

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

3 May 2023

To:- Councillors Kilbride (Chair), Cavana, Clark and Kilpatrick.

Dear Councillor

SOUTH AYRSHIRE LOCAL REVIEW BODY

You are requested to participate in the above Panel to be held within County Hall on **Tuesday, 9 May 2023 at 2.00 p.m.** for the purpose of considering the undernoted business.

This meeting will be held on a hybrid basis for Elected Members, will be live-streamed and available to view at <https://south-ayrshire.public-i.tv/>

Please note that a briefing meeting will take place for all Local Review Body Members at 1.15 p.m., online and in the Prestwick Committee Room.

Yours sincerely

Catriona Caves
Head of Legal and Regulatory Services

B U S I N E S S

1. Declarations of Interest.
2. Minutes of previous meeting of 18 April 2023.
3. Continuation of Review following a Procedure Notice – 22/00367/APP – Application for Planning Permission for alterations and extension to Dwellinghouse at 86 Adamton Estate, Monkton, South Ayrshire, KA9 2SQ.

[Application Summary](#)

For more information on any of the items on this agenda, please telephone
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e-mail: localreviewbody@south-ayrshire.gov.uk
www.south-ayrshire.gov.uk

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SOUTH AYRSHIRE LOCAL REVIEW BODY.

Minutes of a hybrid webcast meeting held
on 18 April 2023 at 2.00 p.m.

Present: Councillors Kenneth Bell (Chair), Ian Cavana, Alec Clark, Martin Kilbride and Mary Kilpatrick.

Remotely: Councillors Mark Dixon and Craig MacKay.

Apologies: Councillors Brian Connolly and Duncan Townson.

Attending: M. Vance, Solicitor (Legal Adviser); J. Hall, Planning Strategy Co-Ordinator (Planning Adviser); C. Griffiths, Committee Services Assistant and C. McCallum, Committee Services Assistant.

Opening Remarks.

The Legal Adviser took the sederunt. The Chair confirmed to Members the procedures to conduct this meeting and advised that the meeting was being broadcast live.

1. Declarations of Interest.

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

2. Minutes of Previous Meetings.

The minutes of 14 March 2023 (issued) were submitted and approved.

3. New Case for Review - 22/01010/APP – Application for Planning Permission for alterations and extension to dwellinghouse at 4 Rossllyn Place, Ayr, South Ayrshire, KA8 9HU.

There were submitted the relevant papers (issued) relating to a request to review the decision to refuse planning permission for alterations and extension to dwellinghouse at 4 Rossllyn Place, Ayr, South Ayrshire KA8 9HU.

Having heard the Chair, the Legal Adviser to the Body and the Planning Adviser to the Body, the Body considered the papers relating to the Review.

Decided: To overturn the decision of the Appointed Officer and grant planning permission, subject to the following conditions:-

Conditions

- 1) That the development hereby permitted must be begun within three years of the date of this permission.
- 2) That the development hereby granted shall be implemented in accordance with the approved plan(s) as listed below and as forming part of this permission unless a variation required by a condition of the permission or a non-material variation has been agreed in writing by the Planning Authority.

- 3) That notwithstanding the plans hereby approved, all proposed materials to be used on external surfaces shall match the existing dwellinghouse to the satisfaction of the Planning Authority.
- 4) That notwithstanding the plans hereby approved, screen fencing shall be erected along the western boundary to a height of 2 metres over the depth of the extension, the details of which shall be submitted for the prior written approval of the Planning Authority prior to the commencement of works on site. Thereafter, the fencing shall be erected as agreed prior to the completion of the extension hereby granted planning permission and retained for the lifetime of the development.
- 5) That notwithstanding the plans hereby approved, the width of the side-facing window on the western elevation of the extension hereby approved shall be reduced to 1.2 metres in width. Scaled elevations and floor plans showing the position and dimensions of the window as amended shall be submitted for the prior written approval of the Planning Authority prior to the commencement of works on site.

Reasons

- 1) To be in compliance with Section 58 of The Town and Country Planning (Scotland) Act 1997 as amended by Section 32 of The Planning (Scotland) Act 2019.
- 2) To ensure that the development is carried out in accordance with the approved plans unless otherwise agreed.
- 3) To ensure that materials are appropriate for the site and in the interests of visual amenity.
- 4) To ensure that materials are appropriate for the site and in the interests of visual amenity.
- 5) To define the terms of this planning permission, and in the interests of residential amenity.

List of Approved Plans

Drawing- Reference No (or Description): 22.125.LP
Drawing- Reference No (or Description): 22.125.SP
Drawing- Reference No (or Description): 22.125.01
Drawing- Reference No (or Description): 22.125.02
Drawing- Reference No (or Description): 22.125.03
Drawing- Reference No (or Description): 22.125.10
Drawing- Reference No (or Description): 22.125.11
Drawing- Reference No (or Description): 22.125.12
Drawing- Reference No (or Description): 22.125.13.

Reason for decision

The siting and design of the development hereby approved is considered to accord with the provisions of the development plan and there is no significant adverse impact on the amenity of neighbouring land and buildings.

The meeting ended at 14.40 p.m.

SOUTH AYRSHIRE COUNCIL

LOCAL REVIEW BODY

NOTE OF CURRENT POSITION

Site Address:	86 ADAMTON ESTATE MONKTON SOUTH AYRSHIRE KA9 2SQ
Application:	22/00367/APP ALTERATIONS AND EXTENSION DWELLINGHOUSE

Appointed Officer's Decision:	Refusal
Date Notice of Review Received:	18 November 2022

Current Position:	The review being continued to the meeting of the Local Review Body on 9 May 2023 for further consideration and decision.
Documentation:	The following documents in relation to the review are attached: Pages 1 to 5 – Report of Handling Pages 6 to 14 – Notice of Review and Supporting Information Pages 15 to 22 – Planning Application and Supporting Information Pages 23 to 25 – Decision Notice Pages 26 to 29 – Case Officer Photos Page 30 – Interested Party Correspondence Page 31 – Draft Conditions
New Material:	<u>New Additional Information:</u> Pages 32 to 33 – Procedure Notice to Ayrshire Roads Alliance Pages 34 to 35 – Ayrshire Roads Alliance Hearing Statement in response Pages 36 to 37 - Ayrshire Roads Alliance Hearing Statement additional response Page 38 – Appointed Officer response to Procedure Notice Pages 39 to 40 – Procedure Notice to Applicant Pages 41 to 45 – Applicant Response to Procedure Notice Page 46 – Link to Scots National Roads Development Guide
Additional Material Any other Comments:	Site Visit carried out on Friday 10 th March 2023.

Dated:

3rd May 2023

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:	22/00367/APP
Site Address:	86 Adamton Estate Monkton South Ayrshire KA9 2SQ
Proposal:	Alterations and extension to dwellinghouse
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 a two-storey semi-detached dwellinghouse and detached garage sited within a rural locale at 86 Adamton Estate, east of Monkton. The property is finished with concrete roof tiles, rendered walls and uPVC windows and doors. A detached garage is sited within the front curtilage of the property and it is noted that the dwellinghouse has been previously been extended to its rear elevation by a single storey conservatory extension.

2. **Planning History:**

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

3. **Description of Proposal:**

Planning permission is sought for alterations and extension to the dwellinghouse. A front entrance porch is proposed on the property's principal elevation and a single storey extension is to be sited to the property's north-eastern elevations. An existing garage shall be demolished to accommodate the proposed extensions. Details are contained within the submitted plans.

4. **Consultations:**

Ayrshire Roads Alliance has recommended refusal of the application due to off road parking being adversely impacted by the proposals. This is outlined further, below.

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>

- Sustainable Development;
- Rural Housing;
- Land Use and Transport.

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 be contrary with the development plan. This is outlined further, below,

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. The Examination Report and LDP 2 now forms a substantial material consideration in the determination of planning applications.

The application site is designated as a rural area within the Adopted South Ayrshire Local Development Plan and this remains unchanged with the Proposed Replacement South Ayrshire Local Development Plan. The application has been considered in this context.

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

South Ayrshire Council's Guidance on House Alterations and Extensions indicates that alterations and extensions should be of a size and design which respect the existing building and surrounding street scene. In terms of the scale of an extension, this should normally be subsidiary in height and size to the original property. In assessing planning applications for alterations and extensions to residential buildings, the main points considered are:

- The height, width and general size should normally be smaller than the house, and, whilst in proportion, clearly subsidiary so as not to dominate the character of the original.

In terms of the form and detailing, the main points considered are:

- Generally, roofs should be pitched at an angle that reflects the original building; and
- Normally be similar in all respects to the existing building in terms of style, shape and proportion including windows of similar proportion and design and materials similar in colour or texture.

Front and Side Extensions;

The design and appearance of the fronts of dwellings and the distance between the buildings and the street are important aspects in defining the character of residential areas.

Front extensions, which project beyond the front of the original dwelling, can completely change the form of the dwelling. Therefore, generally only modest extensions that reflect the character of the existing property will be allowed. Front extensions that project significantly forward of any defined building line can appear prominent and are therefore unlikely to be acceptable.

Continuous access between the front and rear of the property should also be retained to enable wheelie bins to be stored at the rear of the property.

It is considered that the proposed alterations and extensions to the dwellinghouse are contrary to the provisions of the above guidance and this is outlined further, below.

South Ayrshire Council's Guidance on Rural Housing states that extensions to dwellinghouses in the countryside will normally be permitted where the proposal:-

- a) Would not result in the creation of an additional independent dwelling;
- b) Is sympathetic to the scale, character and proportions of the original house;
- c) Complies with the design guidance in rural housing supplementary guidance.

The proposed alterations and extension are not considered to be sympathetic to the character, scale or proportions of the original dwellinghouse, as outlined further, below.

Planning Guidance : Open Space and Designing New Residential Developments is relevant in the assessment of the application, which states that detached, semi-detached and terraced properties should be provided with garden ground in proportion to their size. Rear gardens will be expected to be a minimum of 1½ times the size of the ground floor area for detached and semi-detached dwellings and no less than 100sqm. This will generally include rear and side dwellinghouse gardens enclosed by fence/wall/ hedge.

The remaining private garden ground at the property is not impacted by the development proposals. However, it is recognised that the property has previously been altered and extended to its rear elevation. On this basis, it is considered that a satisfactory level of private garden ground is retained for the dwelling.

11. Assessment (including other material considerations):

Planning permission is sought for alterations and extension to the dwellinghouse at 86 Adamton Estate, East of Monkton. The proposals are two-fold; the erection of an entrance porch on the principal elevation of the dwellinghouse; and the erection of a single storey extension to the north-eastern elevation of the dwellinghouse. An existing detached garage which is sited within the front curtilage of the property shall be demolished to accommodate the proposals.

There are no objections to the principle of the development on the basis that it represents residential development within a rural residential area. The key considerations in the assessment of the application therefore relate to the siting, design, massing and scale of the alterations and extensions in relation to the dwellinghouse and surrounding properties, and the impact of the alterations and extension on residential amenity and character of the area. Each aspect of the development proposal is assessed, below:

Front Entrance Porch;

The proposed single storey entrance porch extension, which is located on the principal elevation of the dwellinghouse and will accommodate a porch and is considered to be of acceptable design. The proposal, which has a footprint of approximately 5sqm and reaches a height of 4m, is of a modest scale when viewed against the backdrop of the existing two storey property and is in proportion but clearly subsidiary, so as not to dominate the character of the original dwellinghouse.

It is considered that the siting of the single storey porch extension to the front of the property shall not

adversely impact any neighbouring properties in terms of their amenity. The proposed extension comprises an entrance porch which, due to its small scale and intended use, will not create any amenity issues. The proposed porch will not be utilised as a 'habitable' room and will therefore not result in any overlooking issues. There are similar porch extensions in the immediate area. Overall, it is considered that the proposed porch shall not adversely compromise the amenity of the surrounding residential area.

Alterations and extension - single storey extension;

The proposed single storey extension which is to be sited to north eastern elevation of the dwellinghouse comprises a bedroom, WC and utility area. The proposed extension reaches approximately 4.6m in height and has a footprint of approximately 26sqm. Although the principle of an extension is considered acceptable at the property, the proposed extension cannot be supported due to its siting which projects a further 3m beyond the original front building line of the dwellinghouse. As per the guidance set out elsewhere in the report, the design and appearance of the fronts of dwellings and the distance between the buildings and the street are important aspects in defining the character of residential areas. Front extensions, which project beyond the front of the original dwelling, can completely change the form of the dwelling. Only modest extensions that reflect the character of the existing property will be allowed. Front extensions that project significantly forward of any defined building line can appear prominent and are therefore unlikely to be acceptable. Therefore, for an extension of this scale and size which projects 3m forward of the original front building line, and which is sited approximately 1.5m (at its closest point) from the front boundary, is not considered to appear subsidiary to the original dwellinghouse; it dominates the original character and appearance of the dwellinghouse and is considered visually prominent within the streetscape at the locale.

It is acknowledged that the immediate neighbouring properties have been altered and extended; however, the extensions are located to the side and rear of neighbouring properties and do not project forward of the front of the properties (as per the application currently under consideration). While the principle of an extension is acceptable at the property, there are concerns that the siting of the extension under assessment will have a significant adverse impact on the visual character of the area. Extensions of this scale are normally found to the rear or side of properties and should not project significantly forward of an original front building line of principal elevations.

Accordingly, it is considered that the siting and scale of the extension proposed, which projects 3m forward the principal elevation of the dwellinghouse, will result in an unacceptable visually prominent extension which is not characteristic of development in the locality. It is therefore considered that the proposal detracts from the character and visual quality of the surrounding area.

It should be noted that it is not considered that there are any adverse impacts on neighbouring properties in terms of overlooking or overshadowing concerns arising from the siting or design of the proposed alterations or extension.

Due to the siting of the proposed extensions which are forward of the front building line and occupy a significant area of the front curtilage of the property, current available off-road parking is adversely impacted. The property currently has a garage and off-road parking within the front curtilage; however, by demolishing the garage and extending the property as proposed, the existing level of off-road parking (2 spaces) is diminished to 0 spaces; insufficient space would remain, as a result of the development, to accommodate any in curtilage/ off road parking. The ARA require each off-road parking space to measure 2.5m by 5.5m – this could not be accommodated.

The extension proposes an additional bedroom for the property which results in the property going from 3 bedrooms to 4 bedrooms. As per the National Roads Development Guide, 4 or more bedrooms require a minimum of 3 off road parking spaces. However, in this instance, the Ayrshire Roads Alliance are seeking two off road parking spaces, as per the current/ existing provision. However, as captured above, due to the siting of the proposals within the front curtilage, this diminishes the off - road parking currently available to no off -road parking spaces remaining for the property. Matters relating to road safety/ parking are material to the assessment of the current planning application. Given the policy provisions of the development plan, along with the consultation response from the ARA, it is considered that the development proposal would have an adverse impact on the local road network due to lack of off-road parking provision. It is considered that the proposals, if approved, would result in increased demand for on-street parking and congestion which would impede the free flow of traffic within public road limits, to the overall detriment of road safety, and residential amenity at this location.

Considering the above assessment, the proposals would not meet the provisions of LDP policy 'Sustainable Development', 'Rural Housing', 'Land Use and Transport' and 'Supplementary Guidance House Alterations and Extensions', by reason that the siting and scale of the proposed alterations and extension is not considered to be subsidiary to the original dwellinghouse; is considered visually prominent and dominates the character and appearance of the original dwellinghouse; and which is not considered characteristic of development in the locality. Additionally, in terms of its adverse impact on road safety and effect on the local transport network, by not providing parking which reflects the role of the development and which keeps any negative effects of road traffic on the environment to a minimum.

The applicant was offered advice and the opportunity to withdraw the application by the Planning Service so as to consider alternative proposals which would be less prominent and more in keeping with the locale. The applicant did not wish to withdraw the current application, and therefore the proposals require to be considered as submitted.

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

12. **Recommendation:**

It is recommended that the application is refused.

Reasons:

- (1) That the proposal is contrary to the provisions of the South Ayrshire Local Development Plan, specifically LDP Policy: Sustainable Development and LDP Policy: Rural Housing, and the provisions of South Ayrshire Council's Supplementary Guidance on House Alterations and Extensions and Rural Housing, by reason that the siting and scale of the proposed extension is not considered to be subsidiary to the original dwellinghouse; is considered to be visually prominent and shall dominate the character and appearance of the original dwellinghouse; and is not characteristic of development in the locality.
- (2) That the development proposal is contrary to the provisions of the South Ayrshire Local Development Plan, specifically LDP Policy: Sustainable Development and LDP Policy: Rural Housing, 'Land Use and Transport' and the provisions of South Ayrshire Council's Supplementary Guidance on House Alterations and Extensions, by reason that no off road parking spaces are provided and therefore, the proposals would result in an increased demand for on-street parking and congestion which would impede the free flow of traffic within public road limits, to the overall detriment of road safety, and residential amenity at this location.

List of Plans Determined:

Drawing - Reference No (or Description): **Refused** LOCATION PLAN
Drawing - Reference No (or Description): **Refused** 01
Drawing - Reference No (or Description): **Refused** 02
Drawing - Reference No (or Description): **Refused** 03

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.

Decision Agreed By:	<i>Appointed Officer</i>
Date:	<i>25 August 2022</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 100557691-002

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

Applicant Details

Please enter Applicant details

Title:	<input type="text" value="Mrs"/>	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text"/>	Building Name:	<input type="text"/>
First Name: *	<input type="text" value="Caroline"/>	Building Number:	<input type="text" value="86"/>
Last Name: *	<input type="text" value="Adams"/>	Address 1 (Street): *	<input type="text" value="Adamton Estate"/>
Company/Organisation	<input type="text"/>	Address 2:	<input type="text"/>
Telephone Number: *	<input type="text" value="07841357347"/>	Town/City: *	<input type="text" value="Monkton"/>
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="cadams86@hotmail.co.uk"/>		

Site Address Details

Planning Authority:

South Ayrshire Council

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

Address 1:

86 ADAMTON ESTATE

Address 2:

MONKTON

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

PRESTWICK

Post Code:

KA9 2SQ

Please identify/describe the location of the site or sites

Northing

627727

Easting

237525

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)

Extension to side/front of existing dwelling which will replace existing detached garage. Extension will include utility room, bedroom and en-suite. Also proposal to construct porch to front of property.

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.

I have provided this information in a supporting document.

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)

Supporting document attached separately

Application Details

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

22/00367/APP

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

25/04/2022

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

25/08/2022

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

Please indicate what procedure (or combination of procedures) you think is most appropriate for the handling of your review. You may select more than one option if you wish the review to be a combination of procedures.

Please select a further procedure *

By means of inspection of the land to which the review relates

Please explain in detail in your own words why this further procedure is required and the matters set out in your statement of appeal it will deal with? (Max 500 characters)

I feel a site visit would demonstrate that the development would not adversely affect the appearance of the property, or the surrounding area. It would also not have an adverse effect on parking.

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 Caroline Adams

Declaration Date: 17/11/2022

Planning Appeal – 22/00367/APP

Supporting Information

I'm appealing the decision to refuse planning application 22/0367/APP as I feel this decision is unjustified.

The decision notice noted two reasons for the refusal. I will argue each point in turn below:

The first point of refusal was due to:

- the siting and scale of the proposed extension
- the proposed extension being visually prominent
- the proposals dominating the character and appearance of the original dwellinghouse
- the proposals not being characteristic of the locality

New build properties are currently under construction directly adjacent to my property (see image 1 below). As you will see from the below plan (image 1) and photograph (image 2), the properties are visually prominent. Even with the proposed extension, my property would be much smaller in siting and scale to these new build properties, which are 4 & 5 bedroom properties selling in the region of £500,000.

Image 1 – Site Plan



The proposed extension is sited 1.7m from the pavement, this is the same distance that the new build properties are from the pavement (see image 2 below). It should also be noted that the current attached garage is situated extremely close to the pavement (see image 3 below). The proposal is for this garage to be demolished to make way for the extension.

Image 2



Image 3



The character and appearance of the new builds are extremely different to the original properties on the street. We have tried to incorporate the style of the new builds into our proposals with the utilisation of matching facing brick. Please note that we would also be open to the use of materials for the extension to ensure it tied in with the existing building and surrounding properties.

Image 4 & 5 below highlight that the current detached garage is more prominent than the proposed new extension.

Image 4 – current prominent garage

Image 5 – existing and proposed plan



SITE PLAN AS EXISTING 1:200



SITE PLAN AS PROPOSED 1:200

When looking at our neighbouring properties – no 72 and 81 Adamton Estate have extended their properties on the front elevation. I would also argue that these have set a precedent in the area.

Image 6 – 85 Adamton Estate, Monkton



Image 7 – 72 Adamton Estate, Monkton



In summary, our proposed extension:

- is lesser in scale to the new build properties adjacent
- is less prominent than the existing detached garage
- will add to the character and enhance the appearance of the original dwellinghouse
- in characteristic of the locality

The second reason for refusal was regarding off-road parking.

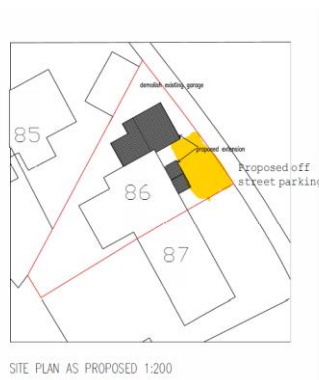
We have never used the garage for off road parking (see image 8 below) therefore the refusal of the application won't make any difference to our current on-street parking situation; this point is therefore purely academic.

Image 8 – current on-street parking



The area highlighted in yellow on image 9 below shows that there is an adequate space for off-road parking when the proposed extension is complete (I am aware that the requires size for off street parking is 5m x 2.5m as per the Roads Development Guide). We will therefore be able to utilise this area to the front of our property to replace the parking space that is being lost by demolishing the garage.

Image 9 – plan highlighting off road parking



We do not currently utilise the garage for parking but we will make use of the new driveway. This will therefore ease congestion on the road and will not have a detriment to road safety or the residential amenity at this location.

I would like to note that although requested, no site visit to my knowledge has been undertaken. I feel this would have been beneficial as the Planning Department could obtain a better understanding of the current property, neighbouring properties and construction currently underway.

In summary, I would strongly encourage you to overturn the decision as:

- The appearance and characteristics of the proposals are in keeping with the new builds adjacent to the property
- The proposal is less prominent than the current garage and new builds adjacent
- Off-street parking would be replaced and utilised
- The appearance of the property will be significantly enhanced



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 100557691-001

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.

Description of Proposal

Please describe accurately the work proposed: * (Max 500 characters)

Demolish existing detached garage. Build extension to side/front of existing property to incorporate utility room, en-suite and bedroom. Proposal to erect porch to front of property.

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

Applicant Details

Please enter Applicant details

Title:	<input type="text" value="Mrs"/>	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text"/>	Building Name:	<input type="text"/>
First Name: *	<input type="text" value="Caroline"/>	Building Number:	<input type="text" value="86"/>
Last Name: *	<input type="text" value="Adams"/>	Address 1 (Street): *	<input type="text" value="Adamton Estate"/>
Company/Organisation	<input type="text"/>	Address 2:	<input type="text"/>
Telephone Number: *	<input type="text" value="[REDACTED]"/>	Town/City: *	<input type="text" value="Monkton"/>
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="[REDACTED]"/>		

Site Address Details

Planning Authority:

South Ayrshire Council

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

Address 1:

86 ADAMTON ESTATE

Address 2:

MONKTON

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

PRESTWICK

Post Code:

KA9 2SQ

Please identify/describe the location of the site or sites

Northing

627727

Easting

237525

Pre-Application Discussion

Have you discussed your proposal with the planning authority? *

Yes No

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.

Access and Parking

Are you proposing a new or 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 proposed to make. You should also show existing footpaths and note if there will be any impact on these.

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: Mrs Caroline Adams

On behalf of:

Date: 22/04/2022

Please tick here to certify this Certificate. *

Checklist – Application for Householder Application

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) Have you provided a written description of the development to which it relates? * Yes No
- b) Have you provided the postal address of the land to which the development relates, or if the land in question has no postal address, a description of the location of the land? * Yes No
- c) Have you provided the name and address of the applicant and, where an agent is acting on behalf of the applicant, the name and address of that agent? * Yes No
- d) Have you provided a location plan sufficient to identify the land to which it relates showing the situation of the land in relation to the locality and in particular in relation to neighbouring land? *. This should have a north point and be drawn to an identified scale. Yes No
- e) Have you provided a certificate of ownership? * Yes No
- f) Have you provided the fee payable under the Fees Regulations? * Yes No
- g) Have you provided any other plans as necessary? * Yes No

Continued on the next page

A copy of the other plans and drawings or information necessary to describe the proposals (two must be selected). *

You can attach these electronic documents later in the process.

Existing and Proposed elevations.

Existing and proposed floor plans.

Cross sections.

Site layout plan/Block plans (including access).

Roof plan.

Photographs and/or photomontages.

Additional Surveys – for example a tree survey or habitat survey may be needed. In some instances you may need to submit a survey about the structural condition of the existing house or outbuilding. Yes No

A Supporting Statement – you may wish to provide additional background information or justification for your Proposal. This can be helpful and you should provide this in a single statement. This can be combined with a Design Statement if required. * Yes No

You must submit a fee with your application. Your application will not be able to be validated until the appropriate fee has been Received by the planning authority.

Declare – For Householder Application

I, the applicant/agent certify that this is an application for planning permission as described in this form and the accompanying Plans/drawings and additional information.

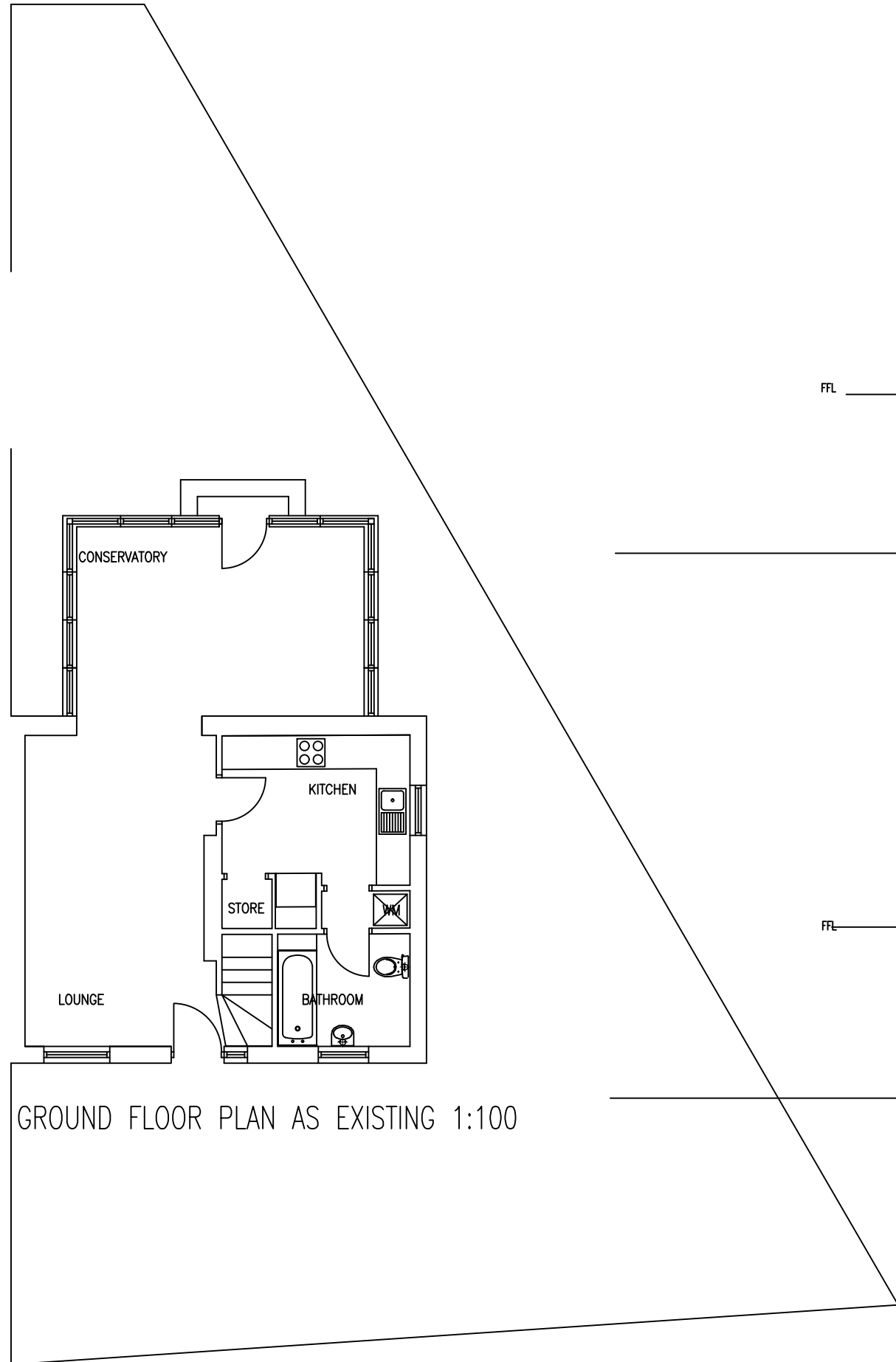
Declaration Name: Mrs Caroline Adams

Declaration Date: 22/04/2022

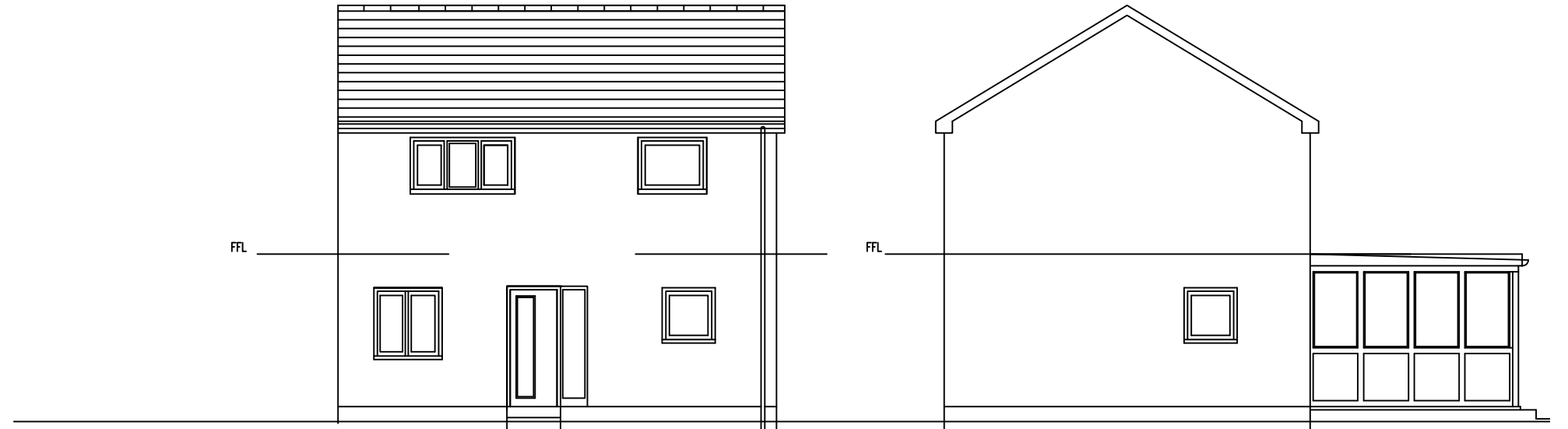
Payment Details



Created: 22/04/2022 17:19



GROUND FLOOR PLAN AS EXISTING 1:100



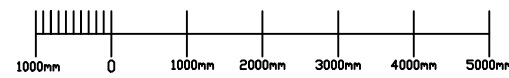
FRONT ELEVATION AS EXISTING 1:100

GABLE ELEVATION AS EXISTING 1:100

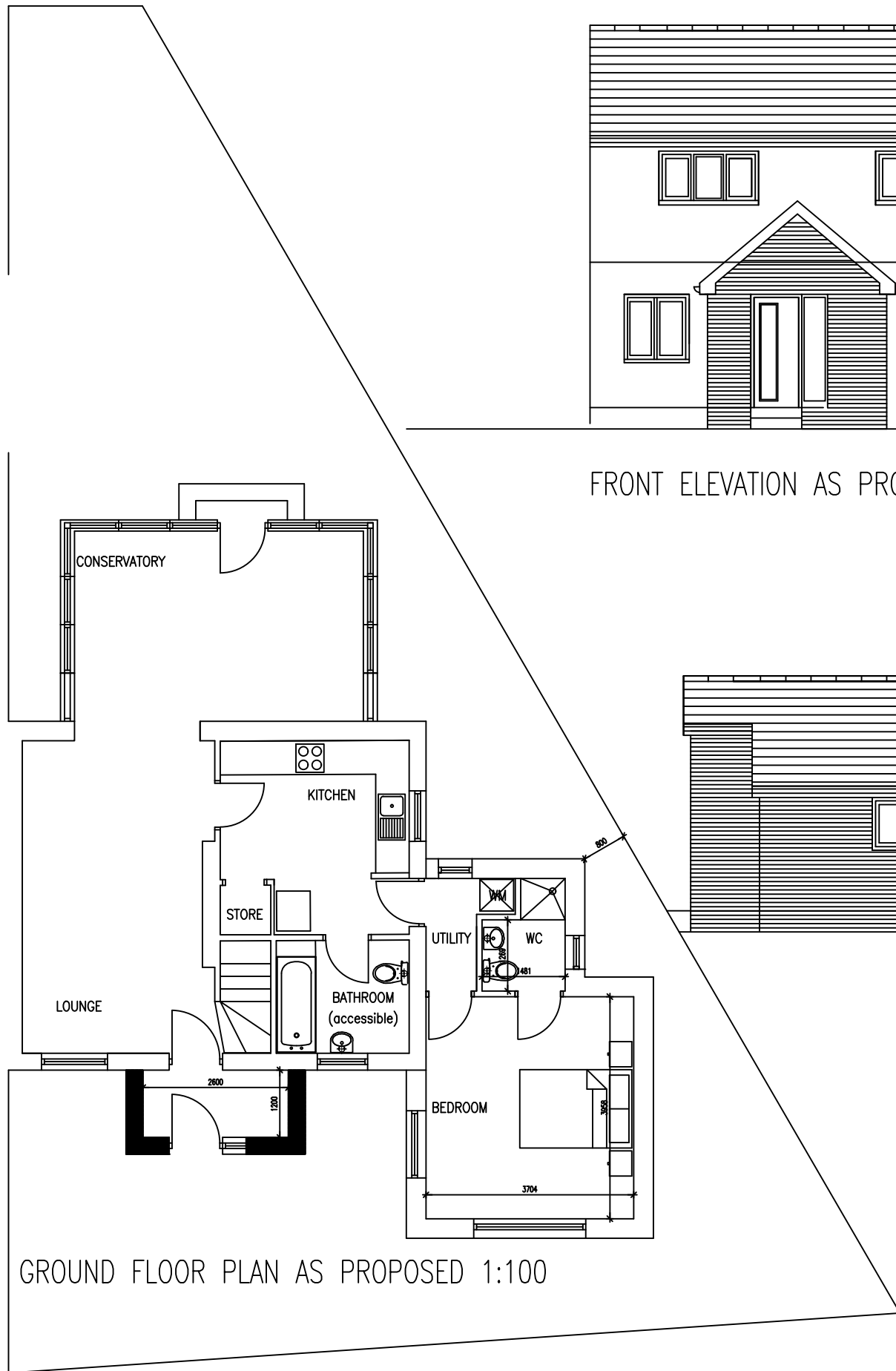


REAR ELEVATION AS EXISTING 1:100

SIDE ELEVATION AS EXISTING 1:100



PROPOSED EXTENSION TO 86 ADAMTON ESTATE MONKTON	
	DRAWING NO - 02



GROUND FLOOR PLAN AS PROPOSED 1:100



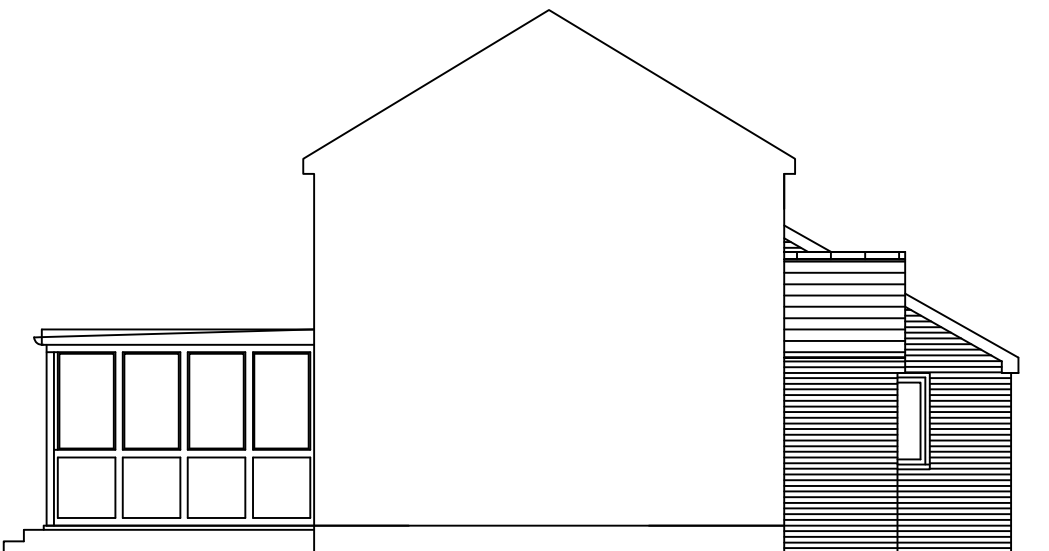
FRONT ELEVATION AS PROPOSED 1:100



GABLE ELEVATION AS PROPOSED 1:100

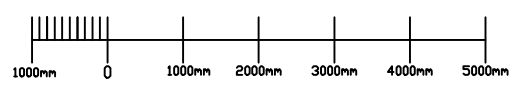


REAR ELEVATION AS EXISTING 1:100



SIDE ELEVATION AS PROPOSED 1:100

Roof Finish - Grey concrete roof tiles
 Windows - Grey upvc
 Walls - White grey facing brick



PROPOSED EXTENSION TO 86 ADAMTON ESTATE MONKTON	DRAWING NO - 03
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Registers of Scotland
ros.gov.uk

Registers of Scotland

Pre Registration Plan Report

Scale: 1:1,250 @ A4

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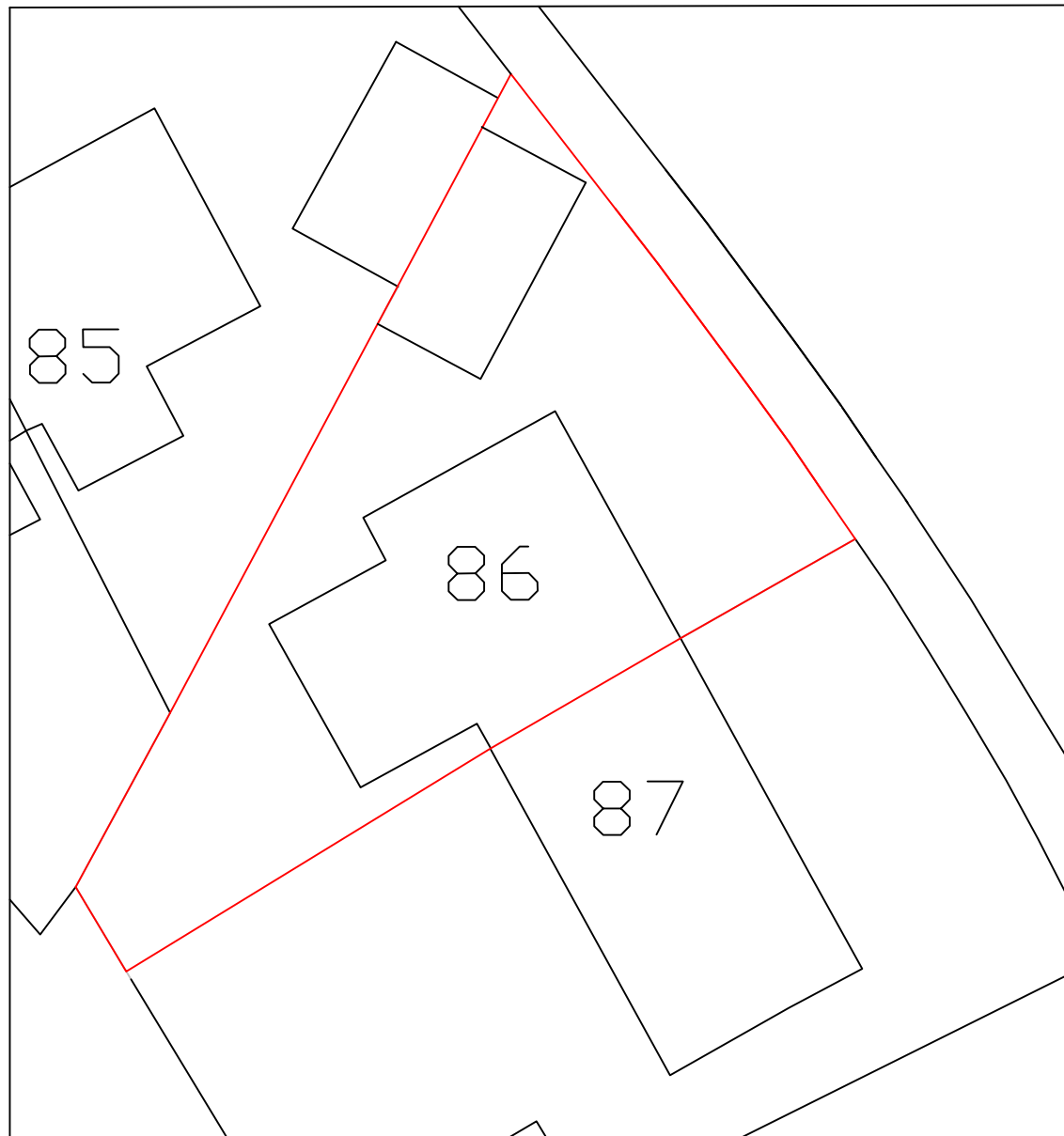
Reference number: 5821941AYR

Date: 23/07/2018



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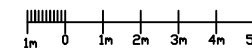




SITE PLAN AS EXISTING 1:200



SITE PLAN AS PROPOSED 1:200



PROPOSED EXTENSION TO 86 ADAMTON ESTATE MONKTON	
	DRAWING NO - 01

Place Directorate

Service Lead – Planning and Building Standards: Craig Iles

Planning Service, County Buildings, Wellington Square, Ayr, KA7 1DR

www.south-ayrshire.gov.uk/Planning/

Tel: 01292 616 175

Email: dianne.lewis@south-ayrshire.gov.uk

Our Ref: 22/00367/APP

Date: 25 August 2022



Mrs Caroline Adams
86 Adamton Estate
Monkton
KA9 2SQ

Dear Sir/Madam,

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997 (AS AMENDED)

PROPOSAL: Alterations and extension to dwellinghouse
SITE ADDRESS: 86 Adamton Estate Monkton South Ayrshire KA9 2SQ

With reference to your Application for Planning Permission, I enclose a copy of the Decision Notice refusing permission. This Decision Notice should be read in conjunction with our [Guidance Note for Planning Decisions](#).

The refused drawings and other documents, where relevant, can be accessed from the [Council's website](#) by using the application reference number noted above. You may find the Report of Handling (otherwise entitled 'Delegated Report') of particular interest, as this sets out an assessment of the application and an explanation for the decision taken.

If you require further information in respect of your decision notice, please contact Ms Dianne Lewis by telephoning 01292 616 175 or by emailing dianne.lewis@south-ayrshire.gov.uk.

Yours faithfully,

Craig Iles

Craig Iles
Service Lead – Planning and Building Standards

Encs.

REFUSAL OF APPLICATION FOR PLANNING PERMISSION
(Delegated)

Ref No: 22/00367/APP

SOUTH AYRSHIRE COUNCIL

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997 (AS AMENDED)

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

To: **Mrs Caroline Adams**
86 Adamton Estate
Monkton
KA9 2SQ

With reference to your **Application for Planning Permission** dated **25th April 2022**, under the aforementioned Regulations, for the following development, viz:-

Alterations and extension to dwellinghouse

at: **86 Adamton Estate Monkton South Ayrshire KA9 2SQ**

South Ayrshire Council in exercise of their powers under the aforementioned Regulations hereby **refuse** the Application for Planning Permission for the said development in accordance with the following reasons as relative hereto and the particulars given in the application. The refused drawings and other documents, where relevant, can be accessed from the [Council's website](#) by using the application reference number noted above these and represent the refused scheme.

The reasons for the Council's decision are:

- (1) That the proposal is contrary to the provisions of the South Ayrshire Local Development Plan, specifically LDP Policy: Sustainable Development and LDP Policy: Rural Housing, and the provisions of South Ayrshire Council's Supplementary Guidance on House Alterations and Extensions and Rural Housing, by reason that the siting and scale of the proposed extension is not considered to be subsidiary to the original dwellinghouse; is considered to be visually prominent and shall dominate the character and appearance of the original dwellinghouse; and is not characteristic of development in the locality.
- (2) That the development proposal is contrary to the provisions of the South Ayrshire Local Development Plan, specifically LDP Policy: Sustainable Development and LDP Policy: Rural Housing, 'Land Use and Transport' and the provisions of South Ayrshire Council's Supplementary Guidance on House Alterations and Extensions, by reason that no off road parking spaces are provided and therefore, the proposals would result in an increased demand for on-street parking and congestion which would impede the free flow of traffic within public road limits, to the overall detriment of road safety, and residential amenity at this location.

List of Plans Determined:

Drawing - Reference No (or Description): **Refused** LOCATION PLAN

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

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

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

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

Dated: 25th August 2022

Craig Iles

.....
Craig Iles
Service Lead – Planning and Building Standards

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

NOTICE TO ACCOMPANY REFUSAL OR GRANT OF PERMISSION WITH CONDITIONS

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997 (AS AMENDED)

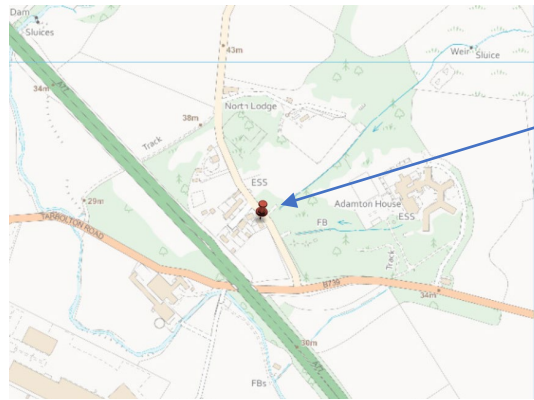
- (1) If the applicant is aggrieved by the decision of the Planning Authority to refuse permission for, or grant permission or approval subject to conditions, the applicant may require the Planning Authority to review the case under Section 43A of The Town and Country Planning (Scotland) Act 1997 within three months from the date of this notice. Information on how to require a review can be obtained from the address and contact details below. Any notice of review submitted should also be addressed to:

South Ayrshire Council
Planning Service
County Buildings
Wellington Square
Ayr
KA7 1DR
Tel: 01292 616 107
e-mail: Planning.development@south-ayrshire.gov.uk
website: www.south-ayrshire.gov.uk/Planning/

- (2) If permission to develop land is refused or granted subject to conditions, the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, the owner of the land may serve on the Planning Authority a purchase notice requiring the purchase of his interest in the land in accordance with Part 5 of The Town and Country Planning (Scotland) Act 1997.
- (3) In certain circumstances, a claim may be made against the Planning Authority for compensation, where permission is refused or granted, subject to conditions by the Scottish Ministers. The circumstances in which such compensation is payable are set out in Section 77 of The Town and Country Planning (Scotland) Act 1997.
- (4) Where permission is being granted in respect of any building or premises which are open to the public, attention is hereby drawn to the applicant's duty, in terms of Sections 4, 5, and 7 to 8A of The Chronically Sick and Disabled Persons Act 1970, to include, where reasonable and practicable provision for the needs of the disabled. (Ref. Section 45 of The Town and Country Planning (Scotland) Act 1997).

Attention is also drawn to The Equality Act 2010 which may impose further obligations on developments.

22/00367/APP - APPLICATION OFFICERS PHOTOGRAPHS LOCATION PLAN, EXISTING AND PROPOSED SITE PLANS



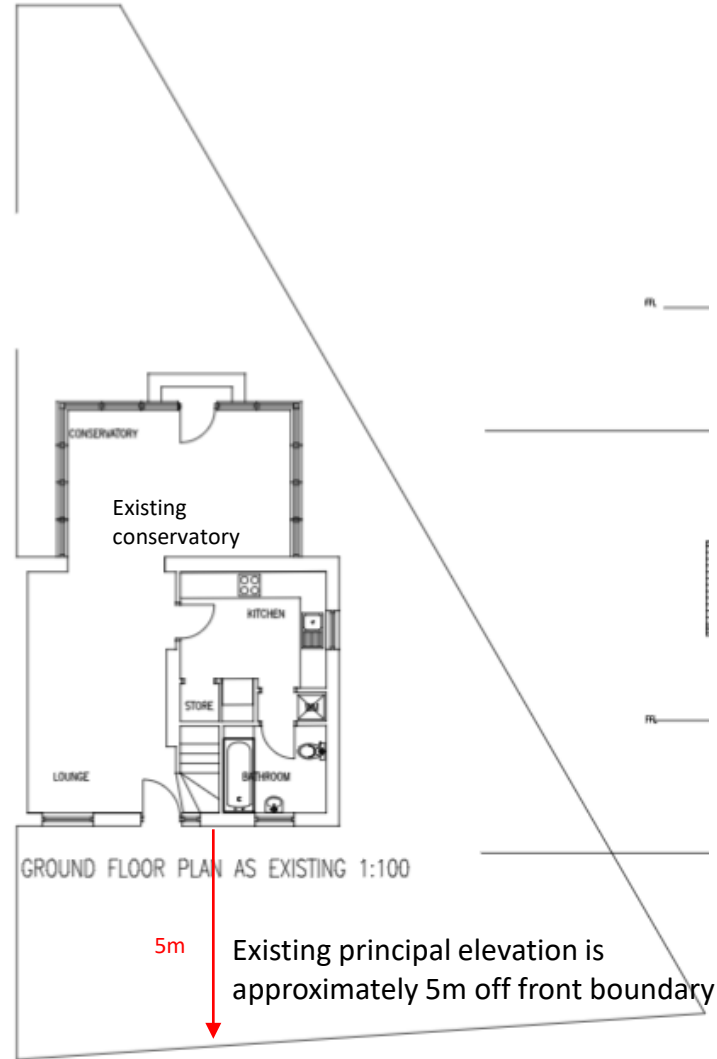
Application site in context



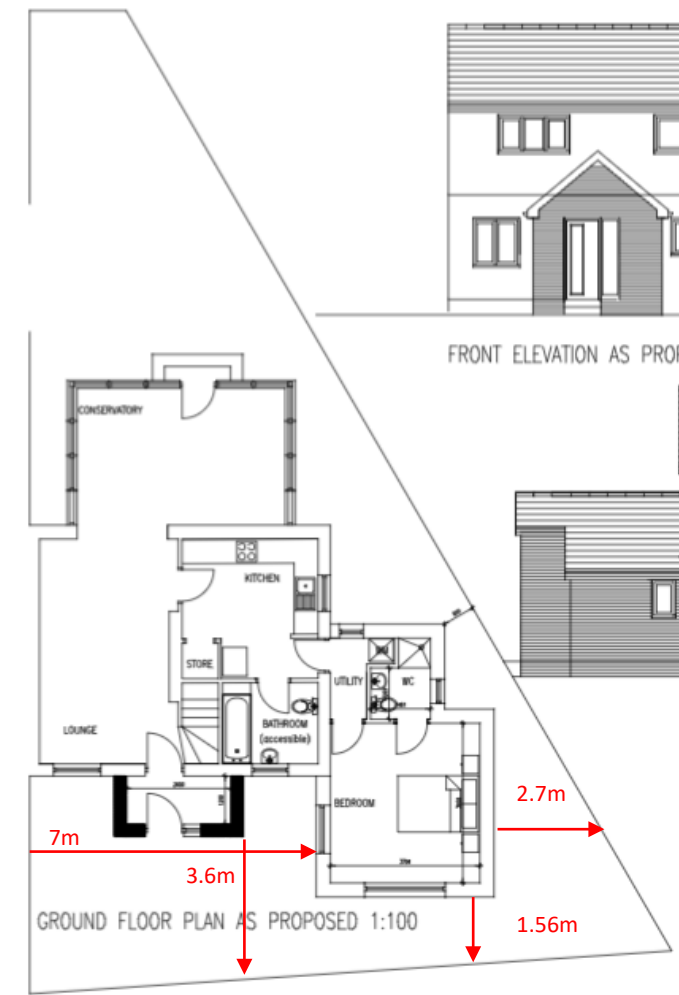
Site photo B

Site photo A

Application site noted in red

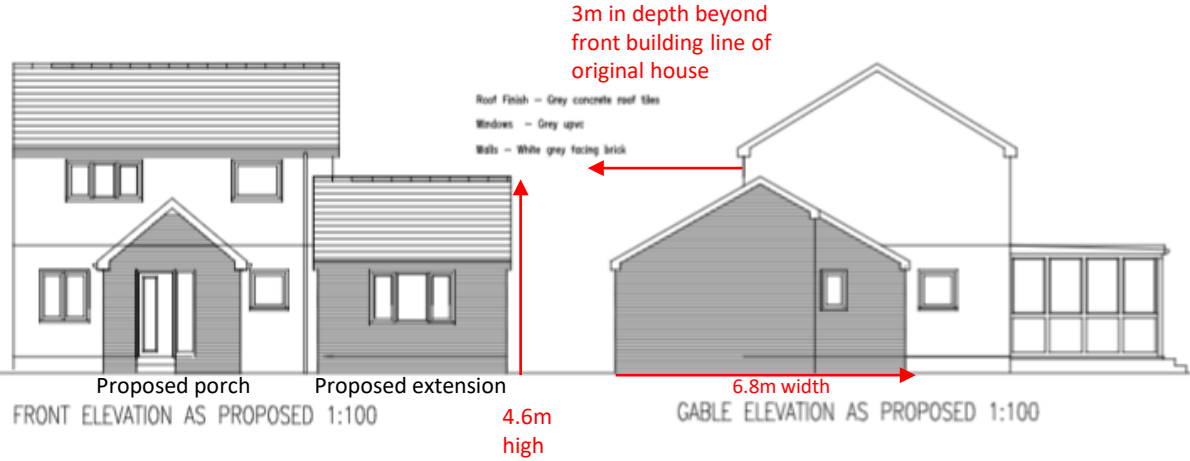
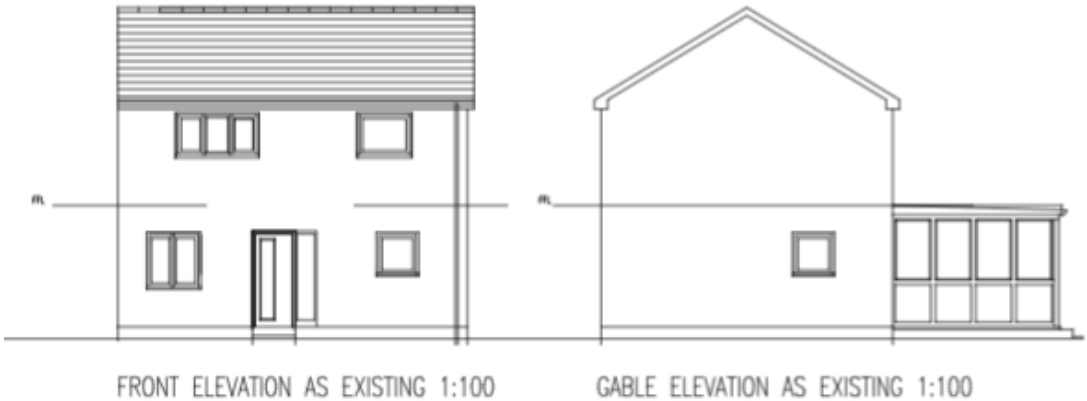


27



Principal elevation of proposed extension is approximately 1.56m off front boundary at its closest point

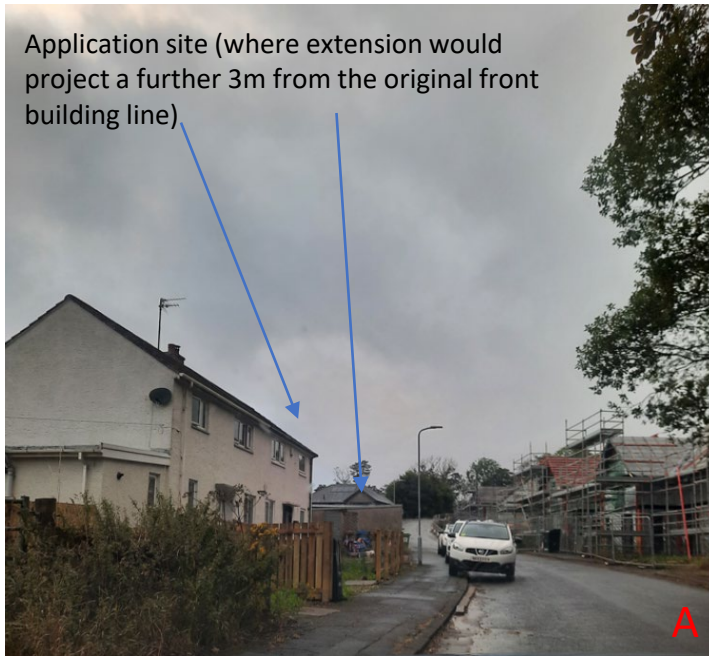
EXISTING AND PROPOSED ELEVATIONAL PLANS



When viewed from entrance to Adamton Estate (Southern elevation)

Officer Site Photos

Application site from entrance to Adamton Estate





Contact: [REDACTED]

ARA Case Officer: AP

Planning Case Officer: D L [REDACTED]

Planning Application No: 22/00367/APP

Location: 86 Adamton Estate, Monkton

Date Received: 12/08/2022

Date Returned: 16/08/2022

Recommendation: Refuse

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):

The proposed development looks to remove a parking space associated with the dwelling without evidence of relocating the space within the curtilage of the site area. As such the ARA recommend refusal until such time as a plan is provided showing the existing number of parking spaces retained within the existing site area. The proposed parking layout should comply with the standards as set out in the National Roads Development Guide.

Case Officers Draft Conditions and Reasons

Draft Conditions;

- 1) That the development hereby permitted must be begun within three years of the date of this permission.
- 2) That the development hereby granted shall be implemented in accordance with the approved plan(s) as listed below and as forming part of this permission unless a variation required by a condition of the permission or a non-material variation has been agreed in writing by the Planning Authority.
- 3) That notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(Scotland) Order, 1992 (or any Order amending or revoking and re-enacting that Order) no development within Class(es) 1A-3E shall be undertaken without the prior written permission of the Planning Authority.

Reasons;

- 1) To be in compliance with Section 58 of The Town and Country Planning (Scotland) Act 1997 as amended by Section 32 of The Planning (Scotland) Act 2019.
- 2) To ensure that the development is carried out in accordance with the approved plans unless otherwise agreed.
- 3) To ensure that any further development at this site is assessed as part of a further planning permission in the interests of amenity.

Chief Executive's Office

Service Lead – Legal and Licensing: Karen Briggs



County Buildings, Wellington Square, Ayr KA7 1DR
Tel: 01292 612462
Email: localreviewbody@south-ayrshire.gov.uk
Our Ref: LRB/22/11 Your Ref:
Date: 31 March 2023

To: ARA per: Aidan.Porter@ayrshireroadsalliance.org

Dear Sirs,

**Procedure Notice under the Town and Country Planning (Schemes of Delegation and Local Review Procedure) (Scotland) Regulations 2013 – Schedule 1
Planning Application ref No: 22/00367/APP
Alterations and Extension to Dwellinghouse at 86 Adamton Estate, Monkton, South Ayrshire KA9 2SQ**

This is a Procedure Notice issued by the South Ayrshire Local Review Body under Schedule 1 of the above Regulations because it has determined that further information should be provided to it by means of a hearing session.

The above case was considered by the Local Review Body at its meetings on 31 January 2023 and 14 March 2023, and a site visit on 10 March 2023.

The Local Review Body determined at its meeting on 14 March 2023 that it requires further information from Ayrshire Roads Alliance (ARA) on the issues contained in ARA's Observations on Planning Application dated/returned on 16 August 2022 (and which forms part of the Review Papers) - particularly in relation to parking requirements and road safety at the site.

You are therefore asked to attend a Local Review Body hearing session on **Tuesday 9th May 2023 at 2.00 p.m.** in **County Hall, County Buildings, Wellington Square, Ayr** to discuss these issues.

Only these specified issues will be considered at the hearing session.

Please confirm in writing your intention to attend within the next **14 days**.

Please also provide **no later than 14th April 2023**:

- a written statement setting out the case relating to the specified issues which you propose to put forward at the hearing session;
- a list of documents (if any) which you intend to refer to (and a copy of any document not forming part of the Review Papers); and
- a list of any other persons who are to speak at the hearing session in respect of such case, the matters which such persons are particularly to address and any relevant qualifications of such persons to do so.

A copy of this Procedure Notice is being sent to the Applicant.

The Review Papers can be accessed here: <https://ww20.south-ayrshire.gov.uk/ext/committee/committeepapers2018/Local%20Review%20Body/250918/Item%204.pdf>

Yours faithfully,

KAREN BRIGGS
Service Lead – Legal and Licensing

Contact: ARA.TransportationPlanningConsultations@ayrshireroadsalliance.org

ARA Case Officer: AP

Planning Case Officer: D Lewis

Planning Application No: 22/00367/APP

Location: 86 Adamton Estate, Monkton

Recommendation: Refuse

The ARA have received a request for a further information with respect to our recommendation for refusal of planning application 22/00367/APP, to be heard at a future Local Review Body hearing.

Expository Statement:

The ARA recommended for refusal of application 22/00367/APP for the following reason:

“The proposed development looks to remove a parking space associated with the dwelling without evidence of relocating the space within the curtilage of the site area. As such the ARA recommend refusal until such time as a plan is provided showing the existing number of parking spaces retained within the existing site area. The proposed parking layout should comply with the standards as set out in the National Roads Development Guide.”

The development proposals seek to increase the number of bedrooms within the property. This in turn increases the number of in-curtilage spaces which would be required in order to satisfy the Council's adopted design standards. However, at the same time as increasing the parking requirements associated with the property, the proposals also reduce the in-curtilage parking provision associated with the dwelling. This is considered by ARA to represent a failure of the development proposals to satisfy the Council's own development standards, which in turn led ARA to make a recommendation to SAC Planning for refusal of the application.

Presently, the existing three bedroom house can accommodate one off road parking space in the form of the garage and potentially a second off road parking space in the blocked paved area to the front of the house. The proposals however, remove the garage and build a porch out onto this paved area. Therefore, the house would be left with zero off road parking opportunities.

It should be noted that whether the current residents opt to use the existing garage for the purposes of parking or not is irrelevant to ARA's consideration of this application. The critical factor is that the property in its current form has in-curtilage parking facilities, and the proposed extension works would result in the removal of the parking facilities associated with the property.

ARA cannot create a precedent where it is suggested to be considered acceptable for a property to remove its dedicated off-road parking facilities to accommodate an extension. The setting of such a precedent could have significant ramifications for on-street parking pressures in residential areas throughout the local authority.

The SCOTS National Roads Development Guide, as adopted by Council, contains parking standards specifically to ensure that suitable parking facilities are provided for various land uses. It is the responsibility of every development to ensure that its proposals satisfy the relevant design standards, which includes the provision of parking facilities.

For the above reasons, ARA have made a recommendation to SAC Planning that the application be refused.

Good morning,

Further to the request from the LRB for further comment from the ARA with respect to matters pertaining to road safety in relation to the application 22/00367/APP, some comments are provided below:

General - Road Safety implications of a Parking precedent:

The ARA have recommended refusal of application 22/00367/APP on the grounds that the proposals have failed to satisfy the Council's adopted design standards – specifically the requirements in relation to in-curtilage parking provision.

Relaxations to parking standards are permissible, but require clearly evidenced justification that the site is easily accessible via a range of modes of travel (walking, cycling and public transport being the principle sustainable modes). As such, relaxations for residential developments reduced to zero off-road parking spaces have to date been limited to town centre developments, such as flatted residential units over shops on a High Street. Application 22/00367/APP does not satisfy these multi-modal trip options, nor has the supporting information accompanying the application sought to make such a case.

The parking provision standards as set out in the SCOTS National Roads Development Guide for all land uses is intended to minimise the risk of on-street parking problems. These standards have been adopted by many local authorities around Scotland, including South Ayrshire Council.

A proliferation of on-street parking in residential areas can have many negative implications for road safety, including forcing pedestrians to cross between parked vehicles which limits not only their own visibility to see traffic, but also the ability of drivers to see them. On narrow streets it can lead to localised instances of congestion, and can also create difficulties for residents seeking to access/egress their own driveways when carriageway space is constrained. One of the major concerns is that in constrained situations it may hinder access by emergency vehicles on an urgent call.

Whilst ARA would acknowledge that the concerns above may not all be applicable in this particular instance, nonetheless the underpinning reasoning and justification for in-curtilage parking remains valid, and ARA will continue to apply these standards as considered appropriate. The ARA have concerns that a decision to grant permission for a residential development which includes removal of all in-curtilage parking may inadvertently create a precedent that would undermine the Council's own adopted standards, and lead to wider-spread on-street parking challenges (and their associated road safety risks) in future.

Site Specific - Impact on pedestrian movements:

The removal of all off-road parking provision associated with application 22/00367/APP will require vehicles associated with the property to be parked on-street. Vehicles currently parking at this location tend to "straddle" the footway, which limits available space on the footway for pedestrians. In particular, if vehicles encroached too far onto the footway at this location then this could result in our more vulnerable road users, such as those using wheelchairs or pushing prams, having insufficient space to pass which would force them onto the live carriageway to pass.

The image in Figure 1 below, extracted from Google Streetview, provides evidence of vehicular encroachment onto the footway at this location, and shows how easy it would be for a driver to inadvertently block the use of the footway by a vulnerable road user.



Figure 1 – Parking encroachment onto adjacent footway

Summary:

In summary, the ARA would emphasise that our recommendation for refusal has, as indicated above and within our separate statement, been reached on the grounds that the development proposals have failed to satisfy the Council's own adopted standards on parking provision. The general principles of road safety are linked to all aspects of access and parking associated with development proposals.

We trust that the above comments are of assistance.

Kind regards,

Ayrshire Roads Alliance

LRB Hearing for Planning Application 22/00367/APP

86 Adamton Estate, Monkton - Alterations and extension to dwellinghouse.

Reasons for refusal:

(1) That the proposal is contrary to the provisions of the South Ayrshire Local Development Plan, specifically LDP Policy: Sustainable Development and LDP Policy: Rural Housing, and the provisions of South Ayrshire Council's Supplementary Guidance on House Alterations and Extensions and Rural Housing, by reason that the siting and scale of the proposed extension is not considered to be subsidiary to the original dwellinghouse; is considered to be visually prominent and shall dominate the character and appearance of the original dwellinghouse; and is not characteristic of development in the locality.

(2) That the development proposal is contrary to the provisions of the South Ayrshire Local Development Plan, specifically LDP Policy: Sustainable Development and LDP Policy: Rural Housing, 'Land Use and Transport' and the provisions of South Ayrshire Council's Supplementary Guidance on House Alterations and Extensions, by reason that no off road parking spaces are provided and therefore, the proposals would result in an increased demand for on-street parking and congestion which would impede the free flow of traffic within public road limits, to the overall detriment of road safety, and residential amenity at this location.

Further Written Submission – Appointed Officer;

The ARA's original consultation response states;

No objection subject to condition(s);

Retention of Existing Off-Street Parking:

That the existing off-road parking provision shall be retained within the curtilage of the donor property.

Reason:

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

Thereafter, the case officer sought clarification from the ARA on the measurements required for a standard off road parking space; and advised the ARA that there were concerns the development could not retain the existing off road parking provision, given the cumulative depth of the proposed extension and porch within the front garden ground.

The ARA revised the consultation response, as follows;

Recommendation; Refuse.

The proposed development looks to remove a parking space associated with the dwelling without evidence of relocating the space within the curtilage of the site area. As such the ARA recommend refusal until such time as a plan is provided showing the existing number of parking spaces retained within the existing site area. The proposed parking layout should comply with the standards as set out in the National Roads Development Guide.

The proposed extension would increase the property from 3 bedrooms to 4 bedrooms with no provision for any off-road parking. The SCOTS National Roads Development Guide, as adopted by Council, contains parking standards specifically to ensure that suitable parking facilities are provided. Furthermore, matters relating to road safety and parking are material to the assessment of the planning application. Given the case officer's concerns, in addition to the consultation response from the ARA, it is considered that the development proposal would result in an adverse impact on the local road network as no off-road parking provision is retained for the property.

It is considered that the proposals, if approved, would result in increased demand for on-street parking and congestion which would impede the free flow of traffic within public road limits, to the overall detriment of road safety, and residential amenity at this location. If the LRB are minded to approve the application, this could set an undesirable precedent which would result in untold pressure on the local road network.

Chief Executive's Office

Service Lead – Legal and Licensing: Karen Briggs



County Buildings, Wellington Square, Ayr KA7 1DR
Tel: 01292 612462
Email: localreviewbody@south-ayrshire.gov.uk
Our Ref: LRB/22/11 Your Ref:
Date: 31 March 2023

To: *Mrs Caroline Adams*

Dear Mrs Adams,

**Procedure Notice under the Town and Country Planning (Schemes of Delegation and Local Review Procedure) (Scotland) Regulations 2013 – Schedule 1
Planning Application ref No: 22/00367/APP
Alterations and Extension to Dwellinghouse at 86 Adamton Estate, Monkton, South Ayrshire KA9 2SQ**

A Procedure Notice (copy attached) has been issued by the South Ayrshire Local Review Body under Schedule 1 of the above Regulations because it has determined that further information should be provided to it by means of a hearing session.

The Local Review Body determined at its meeting on 14 March 2023 that it requires further information from Ayrshire Roads Alliance (ARA) on the issues contained in ARA's Observations on Planning Application dated/returned on 16 August 2022 (and which forms part of the Review Papers) - particularly in relation to parking requirements and road safety at the site.

ARA has therefore been asked to attend a Local Review Body hearing session on **Tuesday 9th May 2023 at 2.00 p.m.** in **County Hall, County Buildings, Wellington Square, Ayr** to discuss these issues.

Only these specified issues will be considered at the hearing session.

As the Applicant, you are entitled to attend the Hearing Session - please confirm in writing within the next **14 days** whether you intend to attend.

Please also provide **no later than 14th April 2023**:

- a written statement setting out the case relating to the specified issues which you propose to put forward (if any) at the hearing session;
- a list of documents (if any) which you intend to refer to (and a copy of any document not already forming part of the Review Papers); and
- a list of other persons (if any) who you wish to speak at the hearing session in respect of your case, the matters which such persons are particularly to address and any relevant qualifications of such persons to do so.

ARA will be provided with a copy of any statement and/or documents which you provide, and you will be provided with a copy of any statement or documents provided by ARA, in advance of the Hearing.

The/...

The Review Papers can be accessed here: <https://ww20.south-ayrshire.gov.uk/ext/committee/committeepapers2018/Local%20Review%20Body/250918/Item%204.pdf>

Yours faithfully,

KAREN BRIGGS
Service Lead – Legal and Licensing

From: [Caroline Adams](#)
To: [Local Review Body](#)
Cc: [Griffiths, Connie](#)
Subject: Re: Procedure Notice - Local Review Body - 9 May 2023
Date: 06 April 2023 19:15:49
Attachments: [01A.pdf](#)
[Image.jpeg](#)
[Image.jpeg](#)
[Image.jpeg](#)

Hi,

I can advise that I will be attending the session on 9 May 2023 in relation to the above planning application.

I have requested the documentation ARA have submitted in relation to my application as this will assist me with compiling my response but I am still awaiting these. Please note I can only see the attached document on the portal in relation to ARA. If planning could be reminded that I am awaiting this information that would be much appreciated.

As I do not have all the documentation and I go away on holiday on Sunday, I feel I have limited information to form my argument but I have attached a drawing which I would like to show the panel which illustrates that there is sufficient space to the front of the property for off street parking. I have also attached a street view image of the property which shows the kerb to the front of the property is raised and this confirms that the area to the front of the property is not currently considered to be off-street parking. I would also like to add that when we bought the property there was a boundary wall along this area (see additional photo attached).

I will also refer to the Roads Development Guide during my presentation.

I would be grateful if you could confirm receipt of this email and let me know if you require any further information.

Regards
Caroline

Sent from [Outlook for iOS](#)

From: Local Review Body [REDACTED]
Sent: Friday, March 31, 2023 12:03:22 PM
To: Caroline Adams [REDACTED]
Cc: Griffiths, Connie [REDACTED]
Subject: Procedure Notice - Local Review Body - 9 May 2023

Good Morning Mrs Adams,

Please find attached a Notice in respect of the Hearing Session fixed by the LRB. The Session will take place on **9 MAY 2023** at 2pm in the County Hall in Ayr (not 18th April as previously suggested).

As the Applicant you are entitled to attend and, on further examination of the Regulations, please note that, you **CAN** speak/present your position at the Session – but **ONLY** on the matters specified in the Notice.

If you do wish to speak, you must (by 14 April) send the LRB a written statement fully setting out the case relating to the specified matters which you propose to put forward, and a list of any documents you intend to refer to (with a copy of any documents not already forming part of the

Review Papers). Thus further documents (provided they relate to the specified matters) **CAN** be introduced at this stage provided they do not contain any changes from the information supplied with your original Planning Application (eg alternative proposals). Further information is contained in the Notice.

Kind Regards,

Courtney Buchanan | [REDACTED]

[REDACTED] | South Ayrshire Council, County Buildings, Wellington Square, Ayr, KA7 1DR | www.south-ayrshire.gov.uk

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This footnote also confirms that this email message has been swept by websense for the presence of computer viruses.

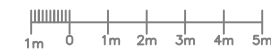
Visit our web site at www.south-ayrshire.gov.uk



SITE PLAN AS EXISTING 1:200



SITE PLAN AS PROPOSED 1:200



PROPOSED EXTENSION TO 86 ADAMTON ESTATE MONKTON	Rev A – parking area shown
	DRAWING NO – 01A



Image 1 of 13: Photo 12





Monkton, Scotland

1 year ago · [See more dates](#) >

Please see link to Scots National Roads Development Guide which has been adopted by the Council;

[National Roads Development Guide \(scotsnet.org.uk\)](http://scotsnet.org.uk)