

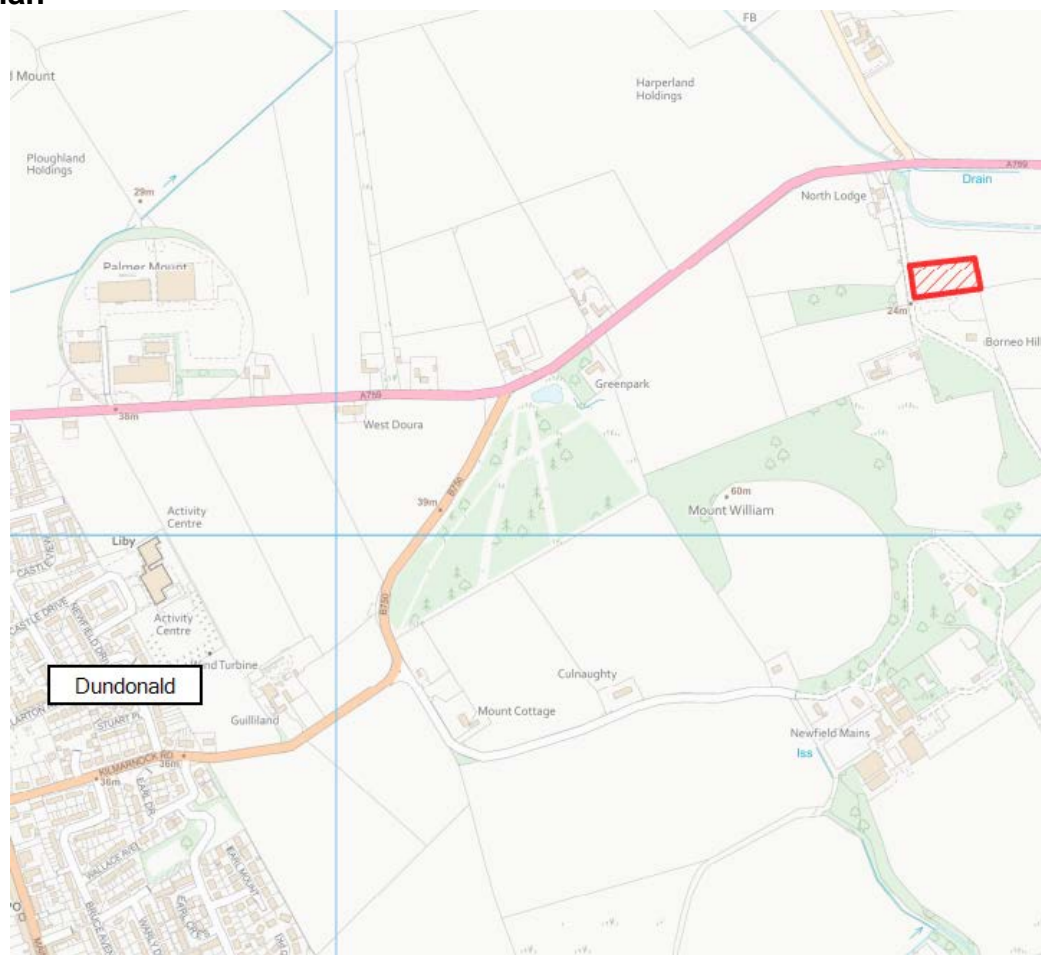
## REGULATORY PANEL: 23 JUNE 2022

### REPORT BY PLACE DIRECTORATE

22/00132/PPP

LAND ADJACENT TO BORNEO HILL A759 FROM COUNCIL BOUNDARY AT OLD ROME BRIDGE TO BYPASS ROAD DUNDONALD DUNDONALD SOUTH AYRSHIRE KA2 9BQ

### Location Plan



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### Summary

Planning permission in principle is sought for the erection of a dwellinghouse and 2 x agricultural sheds on land at Harperland Burn, North of Borneo Hill, Dundonald. Given the nature of the application, i.e., planning permission in principle, details for the siting and design of the residential development would require to be established by the submission of further application(s) for matters specified in conditions, if planning permission in principle were granted.

It is materially relevant that the application proposal is presented as a new, standalone agricultural enterprise based at – and for the sole purposes of operations upon – the c.14ha land unit at Harperland Burn, only. The submission at hand does not clarify any relevant site history whereby there is no prior steading already contained within the extent of the land unit as presently constituted. The submission suggests the current site has been managed on a non-resident, part-time and seasonal basis for summertime grazing of store cattle, in conjunction with other parcels of land and/or other holdings e.g., for 'outwintering'. Whereas the new enterprise proposes a substantively self-contained operation within Harperland Burn – based upon a resident pedigree breeding cattle herd (calving on a year-round pattern), complemented by a ewe flock which will provide year-round follow-on grazing and shall be lambed on-site (but potentially grazed off-site temporarily if a given growing season so dictates). On the latter basis, permission is sought in principle for a permanent agricultural worker's dwellinghouse and 2x agricultural sheds – of which one for livestock (wintering cattle and lambing ewes), and one for agricultural storage of feed, forage and equipment.

The application has been assessed against the various material planning considerations which include the provisions of the development plan, the emerging development plan, the Council's Rural Housing Supplementary Planning guidance, Scottish Planning Policy, consultations, representations received, and the impact of the proposed development on the locality. The assessment concludes that the proposed development is contrary to the policy provisions of the local development plan and the emerging local development plan. The consultation responses do not raise any issues of over-riding concern and the representations have been fully considered. Overall, there are policy objections to the development proposals and the application is recommended for refusal.

## REPORT BY PLACE DIRECTORATE

**REGULATORY PANEL: 23 JUNE 2022**

|                         |   |
|-------------------------|---|
| <b>SUBJECT:</b>         | <b>PLANNING APPLICATION REPORT</b>  |
| <b>APPLICATION REF:</b> | <b>22/00132/PPP</b>   |
| <b>SITE ADDRESS:</b>    | <b>LAND ADJACENT TO BORNEO HILL<br/>A759 FROM COUNCIL BOUNDARY AT OLD ROME BRIDGE TO BYPASS<br/>ROAD DUNDONALD<br/>DUNDONALD<br/>SOUTH AYRSHIRE<br/>KA2 9BQ</b> |
| <b>DESCRIPTION:</b>     | <b>PLANNING PERMISSION IN PRINCIPLE FOR THE ERECTION OF<br/>DWELLINGHOUSE AND TWO AGRICULTURAL BUILDINGS</b>  |
| <b>RECOMMENDATION:</b>  | <b>REFUSAL</b>  |

### APPLICATION REPORT

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

#### **1. Proposal:**

The application site comprises agricultural land located in a rural area at Harperland Burn, to the north-west of Dundonald and approximately 130 metres to the south of the A759. The application is bound to the south by an existing landscaping business located at Borneo Hill, to the west by an unclassified public road and on all other boundaries by agricultural land. The application site equates to an area of approximately 4300 sq. metres with vehicular access taken via an unclassified road which connects directly to the A759. It is noted from the application submission that the land within the ownership of the applicant, at Harperland Burn, equates to approximately 14ha.

Planning permission in principle is sought for the erection of a dwellinghouse and 2 x agricultural sheds on land at Harperland Burn, North of Borneo Hill, Dundonald. Given the nature of the application, ie. planning permission in principle, details for the siting and design of the residential development would require to be established by the submission of further application(s) for matters specified in conditions, if planning permission in principle were granted.

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

#### **2. Consultations:**

**Environmental Health** - offer no objection subject to conditions.

**Scottish Environment Protection Agency** - offer no objection to the proposals on flood risk grounds.

**Ayrshire Roads Alliance** - offer no objection subject to conditions.

### **3. Submitted Assessments/Reports:**

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

**Supporting Statement** - The application submission is accompanied by a detailed Supporting Statement which explains the following: -

The applicants existing farming enterprise extends to some 35 acres (14.16ha) and is suitable for year-round grassland grazing. The applicant also owns a further 60 acres (24.28ha), around seven miles away near Galston. The application submission intimates that a cattle system, producing high-quality, grass-fed beef is the ideal business model to maximise the potential return from the land currently available. The proposal is for the current operations to transition away from store cattle which have been giving a low return for the level of capital employed and the continual fluctuations in input prices. The land within the applicant's ownership is therefore to remain all grassland and instead of storing cattle, the business proposed will have their own herd of pedigree breeding cows along with their progeny that will be sold at 20-22 months of age. Cattle will firstly be sold for breeding directly through pedigree societies and auctions. Those cattle that do not meet the necessary grade will be sold through local markets for meat or into the store market for finishing.

In addition to the cattle enterprise, the submission states that there will be a flock of around 150 ewes that will be kept all-year-round to follow the grazing of the cattle. Depending on the growing season, the sheep may be moved off the holding to other pastures or hill ground to ease pressure on the main cattle farming unit.

The supporting statement indicates, there is currently no accommodation or farm buildings on the land within the applicant's ownership which is starting to present problems for the business whilst it transitions onto this extensive grassland-based system. Despite having gates at the entrances to properties there has been an escalation of unauthorised vehicles entering farms in the nearby area. For animal welfare, animal husbandry, biosecurity, and general security reasons there is a requirement to have somebody on-site at all times.

The main breeding cattle will be on an all-year-round calving pattern to allow for a continuity of supply of finished animals throughout the year. The submission intimates that this is essential for a small business as it allows for a cashflow income throughout the year as animals reach maturity and ready for market. This is one reasons given for requiring accommodation on site so that somebody is on-hand at all times to assist or supervise calvings as they happen and the subsequent care of young animals.

The submission also indicates that the sheep enterprise will require high labour input in the lead up, during and after lambing to ensure the welfare of the ewes and lambs is maintained during this vulnerable period. Regular night-time checks are needed throughout this time to ensure problems are kept to a minimum and identified early.

**Labour Requirements Report** - An accompanying Labour Requirements Report indicates that the requirement for the farm enterprise is 1.72 labour units. The Labour Requirements Report also includes a business plan of the projected financial business performance.

### **4. S75 Obligations:**

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

None.

### **5. Scottish Ministers Directions:**

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

None.

## 6. **Representations:**

19 representations have been received, 19 of which object to the proposed development. All representations can be viewed online at [www.south-ayrshire.gov.uk/planning](http://www.south-ayrshire.gov.uk/planning)

The concerns raised in the objections can be summarised as follows: -

- Proposal is contrary to the Local Development Plan, emerging Local Development Plan and related supplementary guidance in relation to Rural Housing;
- Lack of supporting business case and financial information to support the proposal;
- Adverse impact on visual amenity, including the need for appropriate boundary treatment;
- Traffic and transport issues - increased traffic to and from site;
- Infrastructure issues - proposed drainage arrangements, and existing flooding would be exacerbated;
- Miscellaneous concerns – proposed development should be located in an alternative location.

In accordance with the Council's procedures for the handling of planning applications the opportunity exists for Representees to make further submissions upon the issue of this Panel Report, either by addressing the Panel directly or by making a further written submission. Members can view any further written submissions in advance of the Panel meeting at [www.south-ayrshire.gov.uk/planning](http://www.south-ayrshire.gov.uk/planning). A response to these representations is included within the assessment section of this report.

## 7. **Assessment:**

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

### (i) Development Plan

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

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

- Spatial Strategy;
- Sustainable Development;
- Rural Housing;

The Spatial Strategy of the LDP sets out the settlement strategy for South Ayrshire and can be viewed as the foundation framework which provides the vision for how the Council wishes to see the towns and countryside areas develop over the duration of the plan.

The Spatial Strategy of the LDP states that; we will not support development outwith the boundaries of settlements (towns and villages), except where we believe 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. Notwithstanding the provisions of the Spatial Strategy and the LDP Rural Housing Policy allow for housing to be built within rural areas, in accordance with their provisions, and the related provisions of the Council's supplementary planning guidance entitled Rural Housing. The Sustainable Development policy of the LDP seeks to consider the details of development proposals. Given the nature of this application, i.e., planning permission in principle, it is not possible to further consider matters of detail.

Of particular relevance in the consideration of the proposal are the terms of the LDP Rural Housing Policy. Criterion e. of this policy requires that where a home is essential to a rural business, the developer, must satisfy (the Council) through the submission of a sound business plan, that the business is economically viable and could not be run without residential accommodation.

For the reasons noted elsewhere within this report, there are policy concerns in relation to the development proposal, in so far as it is not considered that the proposal is in accordance with the provisions of the LDP and in particular the Policy in relation to Rural Housing. Further consideration of the proposal against the provisions of the Council's Rural Housing SPG are considered 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.

The Scottish Government Department of Planning and Environmental Appeals Division (DPEA) concluded its Examination of the South Ayrshire Modified Proposed Local Development Plan 2 (MPLDP 2 but referred to as LDP 2) and issued its Examination Report on 10th January 2022. At a meeting on 10th March 2022, South Ayrshire Council considered and agreed to accept Modifications, as recommended by the DPEA. At the same meeting, the Council agreed to submit the Plan (including those recommended modifications) to Scottish Ministers as the Local Development Plan that it intends to adopt. LDP 2 now forms a substantial material consideration in the determination of planning applications. Within the context of the current application assessment, the provisions of the Proposed Replacement South Ayrshire Local Development Plan (PLDP2) remain largely unchanged.

(ii) Other Policy Considerations (including Government Guidance)

Scottish Planning Policy:

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 economic growth 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, and with regards to rural developments, the SPP advises support should be given to new housing which is linked to rural businesses. 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. For the reasons noted within this report, there are policy concerns in relation to the proposal.

South Ayrshire Council Supplementary Planning Guidance - Adopted Rural Housing Policy:

The Rural Housing supplementary guidance sets out the policy requirements which new houses serving rural based businesses are required to fulfil, and states that "The Council may give favourable consideration to the provision of on-site residential accommodation for a worker employed in an existing rural business, providing that;

- a) It is demonstrated to the satisfaction of the Council that the business cannot operate without continuous on-site attendance and that there are no alternative means of operating the business; and*
- b) There is no other existing accommodation that could be used to serve the business; and*
- c) No existing dwelling serving or connected to the business or holding has been sold or in some other way separated or alienated from the holding in the previous five years; and*
- d) Any proposed buildings or structures form or complement a coherent group of buildings and are not visually intrusive.*

*Note: the requirement for on-site accommodation may be either as a result of the continuous operation of the existing business, or due to proposed expansion or diversification of that business.*

*The Council may give favourable consideration to the provision of temporary on-site residential accommodation for a worker employed in a proposed new rural business for a period of two years, providing that it is in full compliance with criteria a-d, inclusive, above, and that a business plan is submitted for the proposed business, which demonstrates the economic viability of the business and associated buildings/property.*

*In all cases, proposals for new residential accommodation in rural areas, including those demonstrated as being required to operate a rural business, must accord with the Council's design guidance, contained in this supplementary guidance.*

*Business plans require to demonstrate that by the third year of operation, the business will employ at least one essential worker per dwelling on a full-time basis at a wage of at least 50% of the South Ayrshire average and that the remaining income from the business would support the total equivalent borrowing cost of creating the business, together with its land, property and residential accommodation assets.*

In considering the proposed development against the above policy of the SPG, the following is noted;

It is materially relevant that the original application submission is presented as a new, standalone agricultural enterprise based at – and for the sole purposes of operations upon – the c.14ha land unit at Harperland Burn, only. The submission at hand does not clarify any relevant site history whereby there is no prior steading already contained within the extent of the land unit as presently constituted. The submission suggests the current site has previously been managed on a non-resident, part-time and seasonal basis for summertime grazing of store cattle, in conjunction with other parcels of land and/or other holdings e.g., for 'outwintering'.

Conversely, the new enterprise proposes a substantively self-contained operation within the application site – based upon a resident pedigree breeding cattle herd (calving on a year-round pattern), complemented by a ewe flock which will provide year-round follow-on grazing and shall be lambed on-site (but potentially grazed off-site temporarily if a given growing season so dictates). On the latter basis, permission is sought in principle for a permanent agricultural worker's dwellinghouse and 2 x agricultural sheds – of which one for livestock (wintering cattle and lambing ewes), and one for agricultural storage of feed, forage, and equipment.

Hypothetically (and pending full and further due evidence) there may be eventual scope for policy support on a 'labour requirement' justification for an on-site residential worker, in satisfaction of criteria (a) and (b) as cited above. However, from a policy perspective there are concerns that the application proposal, in this form and at this stage, is premature both in terms of: (1) proposal type (i.e., permanent dwelling), and (2) detail (i.e., business plan).

The prematurity of the proposal on these bases (as explained below) stems from the statutory Supplementary Guidance – Rural Housing which provides the development plan's detailed prescriptions on rural business-related houses.

The structure of the above policy clearly draws a key material distinction between existing and new rural businesses, in giving consideration to the appropriate nature of any on-site residential accommodation for a worker employed in either such business. In the instance of a new rural business, scope for favourable consideration is explicitly caveated for temporary on-site residential accommodation only – for a period of two years, and in addition to fully satisfying all criteria (a) to (d). Logically, the successful establishment of the proposed business being borne out in that period of time is the precursor to a subsequent application for a permanent dwellinghouse in due course.

On the criteria (a) to (d), the submitted proposal's supporting documentation gives reasonable detail and explanation to satisfy, in principle, criteria (a) and (b). However, the satisfactory status of the site with regards to criteria (c) remains to be positively and demonstrably asserted within the submission. Whilst criterion (d) stands to be controlled as appropriate by relevant conditions in the event that a future PPP may be approved, at this stage in general terms it is acknowledged and welcomed that the red-line application site generally presents as the lowest lying and least visually obtrusive portion of the wider land unit.

Ultimately, against the terms of the policy, the proposal at hand is considered premature in proposing a permanent dwelling to support the inception of a new rural business. Whilst the application has offered no particular / exceptional justification as to why the proposal involves a permanent dwelling rather than temporary on-site accommodation, it is materially important to note that the policy does not proceed to describe any circumstances / other material considerations by which it envisages such a deviation could be found appropriate in planning terms.

Consequently, in its submitted form, the proposal is directly contrary to the development plan on this count.

The proposal as submitted supplies a business plan which lacks the requisite detail prescribed by policy, as quoted

in the final paragraph of the Rural Housing supplementary guidance. It does not demonstrate the economic viability of the business inclusive of the context of its associated buildings/property, because it has not itemised the capital costs of those buildings and nor therefore has it accounted for how the business shall, in its third operating year, bear a residual income sufficient to demonstrably service the total equivalent borrowing costs of creating the business – ‘together with its land, property and residential accommodation assets’. Nor has it itemised the simultaneous drawdown of a nominal proprietor’s wage at a rate in satisfaction of the respective element of the policy.

This burden of economic viability bears an important policy purpose in ensuring that the business, inclusive of the residential component proposed as essential to serve its operation, is fundamentally viable as an integral going concern irrespective of the personal financial (capital) capacity of a particular applicant.

Again, with further reference to business plan, the proposal as submitted is considered premature. The insufficient detail in the submitted business plan requires the proposal to be found as contrary to the development plan. Further essential detail is necessary in the form of a revised business plan to satisfy policy, as set out above.

The applicant’s agent was offered an opportunity to withdraw the aforementioned application to give fuller consideration to submitting a new proposal, with economic viability fully evidenced in accordance with the development plan. However, the applicant’s agent has requested that the application proceed to determination and has offered a further explanation which now portrays the proposal as ‘a continuation and expansion of the existing business’. The planning application assessment requires to be considered in accordance with the information which formed the basis of the original planning application submission i.e., a new business venture proposed at Harperland Burn.

The Council’s Supplementary Guidance on Rural Housing makes clear that whether a proposal concerns a new or existing business is in fact a key material distinction for planning purposes, where that proposal engenders on-site accommodation posited as essential for said business.

Accordingly, if the proposal were accepted as being an existing business, it remains the case that the proposal would be contrary to the local development plan. However, the agent has submitted additional contributions which would allow his client to consider a range of future options to progress aspirations for the site.

If the proposal was in fact considered to relate to an existing business, then (inter alia) criterion (a) of the supplementary guidance would require to be fully met in relation to that contrasting context and that this would require the supporting documentation (labour justification report, planning statement, etc) to be rewritten, expanded, and substantiated via supplementary evidential documentation wherever necessary to comprehensively account for:

- Formalising the further and broader narrative regarding the nature and history of the existing business (including expressly addressing the outstanding question of any past relationship between the blue-line ownership site and existing dwellings – particularly the property at Borneo Hill (aka ‘Burgess Hill’) and whether the latter property was in any way connected with or formed part of any portion of the land unit within the previous five years);
- Offering a full explanation of the role and status of the Harperland Burn land unit as a constituent part of the applicant’s existing business, particularly with regards inter alia to that business’ primary holding comprising a distinct holding in the Galston vicinity, and the nature of (and inter-unit connectivities with) the respective primary operations thereon;
- Consequently, offering likewise a full explanation of how the marked expansion, diversification and self-sufficiency of the proposed operations within Harperland Burn can continue to present as an operational constituent of the existing business, particularly in the context of that business being based remotely from Galston;
- Explaining how the existing business’ primary holding in the vicinity of Galston reconciles with the proprietor’s residential requirement being vested in the discrete and distant Harperland Burn constituent, and how this operational arrangement reflects the continuation of an existing business rather than the establishment of a standalone agricultural concern;
- Charting a chronological evolution of the existing business which establishes the nature, pace and extent of the transitional period and the operational iterations that facilitate the transition throughout the relevant business years; and
- Projecting the evolving labour requirement position through the course of the transitional period in order to establish in a rigorous manner the timing (eg. business year) and developmental stage at which the on-site accommodation becomes operationally requisite.



If the proposal was considered to relate to an existing agricultural business on-site, then it would be within the applicant's gift to utilise any notifiable agricultural PD rights that may be exercisable by them relative to Harperland Burn in the meantime - such as may allow certain agricultural development which facilitates demonstrable steps towards practical realisation of the transition on the land unit, and such as the consequent realisation of the proposed new farming system on the ground may in turn ease the fulfilment of rural housing policy eg. criterion (a) of the supplementary guidance at a later date.

(iii) Objector Concerns

The following response is offered to the concerns of objectors;

- Proposal is contrary to the Local Development Plan, emerging Local Development Plan and related supplementary guidance in relation to Rural Housing;

An assessment of the development proposal against the relevant provisions of the Adopted South Ayrshire Local Development Plan, the emerging Local Development Plan and the related supplementary guidance is set out above. For the reasons noted above and elsewhere in this report, there are policy issues with the proposal.

- Lack of supporting business case and financial information to support the proposal;

Noted. The supporting business case for the proposal has been considered elsewhere in this report.

- Adverse impact on visual amenity, including the need for appropriate boundary treatment;

Given the nature of the development proposal i.e planning permission in principle, it would be for future and further detailed applications to establish the precise details of the proposal in terms of its siting, design, materials, means of access and landscaping/ boundary treatments if this application were to be approved.

- Traffic and transport issues - increased traffic to and from site;

As noted above, the Ayrshire Roads Alliance (ARA) has been consulted and has made no adverse comments in terms of traffic and transportation issues arising from the proposed dwellinghouse. Accordingly, the ARA has offered no objection to the development proposal, subject to suitable conditions and advisory notes being attached to any permission, if granted.

- Infrastructure issues - proposed drainage arrangements, and existing flooding would be exacerbated;

There are no known infrastructure issues associated with the site. The provision of an adequate supply of water to service the development, without adverse impact on adjacent users is a matter for the applicant, in conjunction with Scottish Water, if granted. Both SEPA and the ARA have been consulted on the application proposals and offer no objection from a flood risk perspective.

Notwithstanding, for the reasons noted elsewhere in this report, there are policy concerns in relation to the development proposal.

- Miscellaneous concerns – proposed development should be located in an alternative location.

The purpose of this application is to consider the principle of erecting a dwellinghouse and 2 x agricultural sheds in the specified location.

(iv) Impact on the Locality

The application site is set within a rural area, and the development proposal seeks planning permission in principle for the erection of a dwellinghouse to provide on-site accommodation for a person involved in a proposed agriculture business at Harperland Burn. The proposal also seeks planning permission in principle for the erection of 2 x agricultural sheds. Given the nature of this application, details for the configuration and setting out of the dwellinghouse and sheds would require to be established by the submission of further applications. Therefore, the impact of the proposal on the amenity of the locality can only be considered in terms of the principle of the erection of a dwellinghouse at this location. The Local Development Plan and related supplementary guidance in relation to Rural Housing set out the criteria against which rural residences serving rural based business are considered to be acceptable. The application has been assessed against the information which accompanied the original planning application submission, and it is asserted that the application proposal is presented as a new, standalone agricultural enterprise based at – and for the sole purposes of operations upon – the c.14ha land unit at Harperland Burn only. As set out above, provision exists within the Rural Housing SG for temporary on-site residential accommodation for a worker employed in a proposed new rural business; however, the proposal as submitted seeks provision of permanent on-site accommodation. As set out above, it is materially important to note that the Rural Housing SG does not proceed to describe any circumstances / other material considerations by which it envisages such a deviation could be found appropriate in planning terms. In addition, the proposal as submitted supplies a business plan which lacks the requisite detail prescribed by the Rural Housing SG.

While it is noted that the applicant's agent asserts that the proposals relate to an existing business, it is clear that the submitted business plan sets out a fundamentally different operation to that of the existing operation which pertains to a distinct and more limited manner of part-time co-dependent agricultural contracting.

For the reasons noted elsewhere in this report, there are concerns in relation to the development proposal, which is considered to be premature, in that permanent residential accommodation is proposed and that the business plan is lacking in detail to fulfil the requirements of the Rural Housing SG.

**8. Conclusion:**

For the reasons noted above, there are policy concerns in relation to the proposal. It is considered that the development is contrary to the provisions of the Adopted South Ayrshire Local Development Plan, and also the Adopted Supplementary Planning Guidance in relation to Rural Housing, and that there are no material planning considerations that would out-weigh these 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.

**9. Recommendation:**

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

**Reason:**

1) That the development proposal is contrary to the Rural Housing Policy of the Adopted South Ayrshire Local Development Plan and the Council's Supplementary Guidance in relation to Rural Housing in that it has not been demonstrated to the satisfaction of the Council that the new business is economically viable, and no satisfactory justification has been provided which would permit the erection of a permanent residential dwellinghouse, at this time, to serve the proposed rural business.

**Advisory Notes:**

N/A

**List of Determined Plans:**

Drawing - Reference No (or Description): L(00)002

Drawing - Reference No (or Description): L(00)003

Drawing - Reference No (or Description): L(00)001

**Reason for Decision (where approved):**

**Background Papers:**

1. Planning application form, plans and supporting information (available online)
2. Adopted South Ayrshire Local Development Plan (available online)
3. South Ayrshire Council Supplementary Planning Guidance - Open Space and Designing New Residential Developments (available online)
4. Representations (available online)
5. Scottish Planning Policy (available online)
6. Modified Proposed Local Development Plan 2
7. Consultations

**Equalities Impact Assessment:**

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

**Person to Contact:**

Mr David Clark, Supervisory Planner (Place Planning) - Telephone 01292 616 118