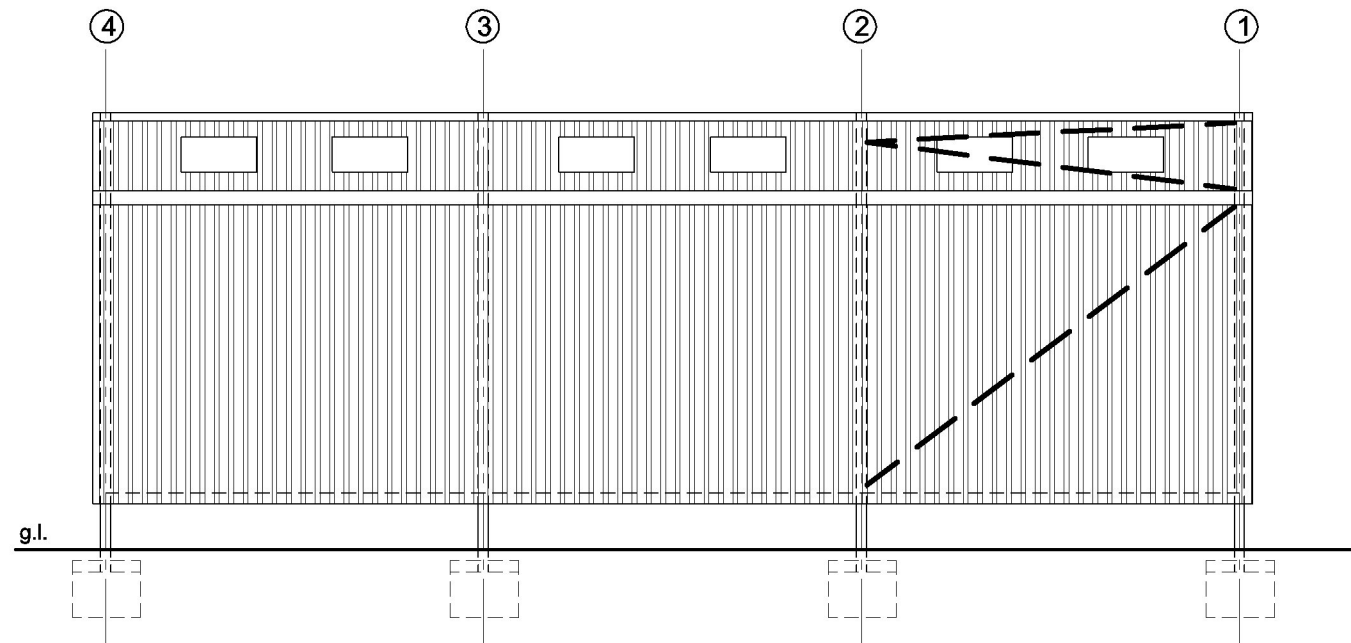
East Elevation (1:100)



South Elevation (1:100)



West Elevation (1:100)



North Elevation (1:100) ³⁶

VE-TECH CONCRETE LTD

ARCHITECTURAL SERVICES

Strandhead Farm, Tarbolton, KA5 5NP
Tel : 01292 540525

note
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client / project
J. Templeton

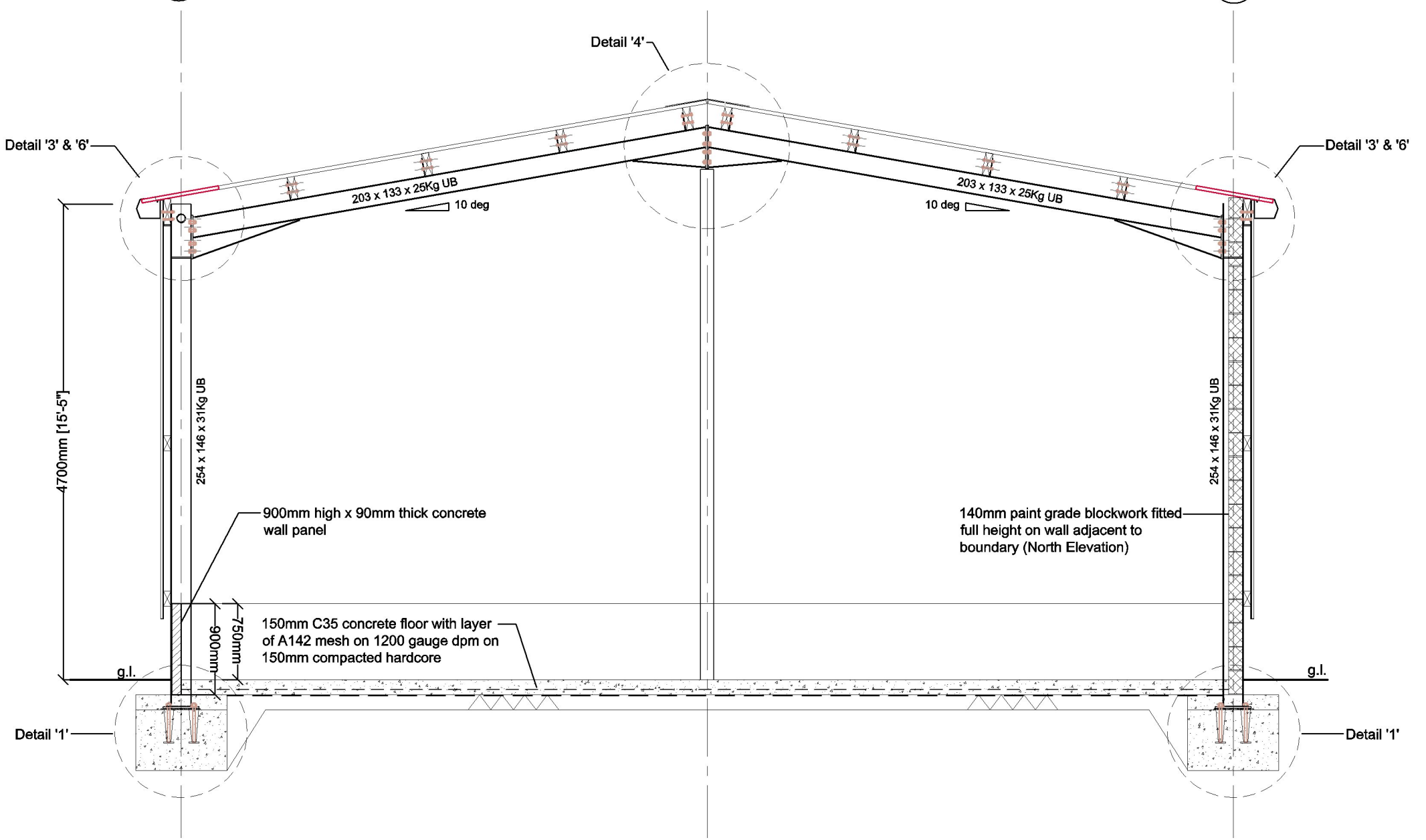
Proposed garage to house Lorry
1 Stairgillan House, Tarbolton, KA5 5NN

drawing
Elevations

job no. n/a	dwg no. L(-)02	date June '21
scale 1:100	drawn by J. Baird	rev.

revision nr / date / description

drawing status



Section A/A (1:50)

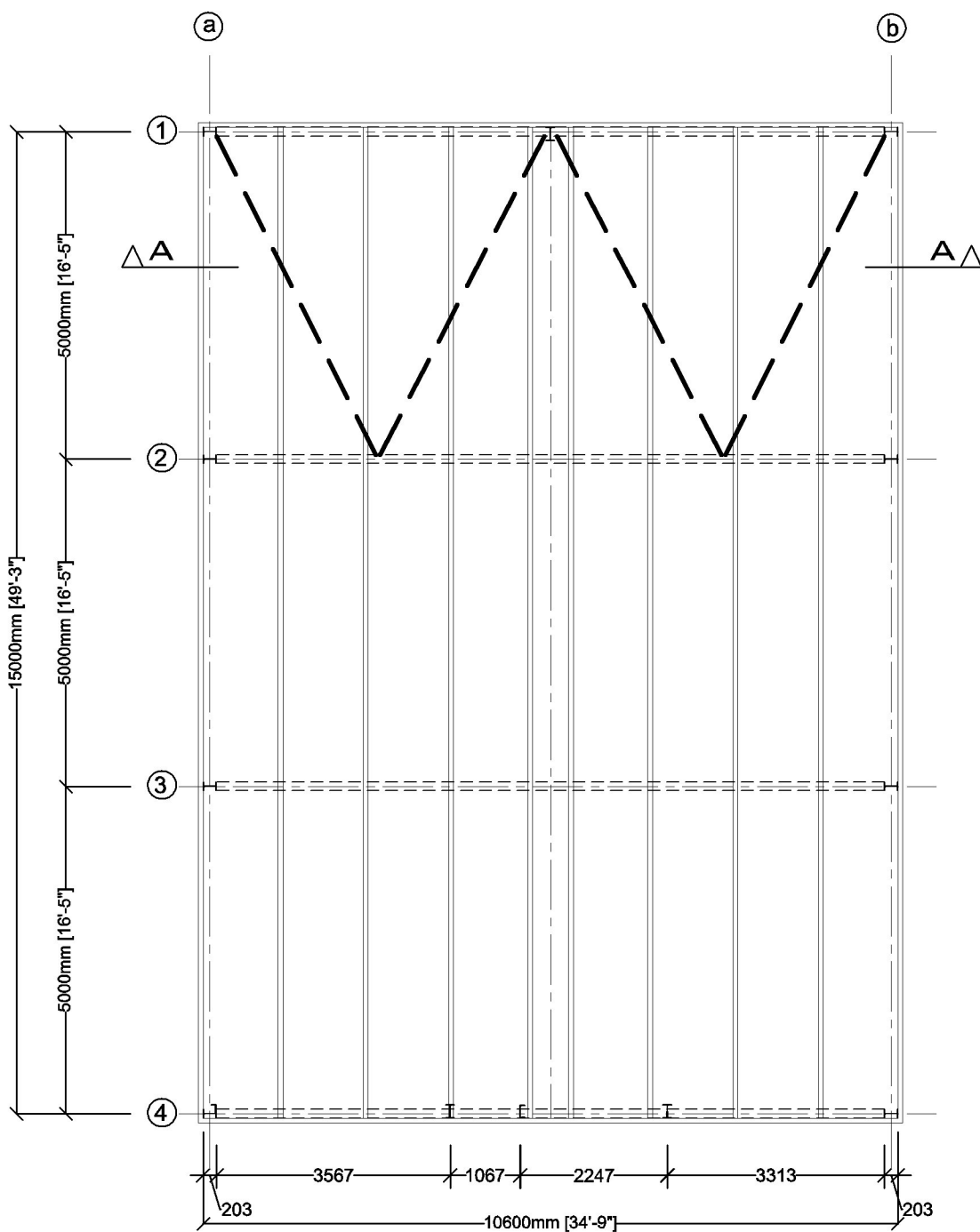
diagonal bracing 88.9 x 4 chs
shown thus:

203 x 133 x 25kg UB rafters
@ max. 5.0m. crs

225 x 75 C16 timber roof purlins @
@ max. 1350mm crs

SOUTH AYRSHIRE COUNCIL

Refused under the Town and Country Planning (Scotland) Act, 1997 (As Amended), subject to reasons specified in the notification of this decision by South Ayrshire.



Rafter & Purlin Layout (1:100)

VE-TECH CONCRETE LTD
ARCHITECTURAL SERVICES

Strandhead Farm, Tarbolton, KA5 5NP
Tel : 01292 540525

note
Do not scale this drawing, use figured dimensions only, check dimensions on site, report any discrepancies to the client before proceeding

client / project
J. Templeton
Proposed garage to house Lorry
1 Stairgillan House, Tarbolton, KA5 5NN

drawing
Section A/A, Rafter and Purlin Layout

job no. n/a	dwg no. L(-)03	date June '21
scale varies	drawn by J. Baird	rev.

revision nr / date / description

drawing status

LOCAL DEVELOPMENT

**REFUSAL OF APPLICATION FOR PLANNING PERMISSION
(Delegated)**

Ref No: 21/00682/APP

SOUTH AYRSHIRE COUNCIL

**TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997
as amended by the PLANNING ETC. (SCOTLAND) ACT 2006**

TOWN AND COUNTRY PLANNING (GENERAL DEVELOPMENT) (SCOTLAND) ORDERS

**To: Mr John Templeton
per Ve-Tech Concrete Ltd
Janey Baird
Strandhead Farm
Tarbolton
KA5 5NP**

With reference to your application dated **23rd June 2021** for planning permission under the above-mentioned Acts and Orders for the following development, viz:-

Erection of storage shed

**at: 1 Stairgillan House B730 From Council Boundary At Stair Bridge To B743 At Carngillan
Cottages Tarbolton Mauchline South Ayrshire
KA5 5NN**

The Council in exercise of their powers under the above-mentioned Acts and Orders hereby **refuse** planning permission for the said development.

The drawings and other documents, where relevant, which relate to this refusal can be viewed at www.south-ayrshire.gov.uk/planning/.

The reasons for the Council's decision are:

- (1) That the proposed storage shed is contrary to LDP policies: Sustainable Development, Rural Housing, SPP and the Council's Planning Guidance on Rural Housing, as the development is considered to be excessive in its scale, design and massing in relation to its rural domestic setting and shall be visually prominent within the rural landscape.

List of Plans Determined:

Drawing - Reference No (or Description): **Refused** E(--)
01

Drawing - Reference No (or Description): **Refused** L(-)
01

Drawing - Reference No (or Description): **Refused** L(--)
02

Drawing - Reference No (or Description): **Refused** L(--)
03

Drawing - Reference No (or Description): **Refused** L(--)
04

Other - Reference No (or Description): **Refused** PLANNING STATEMENT

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

Dated: 20th August 2021

.....
Julie Nicol
Service Lead – Planning and Building Standards

PLANNING SERVICE, COUNTY BUILDINGS, WELLINGTON SQUARE, AYR, KA7 1DR

SOUTH AYRSHIRE COUNCIL

LOCAL REVIEW BODY

NOTE of CURRENT POSITION

Site Address:	FORMER ADAMTON COTTAGES C106 FROM B739 JUNCTION NEAR ADAMTON HOUSE TO C138 JUNCTION SOUTH OF LANGLANDS NORTH EAST OF PRESTWICK MONKTON SOUTH AYRSHIRE
Application:	PLANNING PERMISSION IN PRINCIPLE FOR THE ERECTION OF 2 NEW DWELLINGHOUSES

Appointed Officer's Decision:	Refused
Date Notice of Review Received:	3 rd February 2022

Current Position:	New Case For Review
Documentation:	The following documents in relation to the review are attached: Pages 1 to 7 – Report of Handling Pages 8 to 56 – Notice of Review and Supporting Documentation Pages 57 to 69 – Planning Application and Supporting Plans Pages 70 to 71 – Decision Notice Pages 72 to 78 – Interested Parties Correspondence
New Material:	No
Additional Material:	N/A
Dated:	8 th March 2022

South Ayrshire Council

Place Directorate

Report of Handling of Planning Application

Application Determined under Delegated Powers where less than five objections have been received.
The Council's Scheme of Delegation can be viewed at <http://www.south-ayrshire.gov.uk/committees/>

Reference No:	21/00933/PPP
Site Address:	Former Adamton Cottages C106 From B739 Junction Near Adamton House To C138 Junction South Of Langlands North East Of Prestwick Monkton South Ayrshire
Proposal:	Planning permission in principle for the erection of 2 new dwellinghouses
Recommendation:	Refusal

REASON FOR REPORT

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

1. Site Description:

The application site is located near the C106 from B739 junction near Adamton House to the C138 junction south of Langlands, north east of Prestwick, Monkton. The site extends to approximately 4500 sq m with vehicular and pedestrian access obtained via a proposed access to/ from the adjacent unclassified public road. The site is bound by the following uses; woodland to the north, unclassified public road to the west, the boundaries of the Walled Garden to the east and to the south by a parcel of land which has planning permission for the erection of 2 dwellinghouses (17/01094/APP). One of the dwellings approved by permission 17/01094/APP has been erected on site.

2. Planning History:

It is considered that the planning history of surrounding land is material to the assessment of the current application. Specifically, the land located to the south of the Walled Garden, land located at the former Adamton Cottages and land at Woodend, are all considered material to the assessment of the current application. The approval of development of land surrounding the application site has resulted in permission being granted for the erection of 17 dwellinghouses within the rural area known as Adamton.

Land located to the south of the Walled Garden (11 dwellinghouses)

An application for planning permission in principle (14/01662/PPP) for the residential development on the site located adjacent to the Walled Garden (extending to approximately 7,690 sq.m) was refused under delegated powers by the Planning Authority on 10th February 2015. Subsequently, the Local Review Body (LRB) granted planning permission for the erection of residential development at this site.

The LRB took a view that Adamton was not a typical rural housing site, given the presence of existing terraced houses adjacent to the C106., which it considered gave the area a more urban character. The LRB also took the view that the boundaries of the existing cluster were open to interpretation, so the cluster could be considered to include other nearby properties, not merely the 16 terraced houses adjacent the site. The decision taken by the LRB did not limit the number of units which could be erected on site, nor did it define the limits of what it considered to be the cluster. Therefore, the principle of residential development at the site located adjacent to the walled garden was established by the LRB decision.

A subsequent detailed application 16/00469/APP on that site located adjacent to the Walled Garden was

refused under delegated powers by the Planning Authority on 5th July 2016. Application 16/00469/APP was again the subject of a review to the LRB where it was decided to partially uphold the decision made by the Planning Service, and refuse Planning Permission in so far as it related to design and layout matters (but not as far as it related to a requirement for affordable housing or education contributions).

Application 17/00701/APP for the erection of a residential development and associated infrastructure on the same site was approved under delegated powers by the Planning Authority on 25th August 2017. This application approved the erection of 11 dwelling houses.

Land located at the former Adamton Cottages (2 dwellinghouses)

An application for planning permission in principle (16/00563/PPP) for residential development on land formerly occupied by the since demolished Adamton Cottages, was refused under delegated powers by the Planning Authority on 20th June 2016. It was not considered that the site accorded with the Rural Housing policy relating to clusters and as defined by the Local Development Plan. Subsequently, the LRB granted planning permission for the erection of residential development at this site. The LRB considered that this proposed development was appropriate to the pattern and rural character (of an undefined cluster) at Adamton and that the site was not unreasonably divorced from neighbouring houses.

Subsequently, application 17/01094/APP for the erection of 2 x dwellinghouses and formation of associated vehicular access was approved by the Planning Authority on 3rd November 2017. One of the dwellings approved by application 17/01094/APP has been erected on site.

Land located at Woodend (4 dwellinghouses)

An application for planning permission in principle (18/01028/PPP) for the erection of 4 no. dwellinghouses on land located at Woodend, was approved by the Regulatory Panel on 31st January 2019. The Panel considered that the application site would be physically connected to the residential environment at Adamton and be located within the boundaries of what can essentially be described as an extended residential scheme.

Subsequently, application 19/00381/MSC for the erection of 4 x dwellinghouses was refused by the Planning Authority on 12th June 2019 as it was considered that the design of the proposed houses did not meet with the Council's Rural Housing Policy. This was formed on the assessment that in being 2 storey in height, the proposed dwellinghouses took a more urban/ sub-urban form than would otherwise be expected in a rural setting. The design was considered to result in a suburbanisation of development in the locality. However, the LRB granted planning permission and concluded that the design of the application proposal is acceptable in the context of this application site given that the site sits alongside housing that is 2-storey.

Planning application 21/00569/APP for the erection of 4 x dwellinghouses, different in design to those approved by application 19/00381/MSC, was approved earlier this year under delegated powers.

Land at Woodend (7 dwellinghouses)

An application for planning permission in principle (19/00911/PPP) for the erection of 7 dwellinghouses was refused by the Planning Authority on 4 December 2019 for the following reasons: -

(1) That the development proposal is contrary to the Local Development Plan: Core Investment Area policy in that the proposal is not considered to represent; residential development of an allocated housing site, (shown in the settlement maps); sustainable economic growth of Glasgow Prestwick Airport, the Enterprise Zone, other airport-related industry and infrastructure; promotion of rural diversification and tourism; non-residential re-use of a substantially intact building, which will benefit the local environment; and promotion and improvement the environmental quality and range of amenities within town centres.

(2) That the development proposal is contrary to the South Ayrshire Local Development Plan Policy in relation to Land Use and Transport in that the site is not accessible by a choice of means of transport, and the development proposal does not provide for travel by a choice of means of transport, and no justification has been provided for a departure from this policy.

(3) That the development proposal is contrary to the Adopted South Ayrshire Local Development Plan Sustainable Development policy as the development does not contribute to the effective use of public services, facilities and infrastructure, and no justification has been provided for a departure from this policy.

(4) That the development proposal is contrary to the Adopted South Ayrshire Local Development Plan Rural Housing policy as the development does not represent development which is; the replacement of an existing house, an extension to an existing house, the conversion and reuse of a genuinely redundant building of traditional or local character and domestic scale, or a home that is essential to a

rural business.

(5) That the development proposal is contrary to South Ayrshire Council Supplementary Planning Guidance entitled Rural Housing in that the development proposal will create ribbon development which has a suburbanising effect on the rural setting and visual amenity of the locality to the detriment of area.

The applicant sought a review of the decision from the Council's Local Review Body whereby the LRB agreed to uphold the decision made by the appointed officer for the reason as stated in the refusal of planning permission as listed above.

3. Description of Proposal:

Planning permission in principle is sought for the erection of two dwellinghouses on an area of land at the former Adamton Cottages, by Monkton. The site is located in a rural area defined in the Adopted South Ayrshire Local Development Plan as; Core Investment Area. While permission is being sought in principle, the applicant has provided an indicative layout which suggests that the site would accommodate 2 separate plots.

4. Consultations:

Ayrshire Roads Alliance offer no objections subject to conditions.
Scottish Water offer no objections subject to conditions.

5. Submitted Assessments/Reports:

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

None.

6. S75 Obligations:

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

None.

7. Scottish Ministers Directions:

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

None.

8. Representations:

No representations were received.

9. Development Plan:

Section 25 of the Town and Country Planning (Scotland) Act 1997 (as amended) indicates that in making any determination under the Planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material considerations indicate otherwise.

The following policies are relevant in the assessment of the application and can be viewed in full online at <http://www.south-ayrshire.gov.uk/planning/local-development-plans/local-development-plan.aspx>

- o Spatial Strategy;

- o Core Investment Area;
- o Sustainable Development;
- o Rural Housing;

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

The statutory Local Development Plan (LDP) for the area currently comprises the South Ayrshire Local Development Plan (adopted in September 2014) and its associated Supplementary Guidance, as well as the Town Centre and Retail Local Development Plan, adopted in 2017.

At a special meeting on 1 September, the Council considered representations on the Modified Proposed Replacement South Ayrshire Local Development Plan (MPLDP2), submitted in response to public consultation, and agreed (1) to submit the Plan, without further modification, to the Scottish Ministers for Examination; and (2) the Plan would be a material consideration in determining planning applications, with the weight accorded to it increasing as it progresses through the statutory process.

As MPLDP2 now represents the Council's settled position on the Development Plan it wishes to progress to adoption, it is a material consideration in the assessment of planning applications. However, it remains the subject of unresolved representations, which will be considered by the Scottish Government's Directorate of Planning and Environmental Appeals (DPEA), as part of the Examination process.

In considering development proposals, the Council may now apportion significant weight to those principles or policies of MPLDP2 which are not the subject of unresolved representations, but MPLDP2 is otherwise unlikely to be the determining factor in the determination of Planning Applications, remaining subordinate in status to the adopted LDP.

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

- o Scottish Planning Policy (2014);

Scottish Planning Policy (SPP) forms the statement of the Scottish Government's policy on nationally important land use planning matters. Paragraph 75 states that "the planning system should:

- o In all rural and island areas promote a pattern of development that is appropriate to the character of the particular rural area and the challenges it faces;
- o Encourage rural development that supports prosperous and sustainable communities and business whilst protecting and enhancing environmental quality".

The above SPP forms the statement of the Scottish Government's policy on nationally important land use planning matters and is considered to be relevant in the consideration of this application. In general, the SPP highlights the role of planning authorities in delivering sustainable development in rural areas. SPP states that the aim should be to enable development in all rural areas which supports prosperous and sustainable communities whilst protecting and enhancing environmental quality. The SPP expects development plans to respond to specific circumstances, with regards to rural developments. The policy emphasis of the SPP is noted, however, it is also important to note that the SPP maintains a plan-led approach to assessing development proposals with a primacy on Development Plans to provide a framework for assessing planning applications. This application is determined on this basis. The proposal also requires further consideration against the policy provisions of the Local Development Plan and related supplementary guidance in relation to Rural Housing which set out the criteria to be applied to new rural based dwellings. Further consideration of the proposal against the provisions of the Council's Local Development Plan and Rural Housing SPG, and also site specific aspects relating to the proposal - including planning history within the vicinity of the site - are considered elsewhere in this report.

- o South Ayrshire Council - Adopted Rural Housing Policy;

The SPG policy states that additions to clusters (defined as consisting of 2 or more houses forming a clearly identifiable group, with strong visual cohesion and sense of place) will be acceptable, subject to the following criteria;

- a) the proposal is sympathetic to the character and landscape setting of the existing cluster.
- b) the development represents the sensitive in-filling of any available gap sites consolidating existing dwellings within the cluster.
- c) the development has a clear relationship with the existing cluster by being physically connected with the cluster.

- d) the proposed design solution is in keeping with the character and built form of the existing cluster and otherwise complies with design guidance in the supplementary guidance.
- e) The proposal does not expand the cluster by more than 50% of the number of houses within that group (rounded up to nearest single dwellinghouse) as at date of adoption of this supplementary guidance.

The SPG also states that additions to clusters will not be acceptable where: -

- a) the cluster is located within the greenbelt.
- b) the development results in the coalescence of settlements.
- c) the development extends I creates a ribbon of development.
- d) the development has an unacceptable impact on the character of the existing building group or its landscape setting and settlement.

An assessment of the proposal in this regard is set out further within this report, below.

The Council's Supplementary Planning Guidance (SPG) 'Open Space and Designing New Residential Developments' is relevant in the consideration of this application. This policy provides guidelines on plot spacing for new residential dwellings including minimum private garden sizes. This policy guidance also recommends a minimum of 6 metre depth for front garden and 9 metre depth for rear gardens. This policy also sets out expected private open space standards within new residential developments, which for detached properties extends to 100 square metres. Due to the generous size of the plot, the proposed house would exceed the minimum standards. Therefore it is considered that the development proposal accords with the Council's Adopted Open Space Policy.

11. Assessment (including other material considerations):

A site visit has not been undertaken as it is considered that sufficient information is available to determine the application; in accordance with the Council's agreed protocol and the advice of the Scottish Government in containing the spread of Coronavirus. The applicant/ agent has provided photographs to assist with the understanding of the setting of the application site, which along with public sources of information, is considered sufficient undertake an assessment of the application. The site has also been previously visited as part of the assessment of earlier application proposals.

In terms of the assessment of the current application, it is recognised that the strategy underpinning the Local Development Plan is to promote sustainable development by making best use of infrastructure within existing towns and villages. Scottish Planning Policy echoes the objectives of the LDP and clearly indicates that in pressured areas it is important to protect against unsustainable growth of car-bound commuting and the suburbanisation of the countryside, particularly where there are environmental assets such as scenic landscapes or good quality agricultural land. It is for these reasons that additional housing within this rural area needs to be appropriately assessed.

The application site is located within the Core Investment Area as defined in the adopted Local Development Plan (2014). The approach outlined in the overarching LDP policy: spatial strategy within the adopted LDP states that development will not be supported outwith the boundaries of settlements, except where it can be justified:

"...because it will benefit the economy and there is a need for it in that particular area and in line with the spatial strategy".

It is noted that the application site is not an allocated housing site and it has not been demonstrated that there is a need for residential development in the particular area concerned. The 'Core Investment Area' is the operative spatial component of the spatial strategy policy for this site, and is of particular relevance in regard to this proposal as the policy seeks to encourage development which results in new housing on allocated sites. It is clear that proposals on unallocated sites outwith existing town and village boundaries will not be supported for residential development, except where in compliance with LDP Rural Housing.

The LDP Rural Housing policy allows for small scale, limited expansion of clusters within countryside locations. Since 2015, planning permission has been approved for the erection of 17 dwellinghouses in close proximity to the application site. In their consideration of application 14/01662/PPP, the LRB decision notice did not define the boundaries of the existing cluster at Adamton Estate, nor did the decision notice define the limits of what was considered to be a cluster. Subsequent residential development application at Adamton Estate, proposed under the 'cluster policy', have therefore benefited from this lack of definition in so much that existing housing at Adamton Estate has been expanded by nearly 100% in number and significantly in excess of 100% in terms of land take. The approval of a significant number of dwellinghouses within this rural area clearly contradicts the objectives of the LDP's spatial strategy and has resulted in the suburbanisation of Adamton Estate. The planning system

operates within a plan-led system and an unrestricted approach to rural housing places an unnecessary burden on public services, facilities and infrastructure. It is therefore considered that Adamton Estate is unable to cope with further residential development without compromising the Sustainable Development policy objectives of the LDP.

Furthermore, the LDP policy in relation to Land Use and Transport recognises the relationship between transport and land use in terms of sustainable development and economic growth. In this regard, development proposals should closely link to existing and proposed walking, cycling and public transport networks, and ensure that essential use of the private car is accommodated within the context of an integrated approach of transport. In this regard it is noted that the site is accessed via an unclassified rural public road, and is not served by public transport, or by a cycle route.

It is considered imperative that there is a cessation to further unsustainable and environmentally damaging housebuilding that is a suburbanising expansion of residential development in this locality.

The supporting statement has been considered, however, no information has been submitted which addresses the above policy concerns.

For the reasons noted above, it is considered that the development proposal does not accord with the South Ayrshire Local Development Plan Policies in relation to; Spatial Strategy, Core Investment Area, Land Use and Transport, Sustainable Development and Rural Housing, and that there are no material planning considerations that would out-weigh these policy provisions. Given the above assessment and having balanced the applicants' rights against the general interest, it is recommended that the application be refused, for the reasons below.

12. Recommendation:

It is recommended that the application is refused for the following reasons: -

Reasons:

- (1) That the development proposal is contrary to the Local Development Plan: Core Investment Area policy in that the proposal is not considered to represent; residential development of an allocated housing site, (shown in the settlement maps); sustainable economic growth of Glasgow Prestwick Airport, the Enterprise Zone, other airport-related industry and infrastructure; promotion of rural diversification and tourism; non-residential re-use of a substantially intact building, which will benefit the local environment; and promotion and improvement the environmental quality and range of amenities within town centres.
- (2) That the development proposal is contrary to the South Ayrshire Local Development Plan Policy in relation to Land Use and Transport in that the site is not accessible by a choice of means of transport, and the development proposal does not provide for travel by a choice of means of transport, and no justification has been provided for a departure from this policy.
- (3) That the development proposal is contrary to the Adopted South Ayrshire Local Development Plan Sustainable Development policy as the development does not contribute to the effective use of public services, facilities and infrastructure, and no justification has been provided for a departure from this policy.
- (4) That the development proposal is contrary to the Adopted South Ayrshire Local Development Plan Rural Housing policy as the development does not represent development which is; the replacement of an existing house, an extension to an existing house, the conversion and reuse of a genuinely redundant building of traditional or local character and domestic scale, or a home that is essential to a rural business.
- (5) That the development proposal is contrary to South Ayrshire Council Supplementary Planning Guidance entitled Rural Housing in that the proposal expands the existing cluster by more than 50% of the number of houses within Woodend (as at the date of adoption of the SPG).

Advisory Notes:

N/A.

List of Plans Determined:

Drawing - Reference No (or Description): **Refused 01**

Drawing - Reference No (or Description): **Refused 02**

Drawing - Reference No (or Description): **Refused** 03

Drawing - Reference No (or Description): **Refused** 04

Drawing - Reference No (or Description): **Refused** 05

Reason for Decision (where approved):

N/A.

Equalities Impact Assessment

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

<i>Decision Agreed By:</i>	<i>Appointed Officer</i>
<i>Date:</i>	<i>4 November 2021</i>



County Buildings Wellington Square Ayr KA7 1DR Tel: 01292 616 107 Email: planning.development@south-ayrshire.gov.uk

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

Thank you for completing this application form:

ONLINE REFERENCE 100469624-002

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

Applicant or Agent Details

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

Applicant Agent

Agent Details

Please enter Agent details

Company/Organisation:

Ref. Number:

You must enter a Building Name or Number, or both: *

First Name: *

Building Name:

Last Name: *

Building Number:

Telephone Number: *

Address 1 (Street): *

Extension Number:

Address 2:

Mobile Number:

Town/City: *

Fax Number:

Country: *

Postcode: *

Email Address: *

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

Individual Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:	<input type="text" value="Mr"/>	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text"/>	Building Name:	<input type="text" value="Woodside House"/>
First Name: *	<input type="text" value="Barry"/>	Building Number:	<input type="text"/>
Last Name: *	<input type="text" value="McLeish"/>	Address 1 (Street): *	<input type="text" value="Monkton"/>
Company/Organisation	<input type="text"/>	Address 2:	<input type="text"/>
Telephone Number: *	<input type="text"/>	Town/City: *	<input type="text" value="Prestwick"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="Scotland"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="KA9 2SQ"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text" value="Barry@qtsgroup.com"/>		

Site Address Details

Planning Authority:	<input type="text" value="South Ayrshire Council"/>
Full postal address of the site (including postcode where available):	
Address 1:	<input type="text"/>
Address 2:	<input type="text"/>
Address 3:	<input type="text"/>
Address 4:	<input type="text"/>
Address 5:	<input type="text"/>
Town/City/Settlement:	<input type="text"/>
Post Code:	<input type="text"/>

Please identify/describe the location of the site or sites

Northing	<input type="text" value="627889"/>	Easting	<input type="text" value="237489"/>
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Description of Proposal

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

Planning permission in principle for the erection of 2 new dwellinghouses. SITE ADDRESS: Former Adamton Cottages C106 From B739 Junction Near Adamton House To C138 Junction South Of Langlands North East Of Prestwick Monkton South Ayrshire

Type of Application

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

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

What does your review relate to? *

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

Statement of reasons for seeking review

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

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

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

We disagree with the Councils decision to refuse planning permission in principle for the said development. All reasons and arguments why a review is requested are contained within the attached Statement in Support provided within the supporting documents section.

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

Yes No

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

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

1) Copies of the Original application documents. 2) A Statement in Support of a request for Review.

Application Details

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

21/00933/PPP

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

09/09/2021

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

05/11/2021

Review Procedure

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

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

Yes No

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

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

Yes No

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

Yes No

Checklist – Application for Notice of Review

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

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

Yes No

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

Yes No

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

Yes No N/A

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

Yes No

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

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

Yes No

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

Declare – Notice of Review

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

Declaration Name: Mr Paul Sisi

Declaration Date: 02/02/2022

**NOTICE OF REVIEW
IN RELATION TO THE REFUSAL BY
SOUTH AYRSHIRE COUNCIL FOR
PLANNING PERMISSION IN PRINCIPLE FOR
THE ERECTION OF TWO DWELLINGHOUSES
AT FORMER ADAMTON COTTAGES,
C106 FROM B739 JUNCTION NEAR ADAMTON
HOUSE TO C138 JUNCTION SOUTH OF LANGLANDS,
NORTH EAST OF MONKTON, PRESTWICK**

**PLANNING APPLICATION REF NO
21/00933/PPP**

STATEMENT IN SUPPORT

Report Prepared by:

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February 2022

**Notice of Review in Relation to the Refusal by South Ayrshire Council for
Planning Permission in Principle for the Erection of Two Dwellinghouses at
Former Adamton Cottages, C106 from B739 Junction near Adamton House to
C138 Junction South of Langlands, North East of Monkton, Prestwick
Planning Application Ref No 21/00933/PPP
Statement in Support**

Prepared for: Mr Barry McLeish

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**Notice of Review in Relation to the Refusal by South Ayrshire Council for Planning Permission in Principle for the Erection of Two Dwellinghouses at Former Adamton Cottages, C106 from B739 Junction near Adamton House to C138 Junction South of Langlands, North East of Monkton, Prestwick
Planning Application Ref No 21/00933/PPP
Statement in Support**

Prepared for: Mr Barry McLeish

(i) SUMMARY / CONCLUSIONS

- Reason for Refusal 1, i.e. that the proposals are contrary to the requirements of LDP policy: core investment area, we strongly suggest is largely irrelevant since the proposals, if implemented, couldn't possibly have any implications for them
- The proposals are otherwise compatible with the requirements of LDP policy: land use and transport (Reason for Refusal 2); LDP policy: sustainable development (Reason for Refusal 3), and LDP policy: rural housing (Reason for Refusal 4) which, like Reason 1, is largely irrelevant in this case because of Supplementary Guidance: Rural Housing
- The proposals are also compatible with the requirements of Supplementary Guidance: Rural Housing (Reason for Refusal 5) for the following reasons:
 - The Guidance describing a cluster as '*an existing group of houses in the countryside*'. Adamton is an existing group of housing in the countryside
 - In numerical terms, a cluster is '*defined as a building group of two or more houses forming a clearly identifiable 'group' with strong visual cohesion and sense of place*'
 - Inevitably, not all identifiable groups of 2+ houses would 'neatly' satisfy all of the criteria required if development was going to be considered
 - In its response to planning applications, the Council has recognised that Adamton is a cluster but has also concluded that it shouldn't be seen as typical
- The Council has also accepted that the potential boundaries '*were open to interpretation*'

**Notice of Review in Relation to the Refusal by South Ayrshire Council for Planning Permission in Principle for the Erection of Two Dwellinghouses at Former Adamton Cottages, C106 from B739 Junction near Adamton House to C138 Junction South of Langlands, North East of Monkton, Prestwick
Planning Application Ref No 21/00933/PPP
Statement in Support**

Prepared for: Mr Barry McLeish

- It is not unreasonable to conclude, however, that the outer limit of the consents granted, as shown in Planning Application Drawing No 1194-04A, has given the Adamton cluster potentially a recognisable form and that the application that is the subject of this request for review might be viewed in this context
- In our opinion therefore, and as confirmed by Planning Application Drawing No 1194-04A, the proposals would affectively round off the situation, with the woodland to the north and east effectively screening the site and Adamton, as a whole, from the countryside to the north
- In terms of numbers, the area described above had 18 units at the time of adoption of Guidance. At the time of writing, it has 19, an increase of one during the period since the adoption of Supplementary Guidance

The proposals would not therefore, by themselves, result in the total number of houses being increased by more than 50%.

While four others are currently at an advanced stage of construction and, even if these four were taken into account, the 50% guideline would not be reached.

Having accepted that Adamton is not a typical cluster and that its boundary was open to interpretation, the Council has not rigidly applied the 50% guideline here and has taken a pragmatic approach which has not resulted in difficulties for this policy elsewhere.

The proposals are therefore compatible with the Council's position in relation to development at Adamton.

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- Otherwise, Supplementary Guidance states that additions to clusters will be acceptable where:

a) *the proposal is sympathetic to the character and landscape setting of the cluster*

At the time of writing, there were 19 houses within the area described by Planning Application Drawing No 1194-04A. The 16 houses of Adamton Estate comprise: 10 semi-detached houses and six units in a terrace, which are likely to have been built by the former Ayrshire County Council. The other three houses are detached.

There is therefore a mixture of house types, built at different points in time. Without commenting on the quality in townscape terms of the range of existing housing, the proposals will benefit from the detailed policy guidance now provided with regard to new rural housing and should help enhance the character rather than have an unacceptable impact.

In relation to landscape setting and quality, we have demonstrated that the proposals would have no negative consequences either for Landscape Character Type 66 – Agricultural Lowlands within which it is situated or the immediate local landscape setting.

With trees along the northern and eastern margins, the development would be completely unsighted from the more open aspects of the countryside beyond.

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- b) *the development represents the sensitive infilling of any available gap sites consolidating existing dwellings within the cluster*

The site does not represent infilling but does, in effect, represent a rounding off of development on the north-east edge of the cluster. A substantial tree bank along the north makes for a clear boundary with the wider countryside beyond.

- c) *the development has a clear relationship with the existing cluster by being physically connected with the cluster*

The proposals are immediately adjacent to existing development to the south and to the west across the C106.

- d) *the proposed design solution is in keeping with the character and built form of the existing cluster and otherwise complies with design guidance in the supplementary guidance*

In terms of its built form characteristics, as a potential source of guidance, as confirmed elsewhere, the majority of the houses currently are in the form of a terrace. Otherwise, the three other houses are not similar. The proposals would substantially be based on SG.

SG goes further to state:

Additions to clusters will not be acceptable where:

- *the cluster is located within the greenbelt*

Adamton is not located in the greenbelt.

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- *the development results in the coalescence of settlements*

Adamton's location within the wider area, as shown in the Google extract on page 18, confirms that the proposals will not result in coalescence now or, indeed, in the future.

- *the development extends/creates a ribbon of development*

Currently, there is no ribbon of development here. The proposals will have access on to the C106 but, as Planning Application Drawing No 1194-01 confirms, the outcome will not be a ribbon.

- *the development has an unacceptable impact on the character of the existing building group or its landscape setting*

This is dealt with under point (a) earlier.

As confirmed in this Statement, the proposals are otherwise compliant with the requirements of:

- ***Supplementary Guidance: Alterations and Extensions to Houses***
- ***Guidance: Open Space and Designing New Residential Developments***
- ***Other Planning Policy, Guidance and Advice:***
 - ***Scottish Planning Policy (SPP), June 2014***
 - ***Modified Proposed Local Development Plan 2***

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1.0 INTRODUCTION / TERMS OF REFERENCE / THE PROPOSALS

Introduction/Terms of Reference

On 10 September 2021, application was made by Paul Sisi, Paul Sisi Architectural Services, 19 Moor Park, Prestwick, KA9 2NJ on behalf of Mr Barry McLeish, Woodside House, Adamton, Monkton, Prestwick, KA9 2SQ, Planning Application Ref No 21/00933/PPP.

This Notice of Review has been prepared by Michael S Evans, Planning Consultant, 'Ty-Newydd', 11 Murchie Drive, Kings Meadow, Prestwick, KA9 2ND and Paul Sisi Architectural Services as instructed by the Applicant and is submitted in response to the Council's decision to refuse the application on a delegated basis on 4 November 2021. The contents of the Appointed Officer's Report of Handling (a copy of which has been submitted with this Notice) is viewed as a significant material consideration.

We would advise Review Body members that this Supporting Statement should be read in conjunction with the one that formed part of refused Planning Application Ref No 21/00933/PPP.

The Applicant

Mr Barry McLeish resides at Woodside House immediately to the south of the site, as confirmed in Planning Application Drawing No 1194-01: Location Plan.

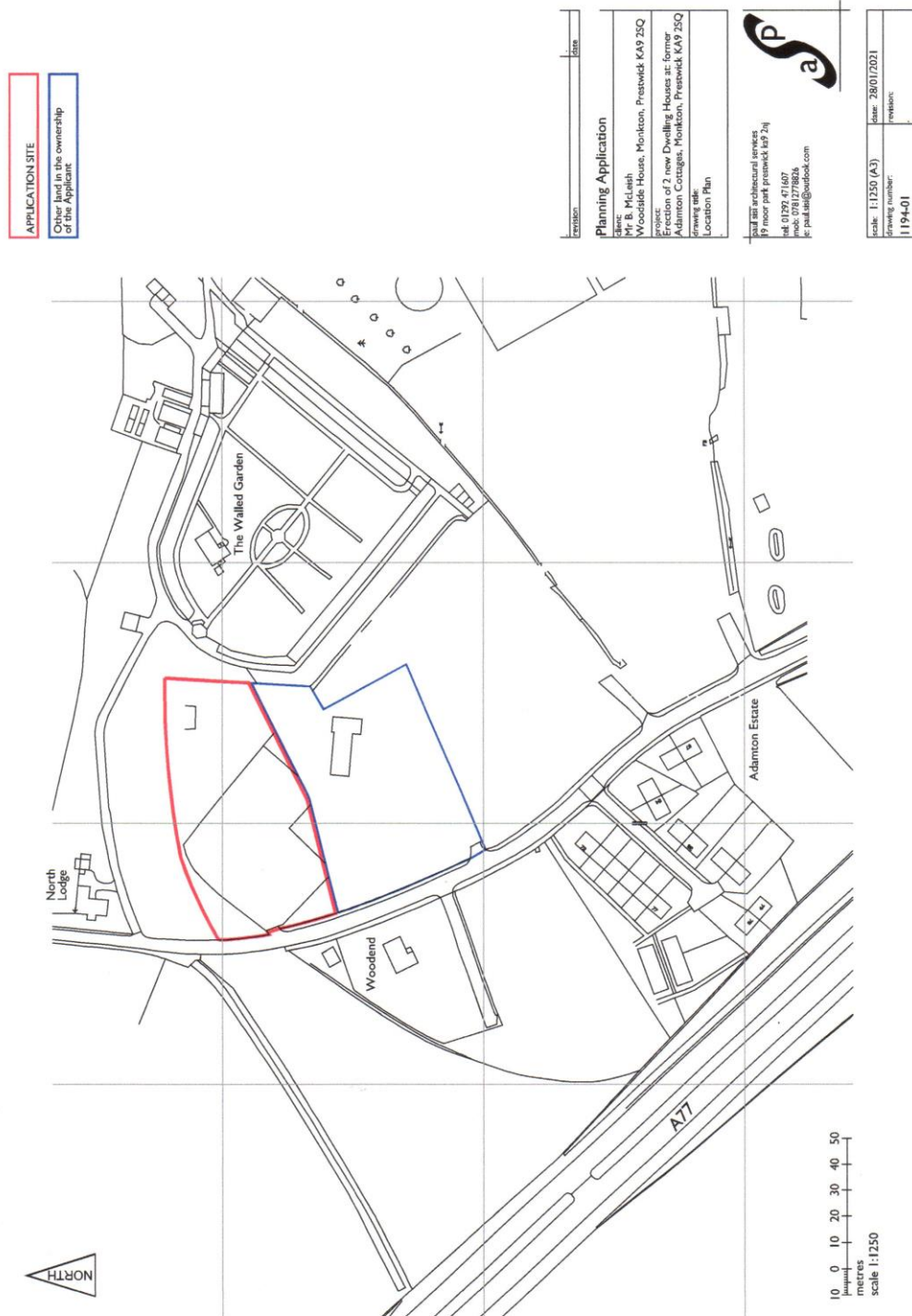
The Site

The details are provided in Part 2.0. The proposed site extends to 4,534 m² (0.45 Ha), as shown in Planning Application Drawing No 1194-01 on page 9.

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Planning Application Drawing No 1194-01: Location Plan



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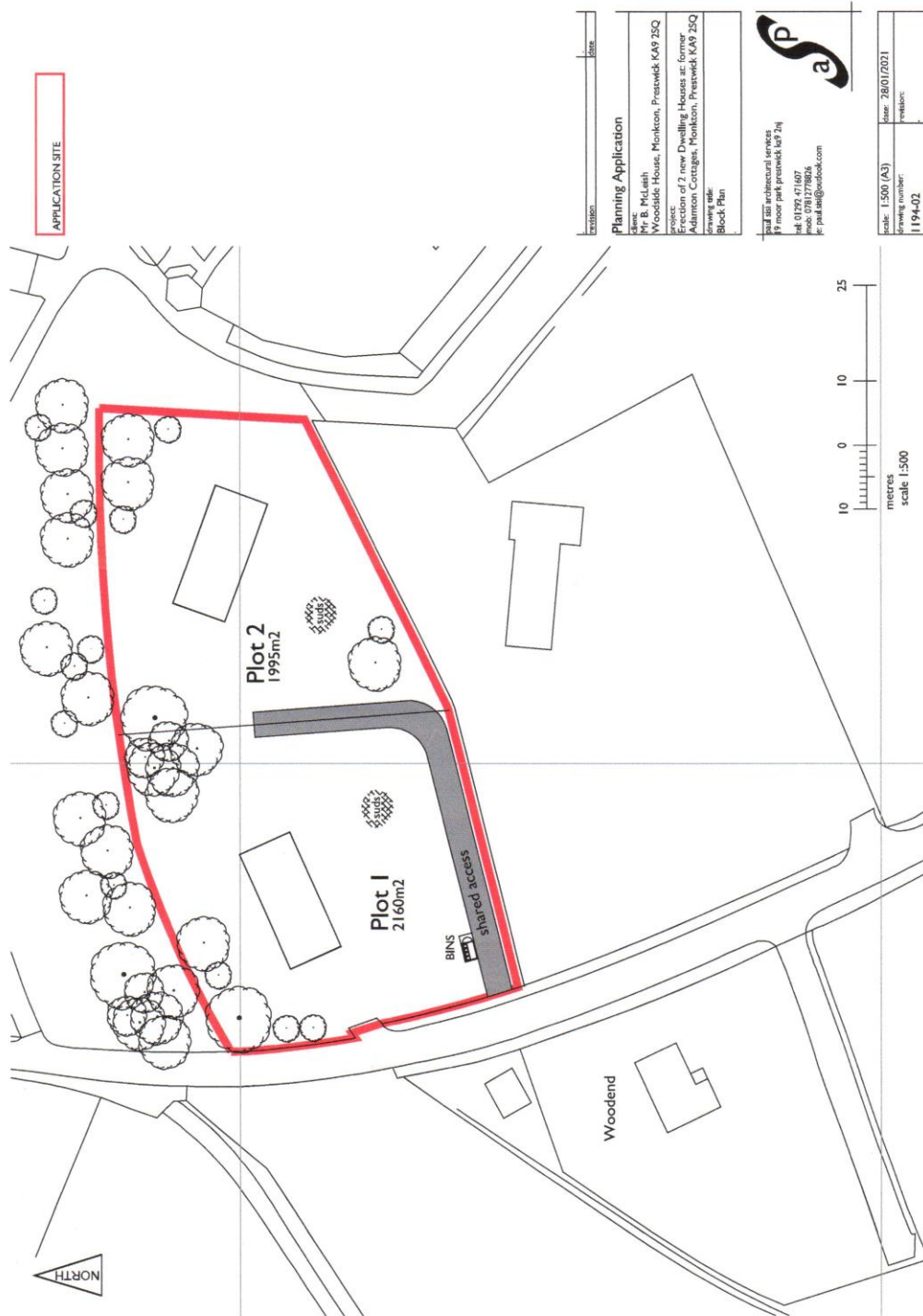
The Proposals

Planning Permission is being sought for the erection of two Dwellinghouses,
as shown indicatively on Planning Application Drawing No 1194-02 on the
following page.

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Planning Application Drawing No 1194-02: Block Plan



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2.0 AREA CONTEXT AND SITE ANALYSIS

A detailed response to the Council's Reasons for Refusal is to be found in Part 5.0.

The purpose of Part 2.0 is, as the title suggests, to inform LRB members as to the precise whereabouts of the proposals but also to run through a number of standard 'checks'/tests to confirm the suitability of the site for the proposed development, essentially to determine any potential constraints arising out of the following. Some of this information will reappear later in Part 5.0.

Area Context

The site currently falls within the countryside, as defined in LDP 1. Planning applications in the countryside would initially be assessed against their potential impact on landscape and, secondly, consequences for settlement pattern.

(a) Landscape Character

(i) Impact on Broad Landscape Character

The landscape policies of the adopted LDP refer to the Ayrshire Landscape Assessment published by the then SNH in 1998 as the primary source of guidance re broad landscape.

The 1998 Assessment confirms that the site falls within the Ayrshire Basin and, specifically, in Category G, Ayrshire Lowlands.

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In January 2019, NatureScot published Landscape Character Assessment which has effectively replaced the 1998 document as the primary source.

The map extract from the 2019 Assessment on page 15 shows that the site, along with the rest of Adamton, is virtually on the boundary of LCT 66 – Agricultural Lowlands – Ayrshire, with the Urban LCT category immediately to the west, the A77T providing the boundary at this point.

Unlike the 1998 document, the 2019 document, while describing the key characteristics of LCT 66, does not provide guidance on future development. LCT 66 forms an extensive area of lowland occupying much of the Ayrshire basin. **It is reasonable to assume therefore that the proposals, as they would be located near the margin of Landscape Character Type 66, would have no discernible impact on the key landscape characteristics of LCT.**

(ii) Impact on Local/Immediate Landscape Context

The point made immediately above is reinforced by the extract from Google Maps shown on page 18, confirming that Adamton, as a whole, including the site, substantially because of the wooded nature of the setting, is partly visible only from the east, and this because of the construction of the Ayr Bypass (A77T).

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(b) Settlement Pattern/Pattern of Development

LCT 66 provides little guidance on the matter of settlement pattern except to state that, in the urban fringes of Ayr and Prestwick, there is a 'fragmented pattern'.

Information provided by the former Ayrshire Joint Structure Plan team indicated that approximately 95% of Ayrshire can be defined as countryside. It is likely that South Ayrshire matches this figure. Council policy recognises that, within the countryside, there will be groups of houses not large enough to be given the status of settlement but might be viewed as clusters, subject to criteria. Within this large area of countryside, clusters take on a variety of forms, **some of which can be described as not being 'typical'**.

Among these is Adamton, which has been recognised as such by the Council.

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Scottish Landscape Character Types Map and Descriptions: LCT 66



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The Adamton Cluster

'Adamton' is nowhere precisely defined. Indeed, in deciding the outcome of Planning Application 14/01662/APP in 2015, **the Local Review Body concluded that the boundaries of the cluster were open to interpretation.**

In several respects therefore, the pattern of development at the time of the adoption of the current LDP was not typical. Most of it comprises the P8 units built as an urban cul-de-sac, probably in the 1940s, by the former Ayrshire County Council.

Indeed, the overwhelmingly urban character of what was there has been previously recognised by the Local Review Body.

Consents granted between December 2014 and May 2021 have resulted in a potential overall pattern, as shown in Planning Application Drawing No 1194-04A on page 17.

This confirms a potentially compact form within recognisable physical lines.


We would maintain that the proposals would, in effect, deliver a sustainable 'rounding off' of what is now the de facto pattern.

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Planning Application Drawing No 1194-04A: Current Extent of Development

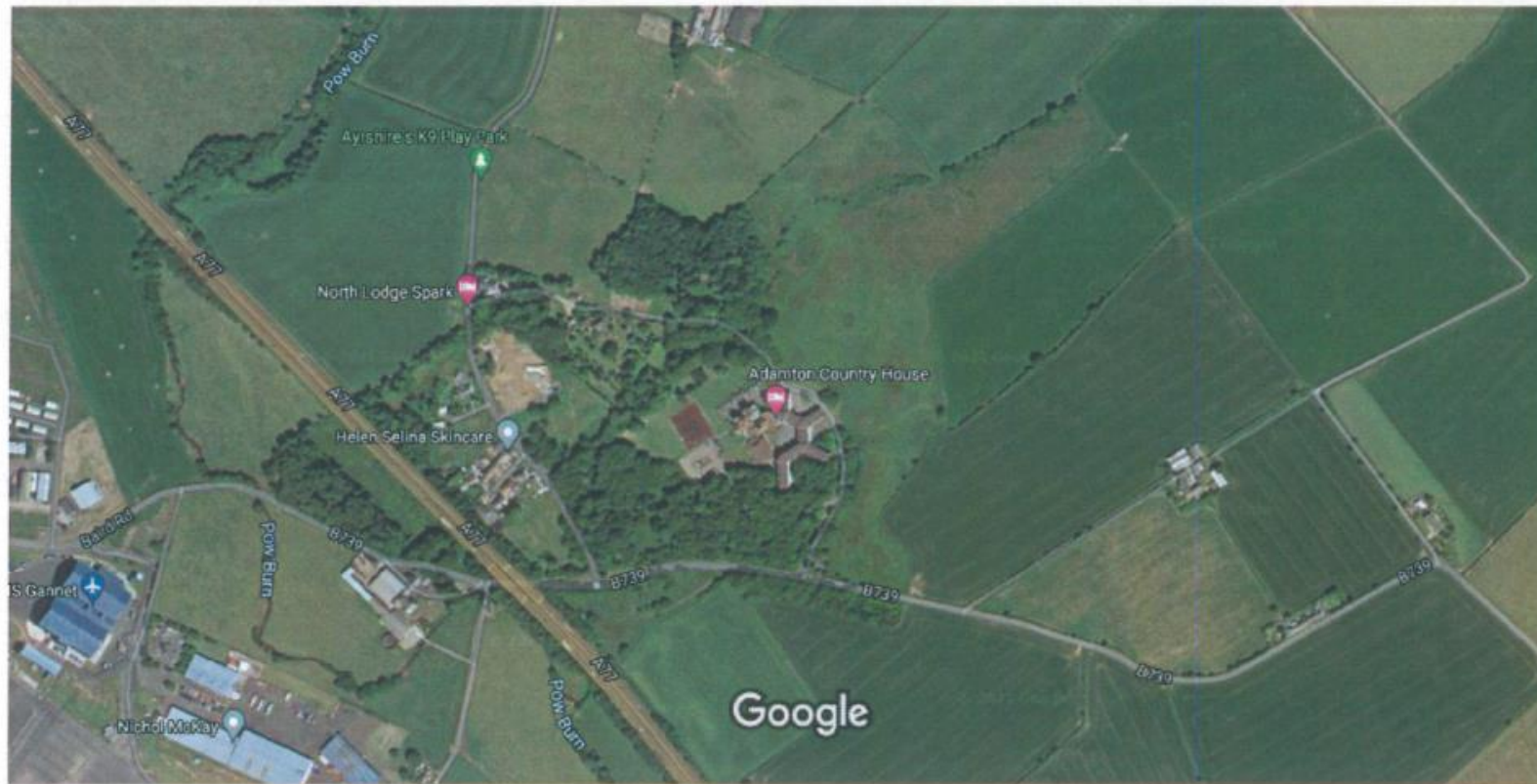


Revision	Date
Planning Application	
Prepared by: Mr. B. McLeish	
Address: Woodside House, Monkton, Prestwick KA9 2SQ	
Project: Erection of 2 new Dwelling Houses at former Adamton Cottages, Monkton, Prestwick KA9 2SQ	
Planning Ref: Current Extent of Development	
	
Pauline McLeish (Architectural Services) 8 Moorpark, Prestwick KA9 2JH Tel: 01292 451627 Mobile: 07813 778626 Email: pauline@outlook.com	
Scale: 1:1250 (A3)	Date: 28/01/2021
Drawing Number: 1194-04A	Revision: A

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Google Maps



Imagery ©2021 Getmapping plc, Maxar Technologies, The GeoInformation Group, Map data ©2021 100 m

Site Analysis

- **The Site**

The application site, which extends to 4,534 m² (0.45 Ha), as shown on Planning Application Drawing No 1194-02, is undeveloped under the ownership of Mr Barry McLeish, Woodside House, Monkton, Prestwick, KA9 2SQ. The site was previously part of an American Air Base and the location for a domestic dwelling(s) known as Adamton Cottages. In the interests of amenity therefore, the Applicant has grassed over what would otherwise be brownfield land. The shape of the site enables it to

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'sit' comfortably within the north of the overall form of the emerging pattern of development in Adamton.

- **Site Boundaries**

The site boundaries have been reinforced and made secure by the erection of a timber fence. The position of the boundaries, as shown in Planning Application Drawing No 1194-04A shows how the proposed site relates to the overall emerging pattern of development at Adamton.

- **Its Relationship with Neighbours**

The development site has, to its immediate north, an unmanaged area of woodland which is, in turn, defined by the access road to North Lodge and the domestic property within The Walled Garden of Adamton House. To the immediate south of the application site is the Blue Line Site, being in the same ownership as the application site and currently occupied by a single private dwellinghouse (Woodend House). The western site boundary is defined by an unnamed road, the C106, and, to the east, by The Walled Garden of Adamton House.

The development would therefore be accommodated comfortably/ sustainably within its immediate context.

- **Its Topography**

The site has a natural fall from north to south. Its development therefore would not be made difficult by adverse circumstances relating to slope.

- **Views of the Site from Outwith**

Refer to photographs on pages 23 and 24.

Collectively, these photographs add some 'street level' detail to the overall picture provided by the Google extract on page 18 and help

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confirm that the proposals would have no negative consequences for 'place' in Adamton and that the application site is particularly well sheltered by existing trees and vegetation to the north and east and would therefore be unseen from the wider countryside to the north and east because of the extent of tree cover. This vegetation also provides an effective northern limit to the emerging development pattern at Adamton.

Views into the site are obscured by a security fence erected during the construction of Woodend House.

- **What Exists within the Site**

The margins of the site retain some unmanaged woodland, with most of the trees taking the form of windblown propagation; other parts of the site were cleared to assist with works to the adjacent Client-owned blue line site. There also still exists within the curtilage of the site a number of concrete bases and foundations that relate to the site's former uses.

There is therefore nothing within the site that would significantly impact negatively on its 'effectiveness'.

- **Services**

There currently exists within the site a historic water supply, a foul water drainage network and a Scottish Water foul water drain.

- **Connectivity**

Adamton is not on the core path network. Otherwise, Adamton is located within the Core Area as defined in LDP 1 and in the Kyle Investment Area in Proposed Modified LDP 2 and, as a result, enjoys accessibility to a wide area. In particular, it is 2.9 km/1.8 miles from Dutch House Roundabout and only 1.4 miles from Monkton Cross,

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where a range of bus services are available to Ayr, Prestwick, Troon, Irvine, Kilmarnock and Glasgow.

Glasgow/Prestwick Airport Railway Station is within a ten-minute drive and is accessible by bus from Monkton.

As a general comment, para 5.3 of Scotland's Third National Planning Framework states that '*reliance on the car will remain important in rural Scotland*'.

Summary

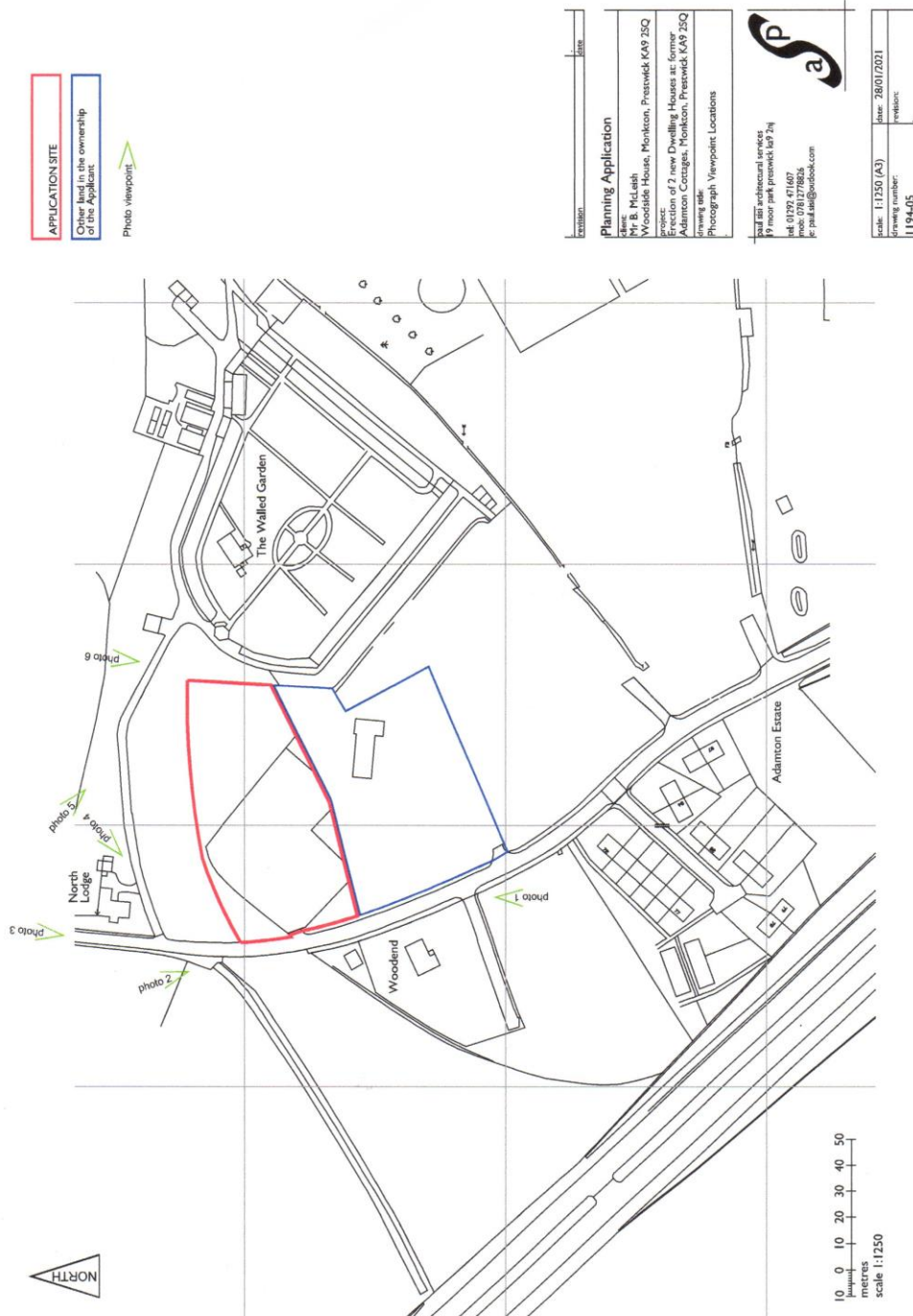
As stated earlier, an important objective for Part 2.0 was not only to provide a detailed picture of the site and its context but also to confirm that there are no significant physical barriers/impediments or locational issues making the site incapable of delivering sustainable development. This, in our opinion, has been confirmed by the aforementioned.

The policy, etc implications are dealt with later in Part 5.0 in response to the Reasons for Refusal.

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Planning Application Drawing No 1194-05: Photograph Viewpoint Locations



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Photograph 1



Photograph 2



Photograph 3

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Photograph 4



Photograph 5



Photograph 6

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3.0 THE COUNCIL'S REASONS FOR REFUSAL

The reasons for the Council's decision are:

- (1) *That the development proposal is contrary to the Local Development Plan: Core Investment Area policy in that the proposal is not considered to represent residential development of an allocated housing site (shown in the settlement maps); sustainable economic growth of Glasgow Prestwick Airport, the Enterprise Zone, other airport-related industry and infrastructure; promotion of rural diversification and tourism; non-residential reuse of a substantially intact building, which will benefit the local environment; and promotion and improvement the environmental quality and range of amenities within town centres*
- (2) *That the development proposal is contrary to the South Ayrshire Local Development Plan Policy in relation to Land Use and Transport in that the site is not accessible by a choice of means of transport, and the development proposal does not provide for travel by a choice of means of transport, and no justification has been provided for a departure from this policy*
- (3) *That the development proposal is contrary to the Adopted South Ayrshire Local Development Plan: Sustainable Development policy as the development does not contribute to the effective use of public services, facilities and infrastructure, and no justification has been provided for a departure from this policy*
- (4) *That the development proposal is contrary to the Adopted South Ayrshire Local Development Plan: Rural Housing policy as the development does not represent development which is the replacement of an existing house, an extension to an existing house,*

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the conversion and reuse of a genuinely redundant building of traditional or local character and domestic scale, or a home that is essential to a rural business

- (5) *That the development proposal is contrary to South Ayrshire Council Supplementary Planning Guidance entitled Rural Housing in that the proposal expands the existing cluster by more than 50% of the number of houses within Woodend (as at the date of adoption of the SPG)*

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4.0 THE REASONS FOR SEEKING A REVIEW

1. Local Development Plan: Core Investment Area policy is one of the LDP's strategic policies and, in its five criteria, refer to specific 'considerations'. Clearly, the proposals do not constitute any of these but the Report of Handling provides no information about how the proposals, if consented, would impact negatively and undermine the robustness and effectiveness of any of these.

It is our opinion that four of the five Core Investment Area policy criteria – (i) to (v) – have no relevance here and that the proposals, if implemented, couldn't possibly have any implications for them.

2. Criterion (i) of Core Investment Area policy does relate to housing but LDP1 makes it clear that the key policy in relation to housing development in circumstances pertaining to the proposals is Rural Housing, further amplified by Supplementary Guidance: Rural Housing.

In our opinion, the proposals are entirely compatible with the requirements of the policies of Supplementary Guidance: Rural Housing.

3. In relation to the requirements of LDP policy: land use and transport, it is a fact that clusters in the countryside are often not going to satisfy all of the relevant requirements of this policy.

Ultimately, it is a matter of actual overall accessibility and, as we have confirmed elsewhere, the Adamton cluster benefits from significant accessibility.

4. The proposals would not represent a departure from LDP policy: sustainable development criterion '*contributes to an efficient use of public*

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services, facilities and infrastructure’ in that they would not impose unacceptable demands/strains on those mentioned.

In addition, the proposals would otherwise be entirely compatible with all relevant criteria of this policy and do not therefore represent a departure requiring justification.

5. The proposals do not represent a departure from LDP policy: rural housing as the relevant policy here is provided by Supplementary Guidance: Rural Housing.

In the advice provided by LDP: rural housing, it is stated that ‘All proposals must comply with the policy guidance set out in the rural housing supplementary guidance’.

The proposals comply with the requirements of Supplementary Guidance: Rural Housing and are compatible with the Council’s position in relation to development at Adamton.

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5.0 RESPONSE TO THE COUNCIL'S REASONS FOR REFUSAL

Reason for Refusal 1

- *That the development proposal is contrary to the Local Development Plan: Core Investment Area policy in that the proposal is not considered:
 - (i) *to represent residential development of an allocated housing site (shown in the settlement maps)*
 - (ii) *sustainable economic growth of Glasgow Prestwick Airport, the Enterprise Zone, other airport-related industry and infrastructure*
 - (iii) *promotion of rural diversification and tourism*
 - (iv) *non-residential reuse of a substantially intact building, which will benefit the local environment*
 - (v) *promotion and improvement of the environmental quality and range of amenities within town centres**

Response

Clearly, the proposals constitute none of the above but, importantly, we are certain that LRB members would agree that neither would their development result in a threat to their integrity and would not consequently undermine their robustness and effectiveness.

Criterion (i) does relate to housing and this is a housing proposal but LDP1 makes it quite clear that the key policy in relation to housing development in circumstances relating to the proposals is Rural Housing, further amplified by Supplementary Guidance: Rural Housing.

As the development management records show, it is these policies that have generally provided the basis for assessments of proposed housing developments in Adamton.

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In our opinion, the proposals are entirely compatible with the requirements of these policies.

Reason for Refusal 2

That the development proposal is contrary to the South Ayrshire Local Development Plan Policy in relation to Land Use and Transport in that the site is:

- *not accessible by a choice of means of transport*
- *the development proposal does not provide for travel by a choice of means of transport, and*

no justification has been provided for a departure from this policy

Response

On a point of detail, the reasons given for refusal do not appear to be the precise wording of particular policy criteria.

Notwithstanding, LDP policy is clear that the requirements of criteria **should** be applied – not **must** be applied.

We would strongly suggest this indicates an awareness among those drafting LDP1 that it is likely that there will be circumstances that development should be supported, although not entirely compatible with the requirements of all criteria.

The points made in the reasons for refusal are both essentially to do with accessibility.

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Indeed, in its policies with regard to Rural Housing, the Council, through its approach to clusters, because of their geography, reflects this. Attempts to reduce rural depopulation would be seriously undermined if the criteria of LDP Land Use and Transport were strictly applied.

The points made in the Reasons for Refusal are, in our opinion, essentially **to do with overall accessibility.**

The matter of how overall accessibility might be quantified, however, is not addressed in LDP1 or SPG.

In Scottish Government Urban Rural Classification 2016, published in March 2018, 8-fold classification confirms, however, that the proposals would be located in an **accessible rural area.**

As stated earlier, while Adamton is not on the core path network, it is otherwise located within the Core Area as defined in LDP1 and in the Kyle Investment Area in Proposed Modified LDP2 and, as a result, enjoys accessibility to a wide area. In particular, it is 2.8 km/1.9 miles from Dutch House Roundabout and is close to Monkton, where a range of bus services are available to Ayr, Prestwick, Troon, Irvine, Kilmarnock and Glasgow.

Glasgow/Prestwick Airport Railway Station is within a ten-minute drive and is accessible by bus from Monkton.

As a general comment, para 5.3 of Scotland's Third National Planning Framework states that 'reliance on the car will remain important in rural Scotland'.

In relation to transportation, we are of the opinion that the proposals comply, therefore, with the requirements of LDP policies as a whole.

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Statement in Support**

Prepared for: Mr Barry McLeish

Reason for Refusal 3

That the development proposal is contrary to the Adopted South Ayrshire Local Development Plan: Sustainable Development policy as the development does not contribute to the effective use of:

- (a) public services*
- (b) facilities, and*
- (c) infrastructure*

and no justification has been provided for a departure from this policy.

Response

- (a) public services

LDP, in its Glossary, does not provide a definition of 'public services' or, indeed, what the term 'efficient use' actually means and it is, in fact, therefore difficult to deliver a rational response. The Report of Handling certainly does not help by providing no further clarification.

Let us assume reasonably that the underlying reason for this policy is that proposals should not be seen to impose unacceptable demands/strains on a range of (albeit undefined) services. It is also reasonable to assume that the main agencies for delivering public services in this instance would probably be South Ayrshire Council and Ayrshire and Arran Health Board.

The proposals, in our opinion, comprising, as they do, a small two-house development, would not materially alter the overall level of use currently made, or at some stage in the future, of services delivered by these agencies to this part of South Ayrshire.

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(b) facilities

Similarly for public services above, in the absence of any LDP1 definition of these, our comments made re (a) above would be relevant here also.

(c) infrastructure

Again, as for (a) and (b), LDP1 provides no definition of what this term includes. **It is assumed therefore that the main components are water supply, foul sewerage, gas, electricity and Internet.**

As stated earlier, there currently exists within the site a historic water supply, a foul water drainage network and a Scottish Water foul water drain. Electricity is clearly available.

Important to note that, while SEPA did not comment on the proposals, Scottish Water offered no objection. Otherwise, the site is not shown on the SEPA flood risk maps as being in a flooded risk area nor experiences any surface water issues.

Indeed, there is little, if anything, in the Report of Handling that would provide evidence to underpin/justify Reason for Refusal 3.

In conclusion, we maintain that the proposals are entirely compatible with the requirements of these particular criteria with the requirements of these particular criteria of LDP: Sustainable Development.

We would also draw Review Body members' attention to pages 28 to 32 of the planning application's Supporting Statement where a review of all of the relevant criteria of this policy was presented and where we have concluded that the proposals would not 'offend' any provisions of this policy.

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Reason for Refusal 4

That the development proposal is contrary to the Adopted South Ayrshire Local Development Plan: Rural Housing policy as the development does not represent development which is:

- *the replacement of an existing house*
- *an extension to an existing house*
- *the conversion and reuse of a genuinely redundant building of traditional or local character and domestic scale, or*
- *a home that is essential to a rural business*

Response

In this particular Reason for Refusal, the Report of Handling excludes the statements that follow the listing of criteria, namely:

- *In countryside areas outwith the greenbelt, we may accept proposals for new housing that are a limited extension to an existing clearly defined and nucleated housing cluster, and*
- *All proposals must comply with the policy guidance set out in the rural housing supplementary guidance*

These policy requirements are dealt with in response to Reason for Refusal 5 below.

Reason for Refusal 5

That the development proposal is contrary to South Ayrshire Council Supplementary Planning Guidance: Rural Housing in that:

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- *the proposal expands the existing cluster by more than 50% of the number of houses within Woodend ? (as at the date of adoption of the SPG)*

Response

Supplementary Guidance: Rural Housing

Guidance on additions to clusters criterion (e) states that a proposal would be acceptable as long as it *'does not expand the cluster by more than 50% of the number of houses in that group ... as at date of adoption of this Supplementary Guidance – 20 November 2014'*. The Note defines a cluster as *'a building group consisting of 2 or more houses ...'*.

The matter of a definition for the Adamton cluster is discussed below **but it is a matter of fact that only one 'building'/house has been completed and therefore added since 24 November 2014 and, interestingly, this has been built by the applicant.**

It was understood by the Council that the Countryside in South Ayrshire, because of its extent, would include clusters of different scale, patterns of development, etc. Inevitably, not all identifiable groups of 2+ houses would 'neatly' satisfy all of the criteria required if development was going to be considered.

At one time, for example, what was considered by officers to be the Adamton cluster, i.e. the Adamton Estate cul-de-sac, allowed no opportunities for infill.

In responding to a number of requests for review, the LRB concluded that this was not a reasonable position to adopt.

Indeed, when it met to consider a request for review in respect of Planning Application 14/01662/APP in 2015, the Local Review Body

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(LRB) took the view that Adamton was not a typical rural site given the presence of existing terraced houses adjacent to the C106, which it considered gave the area a more urban character. This LRB also took the view that the boundaries of the existing cluster were open to interpretation, so that the cluster could be considered to include other nearby properties, not merely the 16 terraced houses. On this basis, in November 2014 (the date of adoption of this Supplementary Guidance), Adamton had 18 houses.

In accepting the particular circumstances at Adamton, the Council has, over time, therefore been prepared to be flexible in its approach to numbers of houses. **The outcome is that, collectively, the consents granted have delivered – by coincidence perhaps – a relatively compact form for ‘Adamton’ as a whole, as shown in Planning Application Drawing No 1194-04A as is discussed further below.**

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Planning Application Drawing No 1194-04A: Current Extent of Development



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The officer's Report of Handling, focusing as it does virtually on the development management process, in fact assists in confirming this outcome. This outcome is, however, viewed negatively in the Report of Handling. In Planning Application Drawing 1194-04 (in Planning Application Ref No 21/00933/PPP), which we have included on page 17 and are repeating on page 37, we are able to illustrate what form ultimately the Adamton cluster would take should the consents be realised, although, as stated earlier, only one unit has been completed since LDP/SG adoption.

We would argue that collectively, as Planning Application Drawing No 1194-04A illustrates, these consents have contributed to potentially giving Adamton a recognisable form that, as a whole, sits comfortably within the overall landscape context that has been described earlier in this Statement. The Google extract shown on page 18 helps confirm this particular outcome.

We would also maintain, as confirmed by Planning Application Drawing No 1194-04A, that the red line area of refused Planning Application No 21/00933/PPP sits comfortably within this emerging context and could provide a 'defendable' northern limit.

The site, with a significant depth of trees along the northern and eastern margins, would be completely unsighted from the more open aspects of the countryside, beyond the north especially

This woodland would otherwise provide an effective northern boundary to the Adamton 'cluster' as described in Planning Application Drawing No 1194-04A.

Topographically, the site is capable of absorbing the proposed development without negative consequences for neighbours or the broader countryside beyond the cluster.

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Notwithstanding the overall position described earlier in Planning Application Drawing No 1194-04A, with 18 units at the time of adoption, a 50% expansion would technically allow for an additional 9 units. In fact, while four others are currently at a reasonably advanced stage of construction, only one unit has been **completed since adoption** and the proposals, even if these four were taken into account, would therefore not expand the cluster by more than 50%.

As a general comment, an Adamton cluster within the boundary, as described, would lend itself to '*embracing the principles of placemaking*' as referred to in Proposed Strategic Policy 1: Sustainable Development in Modified Proposed Local Development Plan 2 by providing the basis for an identifiable place.

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6.0 CONCLUSIONS

- Reason for Refusal 1, i.e. that the proposals are contrary to the requirements of LDP policy: core investment area, we strongly suggest is largely irrelevant since the proposals, if implemented, couldn't possibly have any implications for them
- The proposals are otherwise compatible with the requirements of LDP policy: land use and transport (Reason for Refusal 2); LDP policy: sustainable development (Reason for Refusal 3), and LDP policy: rural housing (Reason for Refusal 4) which, like Reason 1, is largely irrelevant in this case because of Supplementary Guidance: Rural Housing
- The proposals are also compatible with the requirements of Supplementary Guidance: Rural Housing (Reason for Refusal 5) for the following reasons:
 - The Guidance describing a cluster as '*an existing group of houses in the countryside*'. Adamton is an existing group of housing in the countryside
 - In numerical terms, a cluster is '*defined as a building group of two or more houses forming a clearly identifiable 'group' with strong visual cohesion and sense of place*'
 - Inevitably, not all identifiable groups of 2+ houses would 'neatly' satisfy all of the criteria required if development was going to be considered
 - In its response to planning applications, the Council has recognised that Adamton is a cluster but has also concluded that it shouldn't be seen as typical
- The Council has also accepted that the potential boundaries '*were open to interpretation*'

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- It is not unreasonable to conclude, however, that the outer limit of the consents granted, as shown in Planning Application Drawing No 1194-04A, has given the Adamton cluster potentially a recognisable form and that the application that is the subject of this request for review might be viewed in this context
- In our opinion therefore, and as confirmed by Planning Application Drawing No 1194-04A, the proposals would affectively round off the situation, with the woodland to the north and east effectively screening the site and Adamton, as a whole, from the countryside to the north
- In terms of numbers, the area described above had 18 units at the time of adoption of Guidance. At the time of writing, it has 19, an increase of one during the period since the adoption of Supplementary Guidance

The proposals would not therefore, by themselves, result in the total number of houses being increased by more than 50%.

While four others are currently at an advanced stage of construction and, even if these four were taken into account, the 50% guideline would not be reached.

Having accepted that Adamton is not a typical cluster and that its boundary was open to interpretation, the Council has not rigidly applied the 50% guideline here and has taken a pragmatic approach which has not resulted in difficulties for this policy elsewhere.

The proposals are therefore compatible with the Council's position in relation to development at Adamton.

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- Otherwise, Supplementary Guidance states that additions to clusters will be acceptable where:

a) *the proposal is sympathetic to the character and landscape setting of the cluster*

At the time of writing, there were 19 houses within the area described by Planning Application Drawing No 1194-04A. The 16 houses of Adamton Estate comprise: 10 semi-detached houses and six units in a terrace, which are likely to have been built by the former Ayrshire County Council. The other three houses are detached.

There is therefore a mixture of house types, built at different points in time. Without commenting on the quality in townscape terms of the range of existing housing, the proposals will benefit from the detailed policy guidance now provided with regard to new rural housing and should help enhance the character rather than have an unacceptable impact.

In relation to landscape setting and quality, we have demonstrated that the proposals would have no negative consequences either for Landscape Character Type 66 – Agricultural Lowlands within which it is situated or the immediate local landscape setting.

With trees along the northern and eastern margins, the development would be completely unsighted from the more open aspects of the countryside beyond.

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- b) *the development represents the sensitive infilling of any available gap sites consolidating existing dwellings within the cluster*

The site does not represent infilling but does, in effect, represent a rounding off of development on the north-east edge of the cluster. A substantial tree bank along the north makes for a clear boundary with the wider countryside beyond.

- c) *the development has a clear relationship with the existing cluster by being physically connected with the cluster*

The proposals are immediately adjacent to existing development to the south and to the west across the C106.

- d) *the proposed design solution is in keeping with the character and built form of the existing cluster and otherwise complies with design guidance in the supplementary guidance*

In terms of its built form characteristics, as a potential source of guidance, as confirmed elsewhere, the majority of the houses currently are in the form of a terrace. Otherwise, the three other houses are not similar. The proposals would substantially be based on SG.

SG goes further to state:

Additions to clusters will not be acceptable where:

- *the cluster is located within the greenbelt*

Adamton is not located in the greenbelt.

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- *the development results in the coalescence of settlements*

Adamton's location within the wider area, as shown in the Google extract on page 18, confirms that the proposals will not result in coalescence now or, indeed, in the future.

- *the development extends/creates a ribbon of development*

Currently, there is no ribbon of development here. The proposals will have access on to the C106 but, as Planning Application Drawing No 1194-01 confirms, the outcome will not be a ribbon.

- *the development has an unacceptable impact on the character of the existing building group or its landscape setting*

This is dealt with under point (a) earlier.

As confirmed in this Statement, the proposals are otherwise compliant with the requirements of:

- ***Supplementary Guidance: Alterations and Extensions to Houses***
- ***Guidance: Open Space and Designing New Residential Developments***
- ***Other Planning Policy, Guidance and Advice:***
 - ***Scottish Planning Policy (SPP), June 2014***
 - ***Modified Proposed Local Development Plan 2***



County Buildings Wellington Square Ayr KA7 1DR Tel: 01292 616 107 Email: planning.development@south-ayrshire.gov.uk

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

Thank you for completing this application form:

ONLINE REFERENCE 100469624-001

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

Type of Application

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

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

Description of Proposal

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

Erection of 2 new dwellighouses at site of former Adamton Cottages, Monkton, Prestwick KA9 2SQ

Is this a temporary permission? *

Yes No

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

Yes No

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

No Yes – Started Yes - Completed

Applicant or Agent Details

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

Applicant Agent

Agent Details

Please enter Agent details

Company/Organisation:	Paul Sisi Architectural Services		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Paul	Building Name:	
Last Name: *	Sisi	Building Number:	19
Telephone Number: *	01292471607	Address 1 (Street): *	Moor Park
Extension Number:		Address 2:	
Mobile Number:	07812778826	Town/City: *	Prestwick
Fax Number:		Country: *	Scotland
		Postcode: *	KA9 2NJ
Email Address: *	paul.sisi@outlook.com		

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

Individual Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:	Mr	You must enter a Building Name or Number, or both: *	
Other Title:		Building Name:	Woodside House
First Name: *	Barry	Building Number:	
Last Name: *	McLeish	Address 1 (Street): *	Monkton
Company/Organisation		Address 2:	
Telephone Number: *		Town/City: *	Prestwick
Extension Number:		Country: *	Scotland
Mobile Number:		Postcode: *	KA9 2SQ
Fax Number:			
Email Address: *			

Site Address Details

Planning Authority:

South Ayrshire Council

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

Address 1:

Address 2:

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

Post Code:

Please identify/describe the location of the site or sites

Northing

627889

Easting

237489

Pre-Application Discussion

Have you discussed your proposal with the planning authority? *

Yes No

Site Area

Please state the site area:

0.45

Please state the measurement type used:

Hectares (ha) Square Metres (sq.m)

Existing Use

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

Currently this is a vacant Site. It was formerly the location of Adamton Cottages (a private dwelling), it was also historically incorporated into an American Army Air Force base.

Access and Parking

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

Yes No

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

Are you proposing any change to public paths, public rights of way or affecting any public right of access? * Yes No

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

Water Supply and Drainage Arrangements

Will your proposal require new or altered water supply or drainage arrangements? * Yes No

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

- Yes – connecting to public drainage network
 No – proposing to make private drainage arrangements
 Not Applicable – only arrangements for water supply required

Do your proposals make provision for sustainable drainage of surface water?? * Yes No
(e.g. SUDS arrangements) *

Note:-

Please include details of SUDS arrangements on your plans

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

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

- Yes
 No, using a private water supply
 No connection required

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

Assessment of Flood Risk

Is the site within an area of known risk of flooding? * Yes No Don't Know

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

Do you think your proposal may increase the flood risk elsewhere? * Yes No Don't Know

Trees

Are there any trees on or adjacent to the application site? * Yes No

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

All Types of Non Housing Development – Proposed New Floorspace

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

Schedule 3 Development

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

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

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

Planning Service Employee/Elected Member Interest

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

Certificates and Notices

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

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

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

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

Certificate Required

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

Certificate A

Land Ownership Certificate

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

Certificate A

I hereby certify that –

(1) - No person other than myself/the applicant was an owner (Any person who, in respect of any part of the land, is the owner or is the lessee under a lease thereof of which not less than 7 years remain unexpired.) of any part of the land to which the application relates at the beginning of the period of 21 days ending with the date of the accompanying application.

(2) - None of the land to which the application relates constitutes or forms part of an agricultural holding

Signed: Paul Sisi

On behalf of: Mr Barry McLeish

Date: 09/09/2021

Please tick here to certify this Certificate. *

Checklist – Application for Planning Permission

Town and Country Planning (Scotland) Act 1997

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

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

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

Yes No Not applicable to this application

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

Yes No Not applicable to this application

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

Yes No Not applicable to this application

Town and Country Planning (Scotland) Act 1997

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

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

Yes No Not applicable to this application

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

Yes No Not applicable to this application

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

Yes No Not applicable to this application

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

Site Layout Plan or Block plan.

Elevations.

Floor plans.

Cross sections.

Roof plan.

Master Plan/Framework Plan.

Landscape plan.

Photographs and/or photomontages.

Other.

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

As this is an 'in principle' application we would not wish to pre-empt any subsequent Matters Arising from Conditions or completely new detailed planning applications.

Provide copies of the following documents if applicable:

A copy of an Environmental Statement. *

Yes N/A

A Design Statement or Design and Access Statement. *

Yes N/A

A Flood Risk Assessment. *

Yes N/A

A Drainage Impact Assessment (including proposals for Sustainable Drainage Systems). *

Yes N/A

Drainage/SUDS layout. *

Yes N/A

A Transport Assessment or Travel Plan

Yes N/A

Contaminated Land Assessment. *

Yes N/A

Habitat Survey. *

Yes N/A

A Processing Agreement. *

Yes N/A

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

A Supporting Statement is attached.

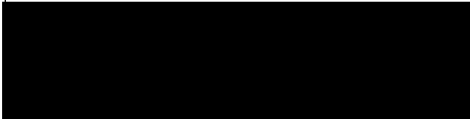
Declare – For Application to Planning Authority

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

Declaration Name: Mr Paul Sisi

Declaration Date: 09/09/2021

Payment Details



Created: 09/09/2021 15:58



Photograph 1



Photograph 2



Photograph 3



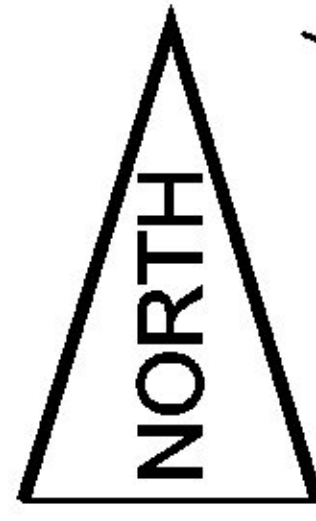
Photograph 4



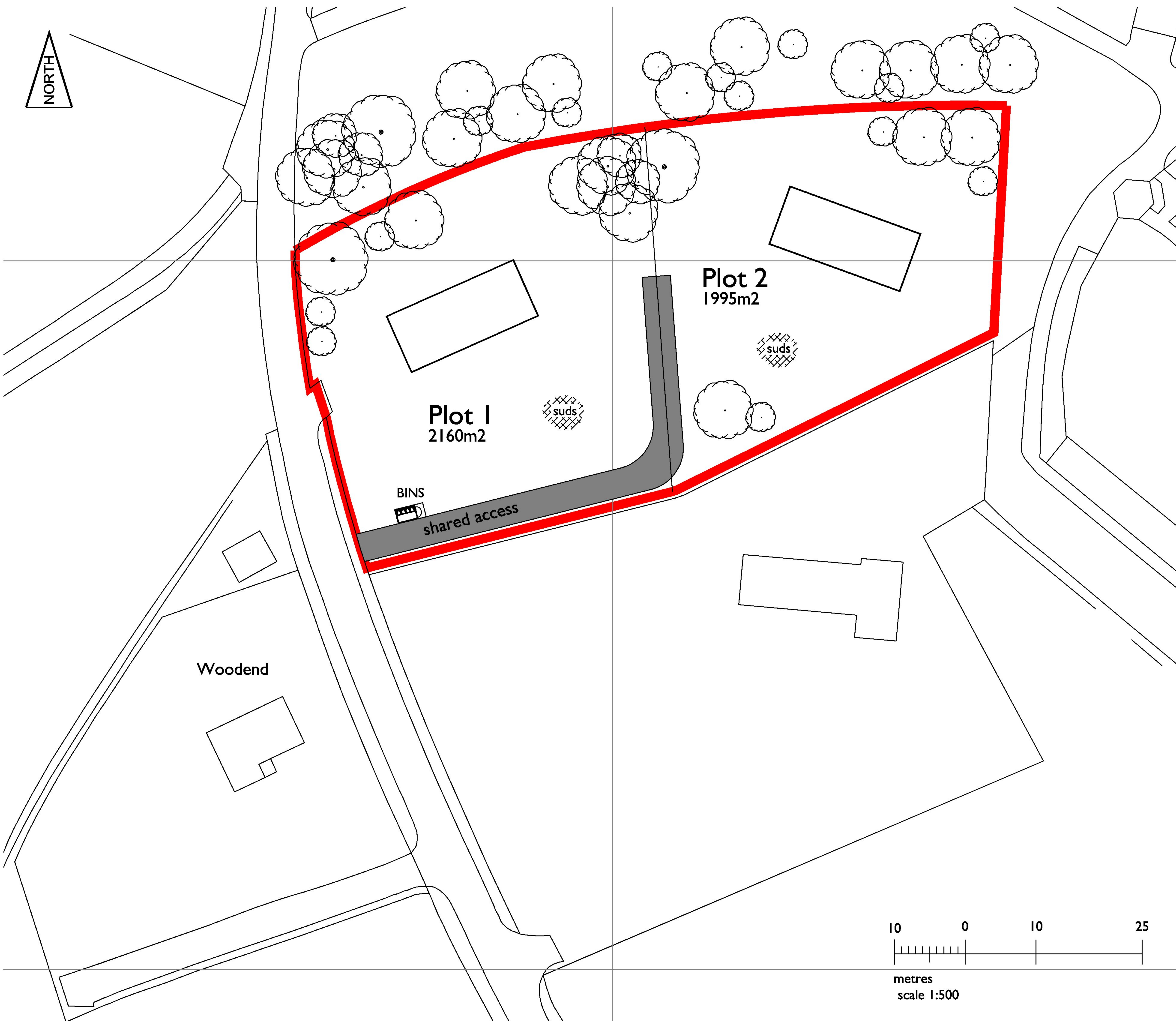
Photograph 5



Photograph 6



APPLICATION SITE

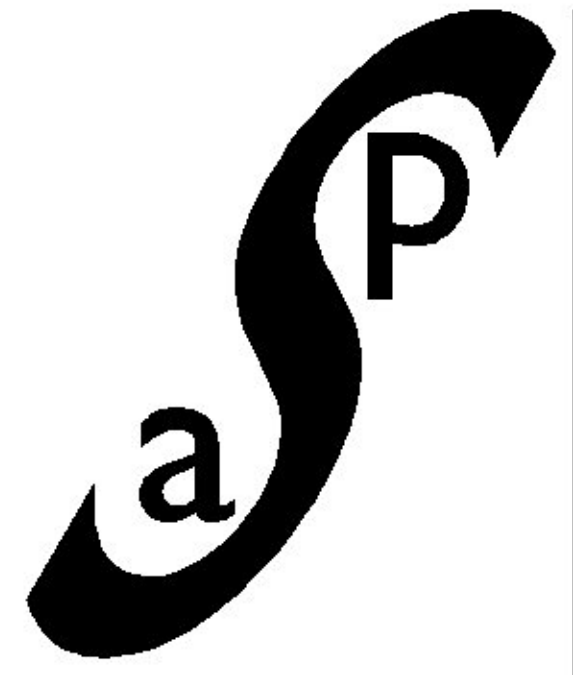


SOUTH AYRSHIRE COUNCIL
Refused under the Town and Country Planning (Scotland) Act, 1997 (As Amended), subject to reasons specified in the notification of this decision by South Ayrshire.

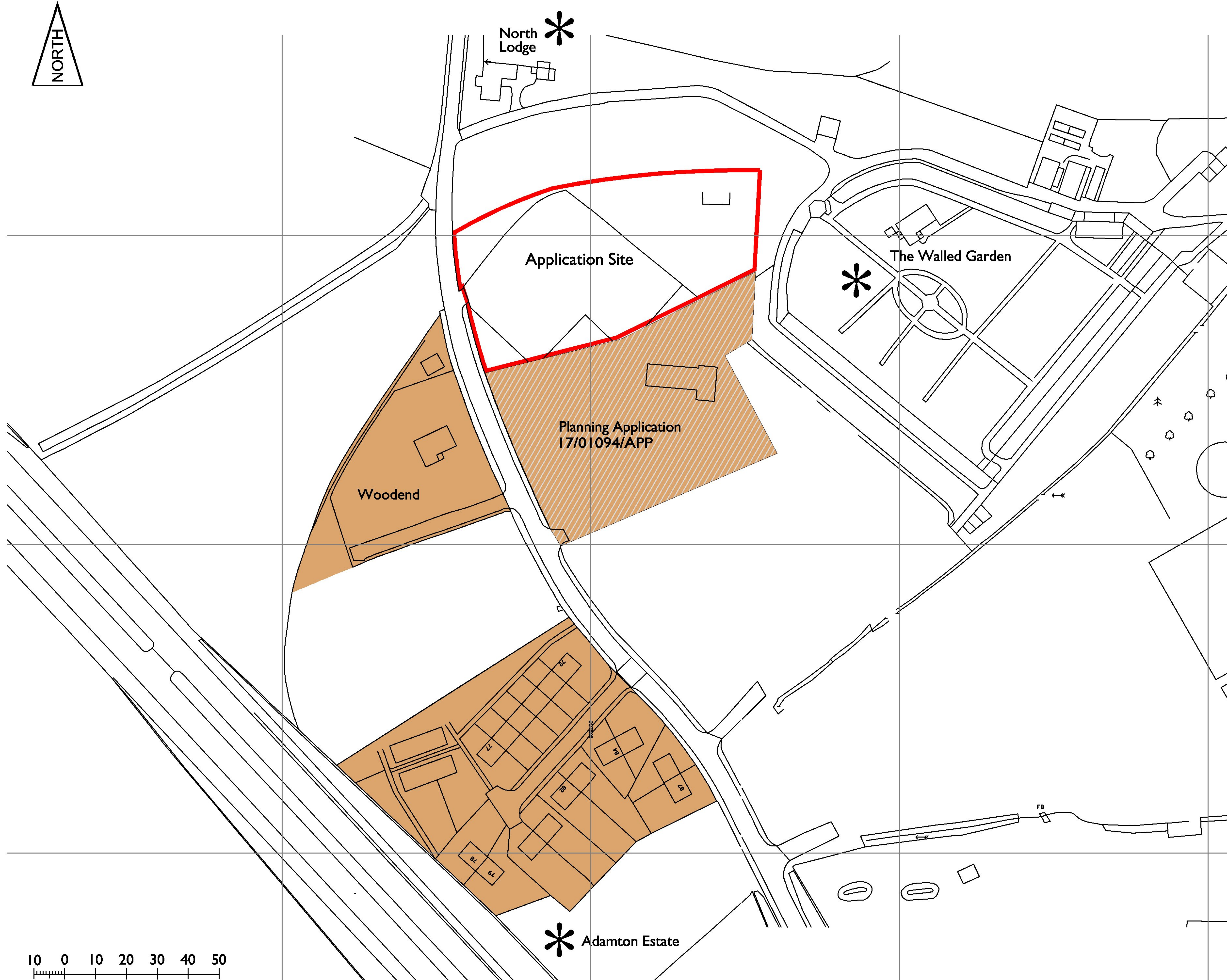
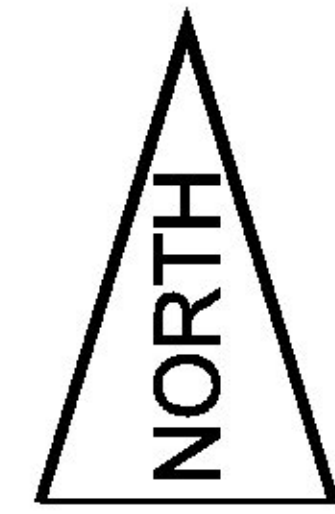
revision	date

Planning Application
 client:
 Mr B. McLeish
 Woodside House, Monkton, Prestwick KA9 2SQ
 project:
 Erection of 2 new Dwelling Houses at: former Adamton Cottages, Monkton, Prestwick KA9 2SQ
 drawing title:
 Block Plan

paul sisi architectural services
 19 moor park prestwick ka9 2nj
 tel: 01292 471607
 mob: 07812778826
 e: paul.sisi@outlook.com



scale: 1:500 (A3)	date: 28/01/2021
drawing number: 1194-02	revision:



APPLICATION SITE

EXISTING DEVELOPMENT

EXISTING DEVELOPMENT
(One of Two approved houses)

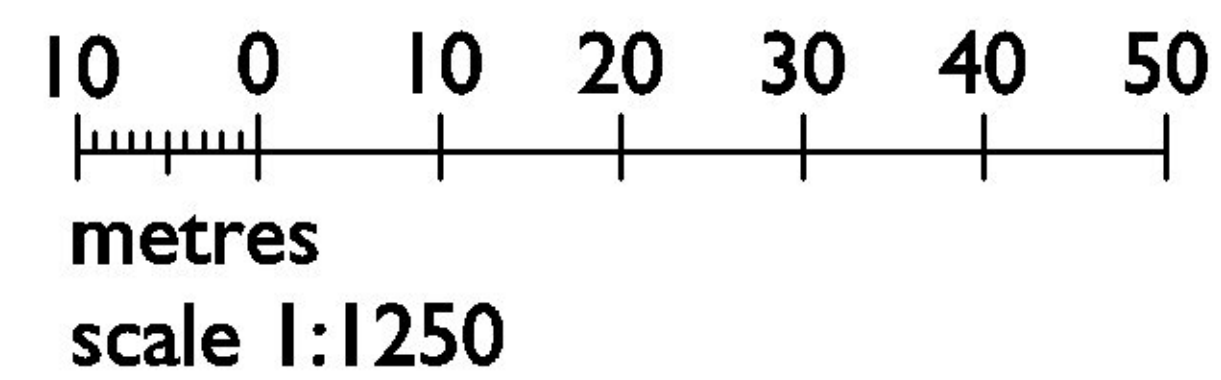
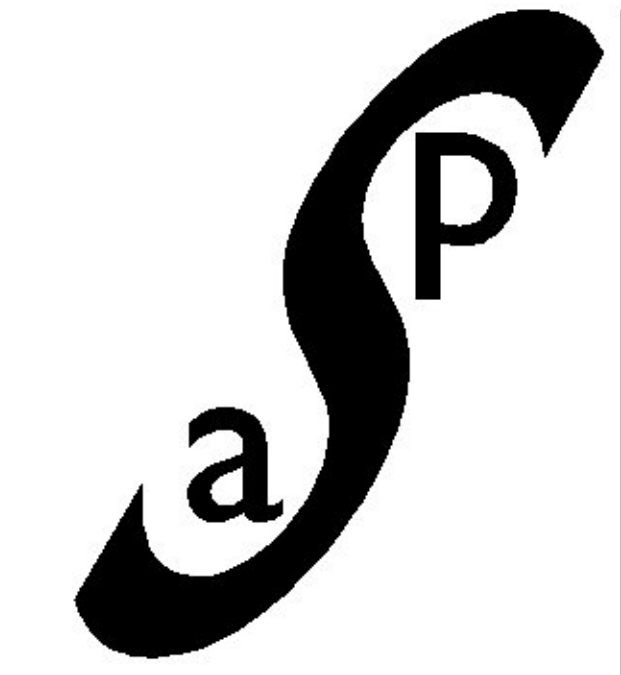
* PRESUMED EXTENT OF
ADAMTON CLUSTER

SOUTH AYRSHIRE COUNCIL
Refused under the Town and Country Planning (Scotland) Act, 1997 (As Amended), subject to reasons specified in the notification of this decision by South Ayrshire.

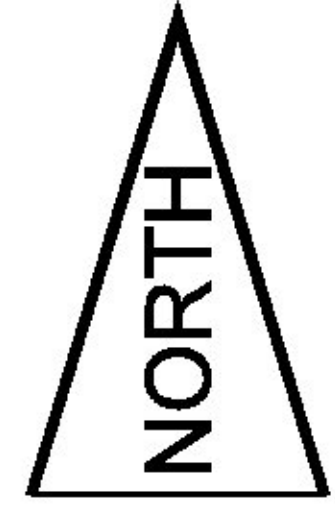
revision	date

Planning Application
 client:
 Mr B. McLeish
 Woodside House, Monkton, Prestwick KA9 2SQ
 project:
 Erection of 2 new Dwelling Houses at: former Adamton Cottages, Monkton, Prestwick KA9 2SQ
 drawing title:
 Current Extent of Development

paul sisi architectural services
 19 moor park prestwick ka9 2nj
 tel: 01292 471607
 mob: 07812778826
 e: paul.sisi@outlook.com

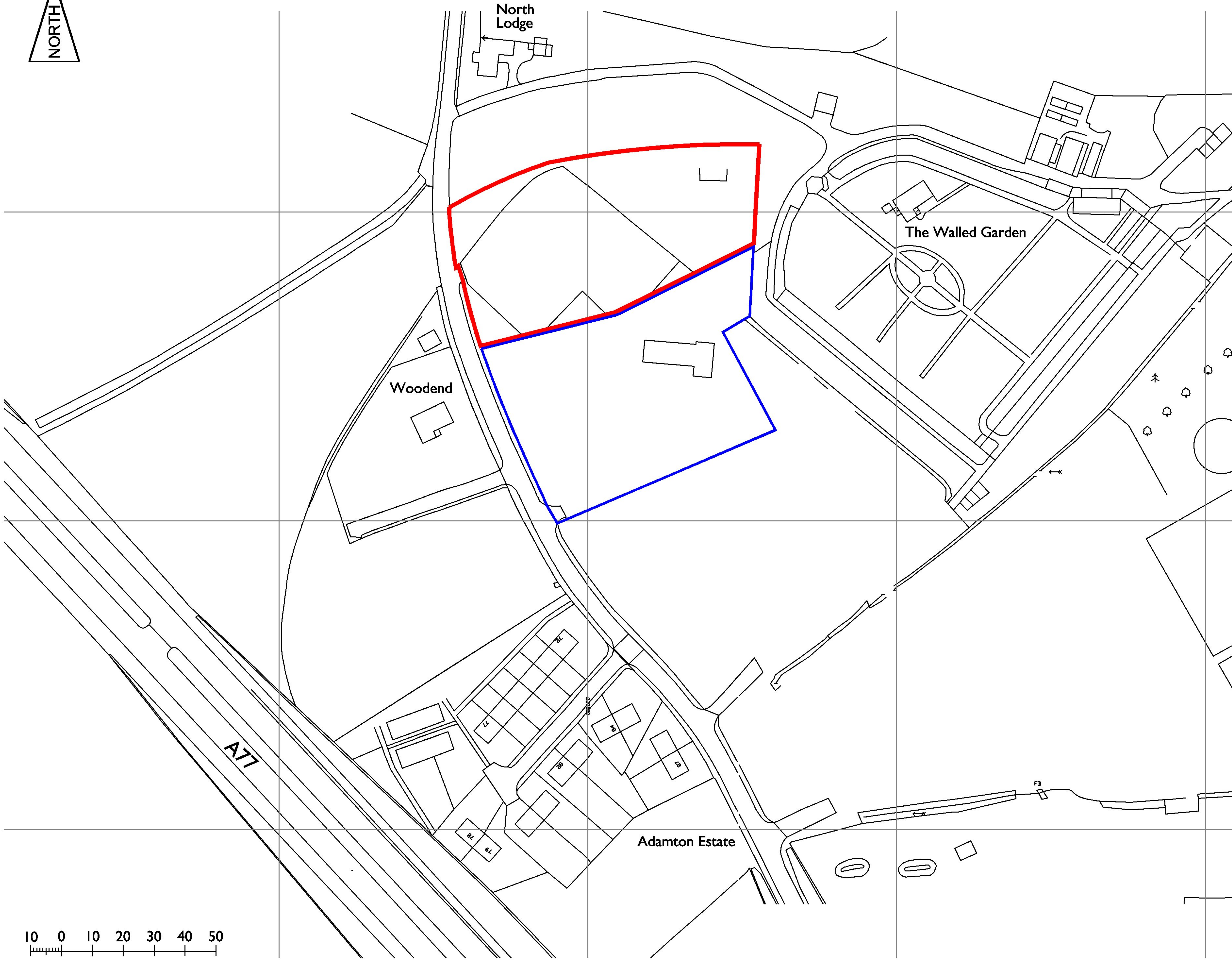


scale: 1:1250 (A3)	date: 28/01/2021
drawing number: 1194-04	revision:



APPLICATION SITE

Other land in the ownership of the Applicant

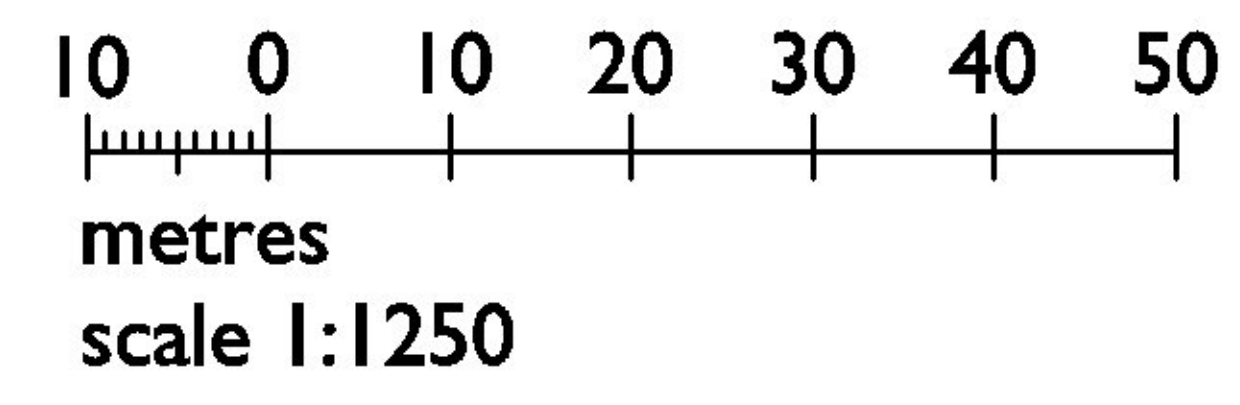
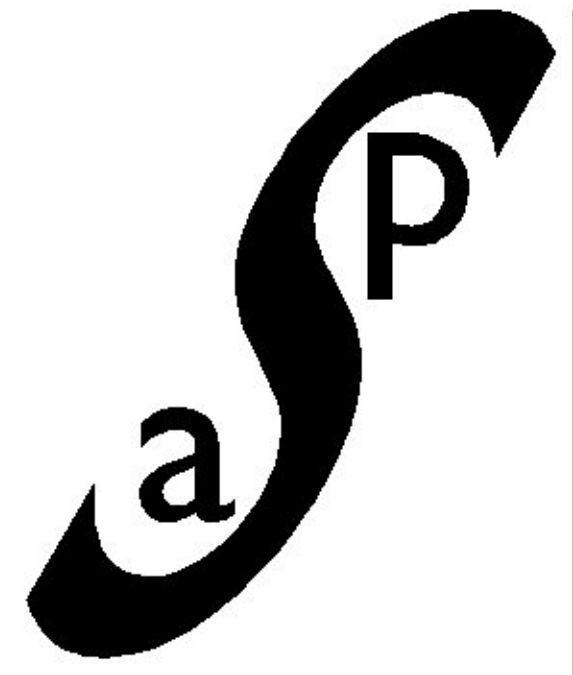


SOUTH AYRSHIRE COUNCIL
Refused under the Town and Country Planning (Scotland) Act, 1997 (As Amended), subject to reasons specified in the notification of this decision by South Ayrshire.

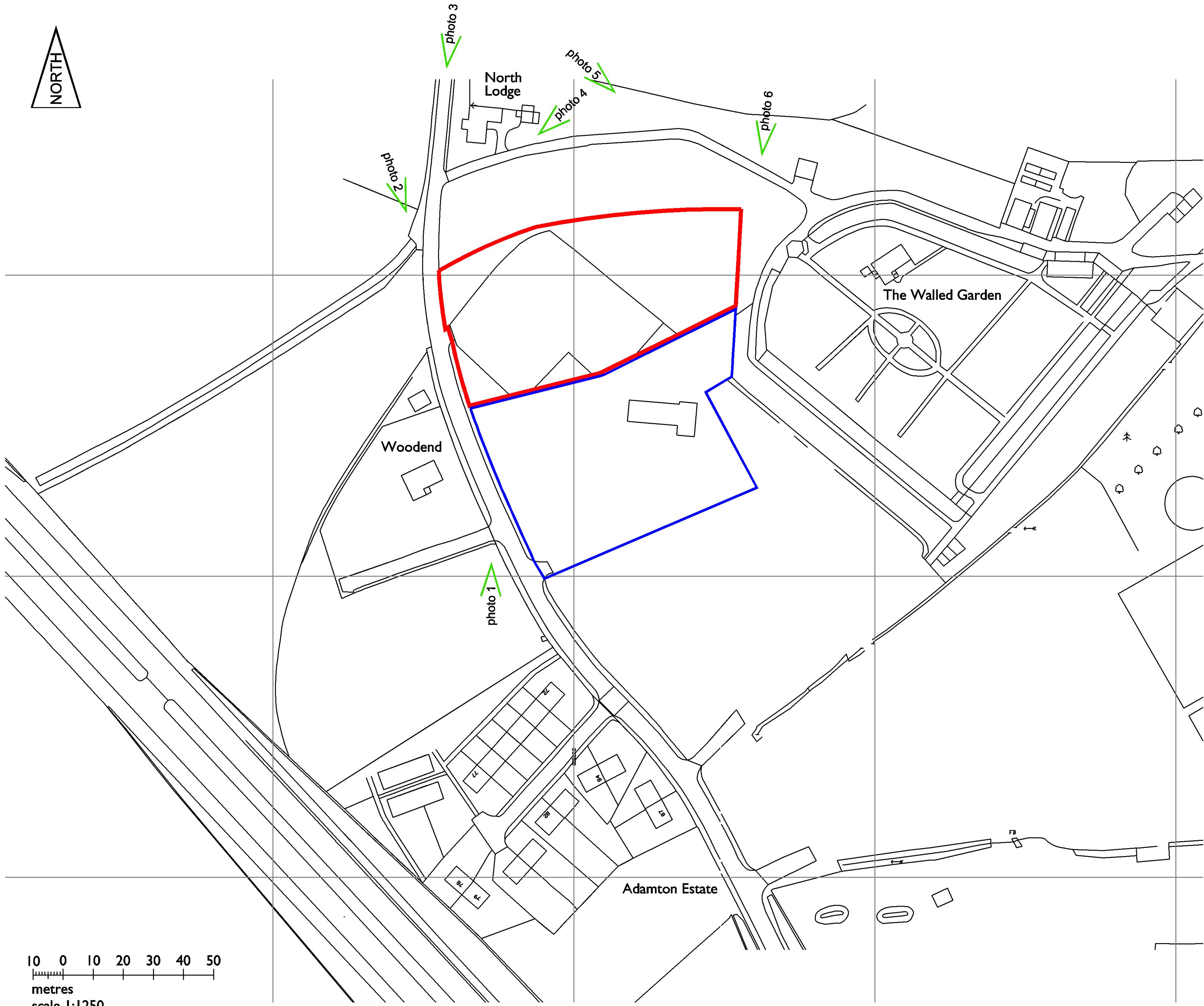
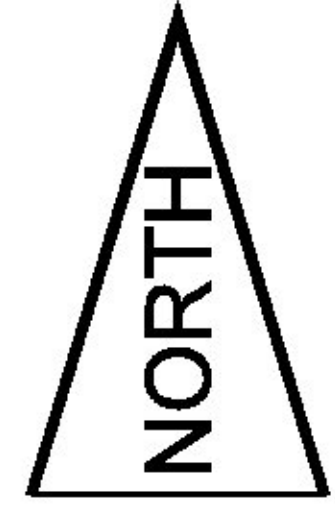
revision	date
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Planning Application	Prelim
client: Mr B. McLeish Woodside House, Monkton, Prestwick KA9 2SQ	
project: Erection of 2 new Dwelling Houses at: former Adamton Cottages, Monkton, Prestwick KA9 2SQ	
drawing title: Location Plan	

paul sisi architectural services
19 moor park prestwick ka9 2nj
tel: 01292 471607
mob: 07812778826
e: paul.sisi@outlook.com



scale: 1:1250 (A3)	date: 28/01/2021
drawing number: 1194-01	revision:



APPLICATION SITE

Other land in the ownership of the Applicant

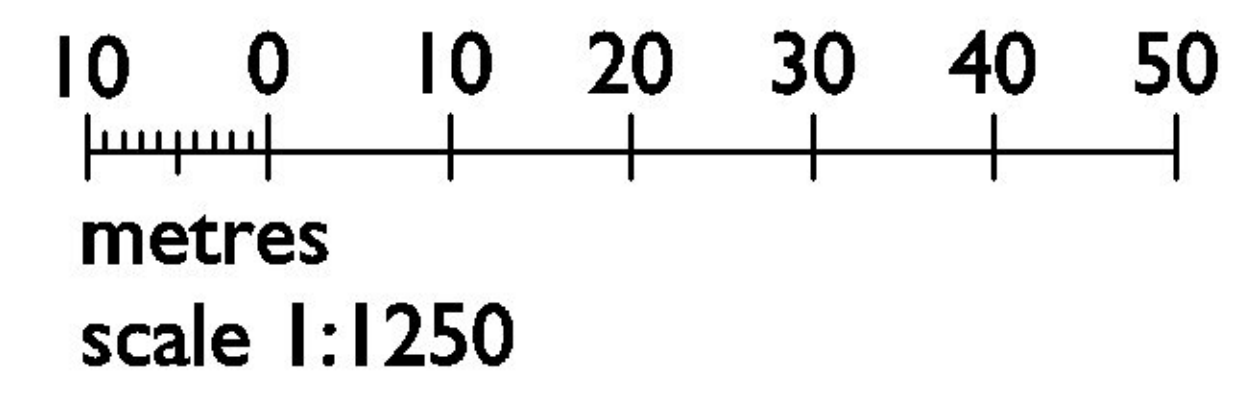
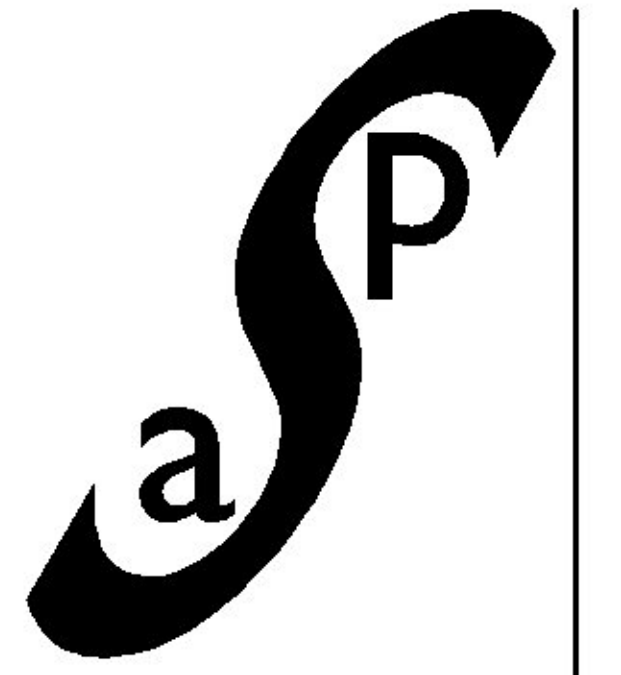
Photo viewpoint

SOUTH AYRSHIRE COUNCIL
Refused under the Town and Country Planning (Scotland) Act, 1997 (As Amended), subject to reasons specified in the notification of this decision by South Ayrshire.

revision	date

Planning Application
 client:
 Mr B. McLeish
 Woodside House, Monkton, Prestwick KA9 2SQ
 project:
 Erection of 2 new Dwelling Houses at: former Adamton Cottages, Monkton, Prestwick KA9 2SQ
 drawing title:
 Photograph Viewpoint Locations

paul sisi architectural services
 19 moor park prestwick ka9 2nj
 tel: 01292 471607
 mob: 07812778826
 e: paul.sisi@outlook.com



scale: 1:1250 (A3)	date: 28/01/2021
drawing number: 1194-05	revision: .

LOCAL DEVELOPMENT

**REFUSAL OF PLANNING PERMISSION IN PRINCIPLE
(Delegated)**

Ref No: 21/00933/PPP

SOUTH AYRSHIRE COUNCIL

**TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997
as amended by the PLANNING ETC. (SCOTLAND) ACT 2006**

TOWN AND COUNTRY PLANNING (GENERAL DEVELOPMENT) (SCOTLAND) ORDERS

**To: Mr Barry McLeish
per Paul Sisi Architectural Services
Paul Sisi
19 Moor Park
Prestwick
Scotland
KA9 2NJ**

With reference to your application dated **10th September 2021** for planning permission in principle under the above-mentioned Acts and Orders for the following development, viz:-

Planning permission in principle for the erection of 2 new dwellinghouses

**at: Former Adamton Cottages C106 From B739 Junction Near Adamton House To C138 Junction
South Of Langlands North East Of Prestwick Monkton South Ayrshire**

The Council in exercise of their powers under the above-mentioned Acts and Orders hereby **refuse** planning permission in principle for the said development.

The drawings and other documents, where relevant, which relate to this refusal can be viewed at www.south-ayrshire.gov.uk/planning/

The reasons for the Council's decision are:

- (1) That the development proposal is contrary to the Local Development Plan: Core Investment Area policy in that the proposal is not considered to represent; residential development of an allocated housing site, (shown in the settlement maps); sustainable economic growth of Glasgow Prestwick Airport, the Enterprise Zone, other airport-related industry and infrastructure; promotion of rural diversification and tourism; non-residential re-use of a substantially intact building, which will benefit the local environment; and promotion and improvement the environmental quality and range of amenities within town centres.
- (2) That the development proposal is contrary to the South Ayrshire Local Development Plan Policy in relation to Land Use and Transport in that the site is not accessible by a choice of means of transport, and the development proposal does not provide for travel by a choice of means of transport, and no justification has been provided for a departure from this policy.
- (3) That the development proposal is contrary to the Adopted South Ayrshire Local Development Plan Sustainable Development policy as the development does not contribute to the effective use of public services, facilities and infrastructure, and no justification has been provided for a departure from this policy.
- (4) That the development proposal is contrary to the Adopted South Ayrshire Local Development Plan Rural Housing policy as the development does not represent development which is; the replacement of an existing house, an extension to an existing house, the conversion and reuse of a genuinely redundant building of traditional or local character and domestic scale, or a home that is essential to a rural business.
- (5) That the development proposal is contrary to South Ayrshire Council Supplementary Planning Guidance entitled Rural Housing in that the proposal expands the existing cluster by more than 50% of the number of houses within Woodend (as at the date of adoption of the SPG).

List of Plans Determined:

Drawing - Reference No (or Description): **Refused 01**

Drawing - Reference No (or Description): **Refused 02**

Drawing - Reference No (or Description): **Refused 03**

Drawing - Reference No (or Description): **Refused 04**

Drawing - Reference No (or Description): **Refused 05**

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

Dated: 4th November 2021

.....
Louise Reid
Assistant Director – Place Directorate

PLANNING SERVICE, COUNTY BUILDINGS, WELLINGTON SQUARE, AYR, KA7 1DR

Contact: ARA.TransportationPlanningConsultations@ayrshireroadsalliance.org
ARA Case Officer: AP
Planning Case Officer: D Clark
Planning Application No: 21/00933/PPP
Location: Former Adamton Cottages C106 From B739 Junction Near Adamton House, Monkton

Date Received: 20/10/2021
Date Returned: 03/11/2021
Recommendation: No Objection subject to Conditions

The following response has been prepared following a review of the information made available through South Ayrshire Council's Planning portal website at the time of writing.

Expository Statement (if applicable):

Required for Major applications, or where the recommendation is for refusal or deferral.

Advisory Notes:

Road Opening Permit:

That a Road Opening Permit shall be applied for, and obtained from the Council as Roads Authority, for any work within the public road limits, prior to works commencing on site.

Roads (Scotland) Act:

The Council as Roads Authority advises that all works on the carriageway to be carried out in accordance with the requirements of the Transport (Scotland) Act 2005 and the Roads (Scotland) Act 1984.

New Roads and Street Works Act 1991:

In order to comply with the requirements of the New Roads and Street Works Act 1991, all works carried out in association with the development on the public road network, including those involving the connection of any utility to the site, must be co-ordinated so as to minimise their disruptive impact. This co-ordination shall be undertaken by the developer and his contractors in liaison with the local roads authority and the relevant utility companies.

Costs of Street Furniture:

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

Conditions:

Access Construction (single access or small development):

That the proposed access shall be constructed in accordance with the specifications in the Council's National Roads Development Guide and be a minimum of 5.5 metres wide over the initial 10 metres as measured from the rear of the public roadway and be formed with 6 meter radius curves. The access shall be constructed, as approved, prior to completion of the development.

Reason:

In the interest of road safety and to ensure an acceptable standard of construction.

Private Access Surfacing:

That the private access shall be surfaced for a minimum of 10 metres as measured from the rear of the public roadway, prior to occupation. Precise detail and specifications of the required surfacing shall be submitted for the prior written approval of the Council as Planning Authority (in consultation with the Council as Roads Authority) before any work commences on site.

Reason:

In the interest of road safety and to ensure an acceptable standard of construction.

Junction Visibility Splays:

That junction access visibility sightline splays of 2.4 metres by 43 meters 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.

Reason:

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.

Discharge of Water:

That the discharge of water onto the public road carriageway shall be prevented by drainage or other means. Precise details and specifications of how this is to be achieved shall be submitted for the prior written approval of the Council as Planning Authority (in consultation with the Council as Roads Authority) before any work commences on site.

Reason:

In the interest of road safety and to avoid the discharge of water onto the public road.

Off Road Parking Provision (PPP):

That off-road parking spaces shall be provided within the existing site boundary to satisfy provision levels as defined within the Council's adopted National Roads Development Guide, with parking layouts designed to comply with the guidance set out in the National Roads Development Guide, and within the Designing Streets publication as National Policy.

Reason:

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

Friday, 22 October 2021



Local Planner
Planning Service
South Ayrshire Council
Ayr
KA7 1UT

Development Operations
The Bridge
Buchanan Gate Business Park
Cumbernauld Road
Stepps
Glasgow
G33 6FB

Development Operations
Freephone Number - 0800 3890379
E-Mail - DevelopmentOperations@scottishwater.co.uk
www.scottishwater.co.uk



Dear Customer,

**Former Adamton Cottages, South Of Langlands North East Of Prestwick,
Monkton, KA9 2SH
Planning Ref: 21/00933/PPP
Our Ref: DSCAS-0051094-JY7
Proposal: Planning permission in principle for the erection of 2 new
dwellingshouses**

Please quote our reference in all future correspondence

Audit of Proposal

Scottish Water has no objection to this planning application; however, the applicant should be aware that this does not confirm that the proposed development can currently be serviced and would advise the following:

Water Capacity Assessment

Scottish Water has carried out a Capacity review and we can confirm the following:

- ▶ There is currently sufficient capacity in the Bradan Water Treatment Works to service your development. However, please note that further investigations may be required to be carried out once a formal application has been submitted to us.

Waste Water Capacity Assessment

- ▶ There is currently sufficient capacity for a foul only connection in the Meadowhead PFI Waste Water Treatment works to service your development. However, please note that further investigations may be required to be carried out once a formal application has been submitted to us.

Please Note

- ▶ The applicant should be aware that we are unable to reserve capacity at our water and/or waste water treatment works for their proposed development. Once a formal connection application is submitted to Scottish Water after full planning permission has been granted, we will review the availability of capacity at that time and advise the applicant accordingly.
-

Asset Impact Assessment

According to our records, the development proposals impact on existing Scottish Water assets.

- ▶ 100mm combined sewer in the site boundary

The applicant must identify any potential conflicts with Scottish Water assets and contact our Asset Impact Team via [our Customer Portal](#) to apply for a diversion.

The applicant should be aware that any conflict with assets identified may be subject to restrictions on proximity of construction. Please note the disclaimer at the end of this response.

Surface Water

For reasons of sustainability and to protect our customers from potential future sewer flooding, Scottish Water will not accept any surface water connections into our combined sewer system.

There may be limited exceptional circumstances where we would allow such a connection for brownfield sites only, however this will require significant justification from the customer taking account of various factors including legal, physical, and technical challenges.

In order to avoid costs and delays where a surface water discharge to our combined sewer system is anticipated, the developer should contact Scottish Water at the earliest opportunity with strong evidence to support the intended drainage plan prior to making a connection request. We will assess this evidence in a robust manner and provide a decision that reflects the best option from environmental and customer perspectives.

General notes:

- ▶ Scottish Water asset plans can be obtained from our appointed asset plan providers:
 - ▶ Site Investigation Services (UK) Ltd
 - ▶ Tel: 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 Customer Connections department at the above address.
 - ▶ If the connection to the public sewer and/or water main requires to be laid through land out-with public ownership, the developer must provide evidence of formal approval from the affected landowner(s) by way of a deed of servitude.
 - ▶ Scottish Water may only vest new water or waste water infrastructure which is to be laid through land out with public ownership where a Deed of Servitude has been obtained in our favour by the developer.
 - ▶ The developer should also be aware that Scottish Water requires land title to the area of land where a pumping station and/or SUDS proposed to vest in Scottish Water is constructed.
 - ▶ Please find information on how to submit application to Scottish Water at [our Customer Portal](#).
-

Next Steps:

▶ All Proposed Developments

All proposed developments require to submit a Pre-Development Enquiry (PDE) Form to be submitted directly to Scottish Water via [our Customer Portal](#) prior to any formal Technical Application being submitted. This will allow us to fully appraise the proposals.

Where it is confirmed through the PDE process that mitigation works are necessary to support a development, the cost of these works is to be met by the developer, which Scottish Water can contribute towards through Reasonable Cost Contribution regulations.

▶ Non Domestic/Commercial Property:

Since the introduction of the Water Services (Scotland) Act 2005 in April 2008 the water industry in Scotland has opened to market competition for non-domestic customers. All Non-domestic Household customers now require a Licensed Provider to act on their behalf for new water and waste water connections. Further details can be obtained at www.scotlandontap.gov.uk

▶ Trade Effluent Discharge from Non Dom Property:

- ▶ Certain discharges from non-domestic premises may constitute a trade effluent in terms of the Sewerage (Scotland) Act 1968. Trade effluent arises from activities including; manufacturing, production and engineering; vehicle,

plant and equipment washing, waste and leachate management. It covers both large and small premises, including activities such as car washing and launderettes. Activities not covered include hotels, caravan sites or restaurants.

- ▶ If you are in any doubt as to whether the discharge from your premises is likely to be trade effluent, please contact us on 0800 778 0778 or email TEQ@scottishwater.co.uk using the subject "Is this Trade Effluent?". Discharges that are deemed to be trade effluent need to apply separately for permission to discharge to the sewerage system. The forms and application guidance notes can be found [here](#).
- ▶ Trade effluent must never be discharged into surface water drainage systems as these are solely for draining rainfall run off.
- ▶ For food services establishments, Scottish Water recommends a suitably sized grease trap is fitted within the food preparation areas, so the development complies with Standard 3.7 a) of the Building Standards Technical Handbook and for best management and housekeeping practices to be followed which prevent food waste, fat oil and grease from being disposed into sinks and drains.
- ▶ The Waste (Scotland) Regulations which require all non-rural food businesses, producing more than 50kg of food waste per week, to segregate that waste for separate collection. The regulations also ban the use of food waste disposal units that dispose of food waste to the public sewer. Further information can be found at www.resourceefficientscotland.com

I trust the above is acceptable however if you require any further information regarding this matter please contact me on **0800 389 0379** or via the e-mail address below or at planningconsultations@scottishwater.co.uk.

Yours sincerely,

Angela Allison

Development Services Analyst

PlanningConsultations@scottishwater.co.uk

Scottish Water Disclaimer:

"It is important to note that the information on any such plan provided on Scottish Water's infrastructure, is for indicative purposes only and its accuracy cannot be relied upon. When the exact location and the nature of the infrastructure on the plan is a material requirement then you should undertake an appropriate site investigation to confirm its actual position in the ground and to determine if it is suitable for its intended purpose. By using the plan you agree that Scottish Water will not be liable for any loss, damage or costs caused by relying upon it or from carrying out any such site investigation."