

**SOUTH AYRSHIRE COUNCIL**

**LOCAL REVIEW BODY**

**NOTE OF CURRENT POSITION**

<b>Site Address:</b>	BLAIRSTON B7024 FROM HIGH MAYBOLE ROAD AYR TO ALLOWAY ROAD MAYBOLE AYR SOUTH AYRSHIRE KA7 4EF
<b>Application:</b>	22/01049/APP ERECTION OF A GARAGE

<b>Appointed Officer's Decision:</b>	<b>Refusal</b>
<b>Date Notice of Review Received:</b>	3 May 2023

<b>Current Position:</b>	New Case for Review
<b>Documentation:</b>	The following documents in relation to the review are attached: Pages 1 to 5 – Report of Handling Pages 6 to 58 – Notice of Review and Supporting Information Pages 59 to 75 – Planning Application and Supporting Information Pages 76 to 77 – Decision Notice Pages 78 to 80 – Interested Parties Correspondence Page 81 – Draft Conditions
<b>New Material:</b>	No
<b>Additional Material Any other Comments:</b>	N/A
<b>Dated:</b>	13 <sup>th</sup> June 2023

## Report of Handling of Planning Application

<b>Reference No:</b>	<b>22/01049/APP</b>
<b>Site Address:</b>	<b>Blairston B7024 From High Maybole Road Ayr To Alloway Road Maybole Ayr South Ayrshire KA7 4EF</b>
<b>Proposal:</b>	<b>Erection of a garage</b>
<b>Recommendation:</b>	<b>Refusal</b>

### 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 relates to a detached dwellinghouse located at Blairston, Monkton. The site is located on the B7024 and is sited approximately one mile to the south of Alloway. A substantial area of agricultural land and another dwelling 'Maryland' are situated within the blue-line ownership site which surrounds the application site to the north, south and west. A nearby residential property, 'Glen Imm' abuts the eastern boundary of the application site. The application site falls within both the greenbelt and the Brown Carrick and Hills & Coast Local Landscape Area, as per the Adopted Local Development Plan 2.

#### **2. Planning History:**

21/00551/APP – Erection of garage – Refused July 2021 – Upheld on appeal to Local Review Body March 2022  
20/00753/APP – Erection of forestry related vehicle shed – Refused November 2020  
20/00302/PNF – Prior notification for the erection of forestry related vehicle shed – Refused July 2020  
20/00017/APP – Alterations and extension to dwellinghouse – Approved March 2020

#### **3. Description of Proposal:**

Planning permission is sought for the erection of a domestic garage with a footprint of approximately 320 sqm and a 20-metre frontage, extending to a height of approximately 6.6 metres. The proposed garage shall be positioned approximately 22 metres from the rear of the dwellinghouse. Full details of the proposals are set out within the submitted plans.

A Supporting Statement has been submitted which gives a detailed account of the site extent and surroundings, means of access, the physical characteristics of the proposed garage and the intended range of vehicles to be stored within the garage, as well as an assessment of the proposed development against the relevant provisions of the Adopted Local Development Plan 2.

#### **4. Consultations:**

**Ayrshire Roads Alliance** – Offer no objections.

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

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

**6. S75 Obligations:**

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

**7. Scottish Ministers Directions:**

In determining a Planning application, the Council is required to provide details of any Direction made by Scottish Ministers under Regulation 30 (Directions requiring consultation), Regulation 31 (Directions requiring information), Regulation 32 (Directions restricting the grant of Planning permission) and Regulation 33 (Directions requiring consideration of condition) of The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013, or under Regulation 50 (that development is EIA development) of The Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2017. None.

**8. Representations:**

No representations were received.

**9. Development Plan:**

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

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

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

- LDP 2 Policy: Core Principle C1
- LDP 2 Policy: Strategic Policy 1: Sustainable Development
- LDP 2 Policy: Strategic Policy 2: Development Management
- LDP 2 Policy: Landscape Quality
- LDP 2 Policy: Rural Housing

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

The development proposal has been assessed against the above policies and is considered not to be in accordance with the development plan, as outlined further below.

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

Planning Guidance 'Rural Housing' refers to the siting and design of garages and outbuildings within a rural location, stating:

- Garages should generally be designed as an integral part of the house, but distinguished by differing ridge heights. Where this is not possible, detached garages should reflect the design and character of the house,
- Garage doors should be timber lined or panelled. The use of 'up and over' doors should be avoided.
- It is important to consider the location and appearance of outbuildings, liquid gas and oil storage tanks etc. as part of the design process. These ancillary buildings and structures should be used to create a sense of enclosure, define spaces and be built in a style with materials similar to the house. Outbuildings should have a dual pitched roof and central heating tanks must be screened

South Ayrshire Council's Planning Guidance (PG) on House Alterations and Extensions;

In respect of garages and outbuildings, South Ayrshire Council's Planning Guidance on House Alterations states that garages and outbuildings should be designed to appear ancillary to the main dwellinghouse and should be sited and designed so as to perform their intended function. In order to ensure that garages and out-buildings are ancillary and subsidiary to a dwellinghouse, it is important to not only carefully consider the siting, positioning and design of buildings, but also the characteristics of the application site, and also the characteristics of the wider area or streetscape in which a proposal is to be set. The proposals have been considered in this regard.

The proposed garage is considered to be contrary to the Council's guidance, as outlined further, below.

**11. Assessment (including other material considerations):**

The proposal under consideration is for the erection of a detached garage on land to the rear of the dwellinghouse, which has dimensions of 16 metres (d) x 20 metres (w) x 6.6 metres (h). This represents a substantial footprint of 320 sqm. The proposed garage is sited approximately 22 metres from the rear of the residential dwelling and approximately 52 from neighbouring residential properties Glen Imm and approximately 51 metres from the residential property of Maryland, which is within the blue-line ownership of the applicant. Whilst it is stated within the application submission that the garage is for domestic use, it is considered that the siting, scale, form and design do not reflect what would be expected in regard to a domestic garage. There are therefore significant concerns relating to the siting, scale and design of the proposed garage. It is considered that the proposed garage would adversely affect the character and appearance of the rural area and introduce an incongruous feature within the landscape, to the detriment of the rural setting.

While the Rural Housing Guidance indicates that it may not always be possible to design a garage so as to be an integral part of the house, in these instances the garage should reflect the design character of the house. While it is noted that the appearance of the proposed garage is to reflect the character of the dwellinghouse, it is considered the scale and form of the garage would appear incongruous within the landscape. The Householder guidance indicates that garages/ outbuildings should be designed and sited to perform their intended function. Again, due to the design and siting of the proposed garage, it is considered that the proposal does not meet with the provisions of the aforementioned guidance.

The proposal is assessed as contrary to LDP 2 Policy: Greenbelt which sets clear expectations as to the appropriateness and necessity of development occurring within the greenbelt. In detail the greenbelt policy sets out that:

Development will only be supported within the greenbelt if it is of a high design quality and a suitable scale and form, and it:

- o contributes to the economic and environmental sustainability of existing green belt uses;
- o is associated with agriculture, including the reuse of historic buildings;
- o has horticultural (or directly related) uses;
- o has recreational use that needs a green-belt setting;
- o is required at the proposed location to provide essential infrastructure; and
- o protects, promotes and develops green networks and opportunities for access to the countryside.

In this regard, the necessity and appropriateness of the proposed development to its greenbelt site is found to be unestablished and lacking with respect to the aforesaid criteria, and thus is considered contrary to LDP 2 policy: Greenbelt.

Additionally, it is noted that the proposed domestic garage occupies an identical footprint and siting within the application site to the proposed garage refused under 21/00551/APP (and upheld on appeal by the Council's Local Review Body) and a proposed forestry shed previously refused at the site under 20/00753/APP. Therefore, it is of material significant that both a garage and previously a forestry shed were refused, in part, due to the scale and form of the development being out of character with the rural locale.

It is noted that the materials of the proposed garage vary from the aforementioned refusals. The materials proposed as part of the current application have been chosen to reflect the appearance of the dwellinghouse and those neighbouring. However, it is considered that the owing to its scale, design and



siting, the proposed garage shall not appear ancillary to the main dwelling and represents an incongruous feature within the landscape, to the detriment of the rural setting.

Overall, the proposed erection of a substantial garage is considered to represent unacceptable development in the rural location due to the introduction of an incongruous feature which would be to the significant detriment of the locality, thus contrary to LDP 2 Policy Landscape Quality.

It is therefore considered that the proposal is contrary to the provisions of the development plan which shall have an adverse impact on the rural setting of the locality. Given the above assessment of the proposal and having balanced the applicant's rights against the general interest, it is recommended that the planning application be refused for the reasons below.

**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 2, specifically policies Core Principle C1, Strategic Policy 1 Sustainable Development, Strategic Policy 2: Development Management, Rural Housing and Landscape Quality as the development will have a significant detrimental visual impact and is incongruous with the existing landscape area by reason of its form, scale and siting, and will adversely affect the character of the rural locality.
- (2) That the proposal is contrary to the provisions of South Ayrshire Council's Planning Guidance 'Rural Housing' and Supplementary Planning Guidance on 'House Alterations and Extensions' as the garage, by reason of its siting, scale and form, does not appear to be ancillary to the main dwellinghouse.
- (3) That the proposed development is contrary to the provisions of the South Ayrshire Local Development Plan 2 by reason that it does not accord with LDP 2 policy: Greenbelt - insofar that it is neither of a suitable scale and form and the necessity and appropriateness of the proposed development with this greenbelt site is found to be unestablished and lacking with respect to the criteria of LDP 2 Policy: Greenbelt.

**List of Plans Determined:**

Drawing - Reference No (or Description): **Refused** 1211-01

Drawing - Reference No (or Description): **Refused** 1211-02

Drawing - Reference No (or Description): **Refused** 1211-03

Drawing - Reference No (or Description): **Refused** 1211-04

Drawing - Reference No (or Description): **Refused** 1211-05

Drawing - Reference No (or Description): **Refused** 1211-06

Drawing - Reference No (or Description): **Refused** 1211-07

Drawing - Reference No (or Description): **Refused** 1211-08

Drawing - Reference No (or Description): **Refused** 1211-09

Drawing - Reference No (or Description): **Refused** 1211-10

Other - Reference No (or Description): **Refused** Statement in Support

Other - Reference No (or Description): **Refused** Statement in Support Appendices

**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.

<b><i>Decision Agreed By:</i></b>	<i>Appointed Officer</i>
<b><i>Date:</i></b>	<i>7 February 2023</i>



County Buildings Wellington Square Ayr KA7 1DR Tel: 01292 616 107 Email: [planning.development@south-ayrshire.gov.uk](mailto: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            100609614-002

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

## Applicant or Agent Details

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

Applicant  Agent

## Agent Details

Please enter Agent details

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

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

Individual  Organisation/Corporate entity

## Applicant Details

Please enter Applicant details

Title:	Other	You must enter a Building Name or Number, or both: *	
Other Title:	Mr & Mrs	Building Name:	Blairston
First Name: *	John	Building Number:	<input type="text"/>
Last Name: *	Scott	Address 1 (Street): *	High Maybole Road
Company/Organisation	<input type="text"/>	Address 2:	<input type="text"/>
Telephone Number: *	<input type="text"/>	Town/City: *	Ayr
Extension Number:	<input type="text"/>	Country: *	Scotland
Mobile Number:	<input type="text"/>	Postcode: *	KA7 4NR
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text"/>		

## Site Address Details

Planning Authority:

South Ayrshire Council

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

Address 1:

BLAIRSTON

Address 2:

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

AYR

Post Code:

KA7 4EF

Please identify/describe the location of the site or sites

Northing

616715

Easting

233003

## 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)

Erection of a garage at: Blairston B7024 From High Maybole Road Ayr To Alloway Road Maybole Ayr South Ayrshire KA7 4EF

## 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.

For the reasons set out in the Supporting Statement that formed part of the refused Planning Application 22/01049/APP and that have been further amplified in the documents accompanying this Notice of Review, we do not agree that an evidence-based case has been made to underpin the decision to refuse the application, and we are of the opinion that the essentially desk-top approach taken by the Planning Service here has delivered a less than robust case for refusal.

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)

From the information available to external users (namely: Adopted Local Development Plan 2 (LDP2): Interactive map, being accessed directly from South Ayrshire Councils website) it appears that the Red Line Site application Site is in fact outwith the area designated Greenbelt. Attention has been drawn to this in the accompanying documents .

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)

Drawing Numbers 1211- 01 to /-12 inclusive. STATEMENT IN SUPPORT of PLANNING APPLICATION REF NO 22/01049/APP and associated APPENDIX document.

## Application Details

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

22/01049/APP

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

16/12/2022

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

07/02/2023

## 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)

The nature of the Red Line application Site and in particular the proposed Garage siting within an existing geomorphological feature, that is a natural bowl-shaped depression (which was slightly enlarged to assist in a previous logging operation), can only be fully appreciated by a Site Inspection.

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

If there are reasons why you think the local Review Body would be unable to undertake an unaccompanied site inspection, please explain here. (Max 500 characters)

The application Site is accessed from a private driveway, this has a set of electrically operated security gates which will require to be opened to gain access to the Site. This can easily be arranged upon request.

## Checklist – Application for Notice of Review

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

Have you provided the name and address of the applicant?. \*  Yes ≤ No

Have you provided the date and reference number of the application which is the subject of this review? \*  Yes ≤ No

If you are the agent, acting on behalf of the applicant, have you provided details of your name and address and indicated whether any notice or correspondence required in connection with the review should be sent to you or the applicant? \*  Yes ≤ No ≤ N/A

Have you provided a statement setting out your reasons for requiring a review and by what procedure (or combination of procedures) you wish the review to be conducted? \*  Yes ≤ No

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

Please attach a copy of all documents, material and evidence which you intend to rely on (e.g. plans and Drawings) which are now the subject of this review \*  Yes ≤ No

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

## **Declare – Notice of Review**

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

Declaration Name: Mr Paul Sisi

Declaration Date: 02/05/2023



**APPENDIX TO ACCOMPANY  
STATEMENT IN SUPPORT**

**PHOTOGRAPHS, ETC OF THOSE  
VEHICLES TO BE HOUSED**

**ON BEHALF OF  
MR AND MRS JOHN SCOTT,  
BLAIRSTON HOUSE, AYR, KA7 4EF**

Appendix to Accompany Statement in Support of Planning Application for the  
Erection of Private Domestic Garage on Land at Blairston House, Ayr,  
KA7 4EF

Prepared for: Mr and Mrs John Scott

## Membership Card

Historic Commercial Vehicle Society

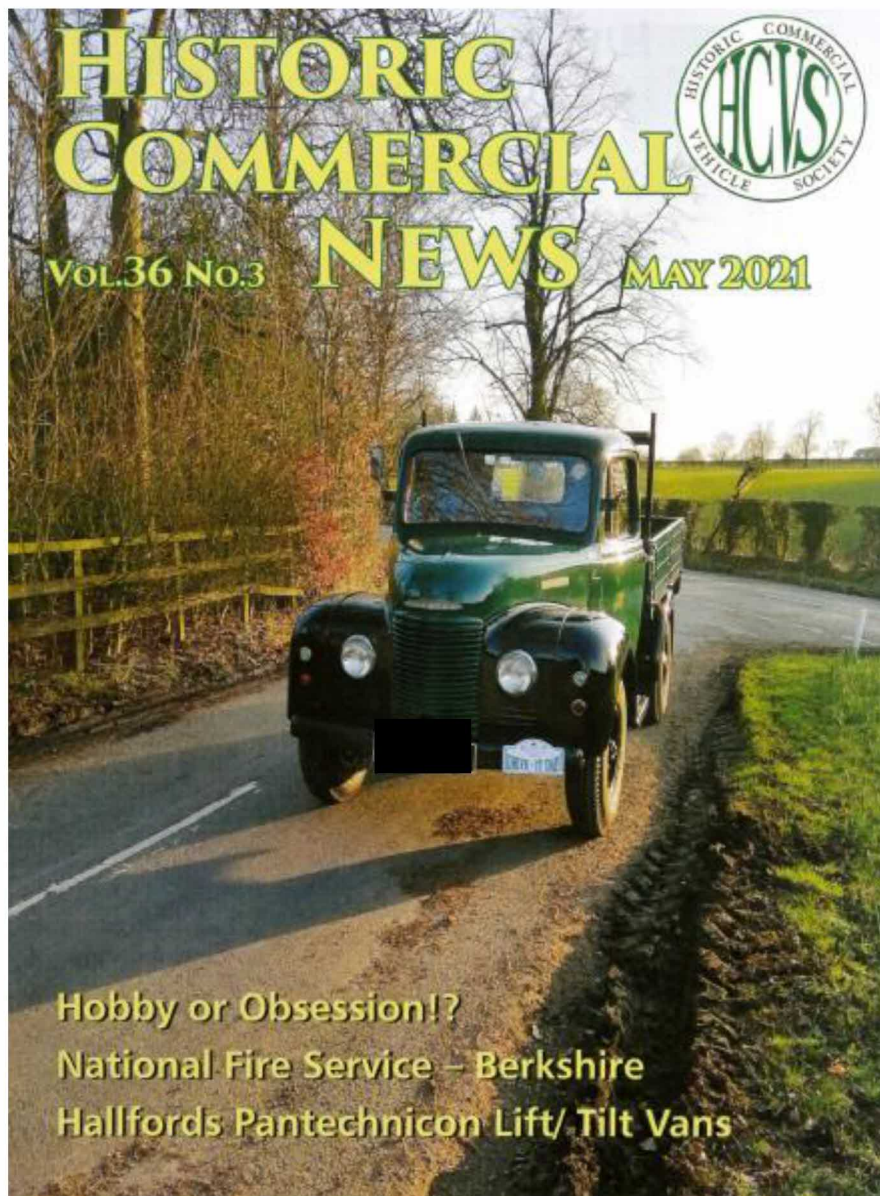
To promote the study and preservation of  
**Historic Commercial Vehicles**

Expiry Date 31st October 2021

Registered Charity No.271123  
Incorporated in England & Wales No.1241335

Name: John Scott

Membership No: 15916



**Appendix to Accompany Statement in Support of Planning Application for the  
Erection of Private Domestic Garage on Land at Blairston House, Ayr,  
KA7 4EF**

**Prepared for: Mr and Mrs John Scott**

---





Appendix to Accompany Statement in Support of Planning Application for the  
Erection of Private Domestic Garage on Land at Blairston House, Ayr,  
KA7 4EF

Prepared for: Mr and Mrs John Scott

---



**Appendix to Accompany Statement in Support of Planning Application for the  
Erection of Private Domestic Garage on Land at Blairston House, Ayr,  
KA7 4EF**

**Prepared for: Mr and Mrs John Scott**

---



**NOTICE OF REVIEW  
IN RELATION TO THE REFUSAL BY  
SOUTH AYRSHIRE COUNCIL FOR  
PLANNING PERMISSION FOR THE ERECTION OF  
A GARAGE ON LAND AT  
BLAIRSTON, B7024, HIGH MAYBOLE ROAD, AYR, TO  
ALLOWAY ROAD, MAYBOLE, AYR, SOUTH AYRSHIRE, KA7 4EF**

**PLANNING APPLICATION REF NO 22/01049/APP**

**STATEMENT IN SUPPORT**

**Report Prepared by:**

**MICHAEL S EVANS  
BA (Econ); Dip TP, MRTPI, MCIM  
PLANNING CONSULTANT  
meicplan.associates  
"TY-NEWYDD"  
11 MURCHIE DRIVE  
KINGS MEADOW  
PRESTWICK  
KA9 2ND**

**PAUL SISI ARCHITECTURAL SERVICES  
19 MOOR PARK  
PRESTWICK  
KA9 2NJ**



**April 2023**

## **CONTENTS**

### **(i) SUMMARY / CONCLUSIONS**

**1.0 INTRODUCTION / TERMS OF REFERENCE / THE PROPOSALS**

**2.0 AREA CONTEXT AND SITE ANALYSIS**

**3.0 THE COUNCIL'S REASONS FOR REFUSAL**

**4.0 THE REASONS FOR SEEKING A REVIEW**

**5.0 RESPONSE TO THE COUNCIL'S REASONS FOR REFUSAL**

**6.0 CONCLUSIONS**

### **APPENDIX (Separate Document)**

- **Google Extracts**
- **Blairston Image Sheets**
- **Ownership of Applicants**
- **Immediate Local Context**

**(i) SUMMARY / CONCLUSIONS**

- Members of the LRB will be aware that Section 25 of the Town and Country Planning (Scotland) Act 1997 requires that decisions are made in accordance with the Development Plan unless material considerations indicate otherwise and
- that each application should be assessed/treated by the planning authority on its own individuals merits and, as reconfirmed by the Scottish Government's Chief Planner in her letter to Councils dated 9 March 2023, albeit in reference to the Transitional Arrangements for National Planning, who states: *'Application of planning judgement to the circumstances of an individual situation remains essential to all decision-making, informed by principles of proportionality and reasonableness'*.

While this statement was made in the context of particular circumstances, its general applicability must surely be valid?

- Material considerations are not given a statutory definition, although a number of them can be identified either directly or indirectly from statute or from government policy statements. Otherwise, it has been left to the courts to develop the meaning of the term. So much depends on the individual circumstances of each case.

Ones that are, however, relevant in this case, and, in this, we are in agreement with the Planning Service, identification of those in the Report of Handling include:

- the environmental impact of the proposals
- the design of the proposed development and its relationship to its surroundings – impact on the locality
- impact on amenity,



to which we would add:

- personal circumstances
- the Report of Handling, while also identifying most of them as being material, concludes, however, that the proposals do not successfully address these matters and are, as a consequence, contrary to the requirements of the Development Plan.

We, of course, beg to differ and the reasons for this are set out in detail in the Statement of Support which formed part of Planning Application No 22/01048/APP and also in this document.

- The cornerstone of the Planning Service's reasons for refusal has been that, according to the Service, the site is located within the Greenbelt. Using information from the publicly available interactive map via LDP2 Proposals Map(s), we have concluded that the site is not, in fact, within the greenbelt. Strictly speaking therefore, Reason for Refusal 3 appears to be invalid.
- Based on the evidence presented in these reports:
  - **In relation to Reason for Refusal 1**, in our opinion, the Planning Service, having taken an essentially 'desk-top' approach to an assessment and therefore, especially in the absence of a site visit, has not delivered sufficiently robust evidence to underpin this reason for refusal and that the actual evidence confirms that the proposals, as a review of mutually agreed material considerations concludes, would not be at variance with the requirements of the listed policies of LDP2 and would:
    - not have a 'significant' detrimental visual impact
    - not appear incongruous within the landscape area
    - by reason of its form, scale and setting, adversely affect the character of the rural locality

- **In relation to Reason for Refusal 2**, while we would agree that the proposed Garage is not a typical example of the preferred ‘outcome’ described in Planning Guidance: Rural Housing, we maintain, nevertheless, that this is a Garage and that its ancillary role to Blairston House has been confirmed, i.e. to provide accommodation for the Applicants’ hobby.

Topography has made it impossible to locate the Garage immediately adjacent to Blairston House but the degree of physical separation is relatively small and would be remedied by a simple connecting path and stair access.

As Planning Application Drawing No 1211-12 confirms, the proposed Garage would sit comfortably below the skyline and within the group of buildings formed by Blairston House, Maryland Cottage, Glen Imm and their associated outbuildings.

- **In relation to the Reason for Refusal 3**. While we are disputing the Greenbelt status of this location, the following comment has been retained. The greenbelt accommodates a number of houses and their gardens – a matter that is not entirely recognised by policy. The policy states that the Council will only support development within the greenbelt if it is of a high design quality and a suitable scale and form. No further guidance is, however, given as to the meaning of ‘high design quality’. The South Ayrshire Greenbelt, as LRB members will readily be aware, accommodates many buildings that would not satisfy these requirements!

In the final analysis, the proposals, like the vast majority of them, are rectangular in form. Otherwise, and unlike others, in relation to the walls, the materials used are of a domestic quality and have

been chosen to reflect the appearance of Blairston House and Maryland Cottage. Treated on its individual merits, the proposals are seen not to offend the requirements of policy – either at the strategic or the more local levels.

- LDP2 does not otherwise include a general policy for countryside. Reasons for Refusal 1 and 2 are therefore based on considerations relating to the details of the proposals and the location, and our response is shown above

Outwith the greenbelt, Blairston House, Maryland Cottage and Glen Imm can be confirmed as a cluster for policy purposes.



## 1.0 INTRODUCTION /TERMS OF REFERENCE / THE PROPOSALS

### Terms of Reference

On 16 December 2022, application was made by Paul Sisi, Paul Sisi Architectural Services, 19 Moor Park, Prestwick, KA9 2NJ on behalf of Mr and Mrs John Scott, Blairston House, Ayr, KA7 4EF, Planning Application Ref No 22/01049/APP.

This Notice of Review has been prepared by Michael S Evans, Planning Consultant, and Paul Sisi, Paul Sisi Architectural Services, as instructed by the Applicants and is submitted in response to the Council's decision to refuse the application on a delegated basis on 7 February 2023.

The contents of the Appointed Officer's Report of Handling (which have been submitted along with this Notice) are viewed as significant material considerations.

Parts 4.0 and 5.0 of this Notice of Review Supporting Statement are focused substantially not only on the reasons for refusal but how these were arrived at.

We would therefore advise Review Body members that this Supporting Statement should be read in conjunction with the one that formed part of refused Planning Application Ref No 22/01049/APP.

The purpose of this Statement is therefore to reconfirm the conclusions arrived at in the Supporting Statement that formed part of refused application 22/01049/APP in that the facts on the ground in relation to the proposals confirm that they are:

- (i) consistent with the requirements of the relevant policies of the Adopted South Ayrshire Local Development Plan 2, Supplementary Planning Guidance: 'House Alterations and Extensions', and Guidance: Rural Housing
- (ii) consistent with the requirements of National Planning Framework 4 (NPF4), Policy 8, Greenbelt, and
- (iii) have taken into account relevant outcomes from material considerations

### **The Applicants**

Blairston House is the home of Mr and Mrs John Scott which currently does not have a garage or shed facility.

Mr Scott may be well known to Board Members as the former Chairman of JST Services (Scotland) Ltd, Haulage Contractors. Mr Scott, having sold his interests in JST Services two years ago, is now retired. The proposals will provide accommodation for his main hobby.

### **The Site**

The proposed red line site extends to 1 Ha **and forms part of the private garden of Blairston House, as shown in Planning Application Drawing No 1211-04.**

### **The Proposals**

Planning permission is being sought to construct a private garage.

Copies of Planning Application Drawing Nos 1211-01 to 1211-10 inclusive have been included as part of the request for review package.

The garage would extend to 324 m<sup>2</sup> and would comprise space for accommodating the main hobby of one of the Applicants as described immediately below.

### **Storage of Vintage Vehicles (Trucks)**

John Scott, since his earliest day, only wanted to drive and work with trucks. After leaving school, he trained as an HGV mechanic and worked in his father's haulage business, Gunning's Motors. At the age of 21, he attained his HGV, allowing him then to drive trucks on the road. At 22, he won HGV Lorry Driver of the Year and all these memories were made using the vintage trucks he owns today.

Mr Scott is also a member of the Historic Commercial Vehicle Society club.

He also attends various truck rallies in Scotland, such as Ayrshire Road Run, Truckfest Scotland, Dumfries Truck Group Show, Ayrshire Vintage Tractor Show, Ayrshire Agricultural Show and Strathclyde Country Park Show.

As can be seen from the descriptions above and the fact that the value of these vehicles is circa £210,000, not to mention the personal value to Mr Scott, **it is most important that these vehicles be stored under cover and secure.**

The collection of vehicles in his possession are as follows and photographs of some can be found in the Appendices:

1. Volvo F16 tractor unit E147 OBV. This Volvo was the first of its model brought into Britain in 1987. The vehicle has undergone a complete refurbishment and is painted in the colours of Gunning's Motors. The truck has attended all the vintage rallies in south Scotland and won many first-prize awards for its condition. It has also been used by

Volvo trucks as a promotional feature at truck shows. The current value of the truck is around £60,000.

2. Volvo F7 tractor unit NCS 875W. This 1980 Volvo was one of the first trucks that Mr Scott drove and has also undergone an expensive refurbishment and is painted in the colours of Gunning's Motors. The truck has attended all the vintage rallies in south Scotland and won many awards for its condition. The current value of the truck is around £25,000.
3. Scania 141 tractor unit UJN 509V. This 1979 Scania was the King of the Road truck during that era. Again, this truck has undergone an expensive refurbishment costing around £40,000 and is painted in the colour of Gunning's Motors. The truck has attended all the vintage rallies in south Scotland and won many first-prize awards for its condition. The current value of the truck is around £75,000.
4. Reliant Robin car. This 1980 version is a replica of the one used in the TV programme 'Only Fools on Horses'. These vehicles are fast becoming very sought-after vehicles and this one is in good condition, probably worth around £5,000.
5. Land Rover Defender vehicle. This vehicle was bought in 2016 as an investment by Mr Scott. The vehicle has only done 168 miles from new and is a very sought-after vehicle with Land Rover enthusiasts. This vehicle is worth around £65,000 now.
6. Scania 143 tractor unit. This 1994 truck is the more modern version of the other Scania Mr Scott owns. This again is a very sought-after vehicle, currently worth £25,000. It also will shortly go through a refurbishment programme painting it in the Gunning's Motors colours which will take the value up to around £100,000.
7. Scania 164. Value: £55,000.
8. Overfinch Range Rover. Value: £75,000.
9. Volvo 588. Value: £70,000.



## 2.0 AREA CONTEXT AND SITE ANALYSIS

The site in its context is shown in the Blairston Image Sheets in the Appendix. In her letter to Head of Planning dated 8 February 2023 regarding the Transitional Arrangements for National Planning Framework 4, the Scottish Government's Chief Planner, as a general comment, stated that, while Section 25 of the 1997 Act requires that decisions are made in accordance with the Development Plan unless material considerations indicate otherwise, **'Application of planning judgement to the circumstances of an individual situation remains essential to all decision-making, informed by principles of proportionality and reasonableness'**.

'Area context', members of the LRB I'm sure will agree, is an important material consideration, as does the Appointed Officer.

On this point however, the Report of Handling asserts that the proposals would **'adversely affect the character of the rural location'**, i.e. the area context, but without, in fact, defining 'the area' or providing a description of 'characteristics'.

In the Supporting Statement which forms part of Planning Application 22/01049/APP, we, however, have located the site to be within Landscape Character Area Type 68, i.e. Lowland River Valleys – Ayrshire, as described in Scottish Landscape Character Types (LCT) Maps and Descriptions, NatureScot 2019, **and have concluded that there will be no measurable/discernible impact on the characteristics of LCT 68.**

In terms of its location, its greenbelt status is clearly a significant material consideration. We would strongly suggest that **greenbelts are generally most vulnerable to development pressure on their edges – and especially so – near to urban areas.** Potential negative impact of any proposals on the vulnerability of the defined greenbelt is clearly a concern. In

response to these concerns, we would point out that, **while the site falls within the greenbelt, the Blairston Image Sheets in the Appendix confirm that it is far removed from the policy boundary and the proposals would not remotely represent an extension to urban development and, thereby, thereafter undermine the integrity of and deliverability of this policy.**

**The other key material consideration in relation to ‘area context’ must be the matter of potential visual impact:** The question to ask is: Where will these proposals be seen from and, if they are seen, **will they actually be intrusive?** In our opinion, the photographs to be found on Blairston Image Sheets in the Appendix confirm that potential visual impact will be minimal. The details pertaining to the area context illustrate this.

**In the first place, the proposals occupy an existing geomorphological feature that is a natural bowl-shaped depression which has been slightly enlarged.**

In addition, the extracts from Google Maps shown in the Appendix confirm the woodland setting of Blairston House as a whole and, in particular, the heavily wooded nature of the area to the north. Indeed, the large area of woodland to the west has been the subject of a major repurposing project which will guarantee a well-managed outcome with an emphasis on native species which, in turn, should strengthen biodiversity.

**What all of the aforementioned means is that the proposals would be seen only from within the yard area in front of the building.**

To date, the Applicants have planted 537 indigenous roses, 188 British hardwood trees and 160 various species of shrubs and, in addition, **a bund has been created to the west of the proposals and this has also been topped by trees and shrubs, reducing even further the possibility of**

**visual intrusion.** There has now also been planting of the downslope to Glen Imm with dense shrubs, including laurel to the boundary.

**In summary therefore, from the range of photographic images, Google extracts and allied to the topographic information and with the extensive interplanting and replanting exercise, it is clear that the new structure will effectively be visible only from the air or from very close proximity and therefore, by any definition, will not impact negatively on the integrity of the greenbelt policy area nor affect the character of the rural location.**

### **Site Analysis**

In addition to overall context/setting, **the actual characteristics of the site are, in our opinion, material to the consideration of a number of those points concerned with impact** and should be taken into account by all parties in order to arrive at an acceptable evidence-based conclusion. The validity of any conclusions arrived at by the appointed officer are seriously undermined by the fact that there was no site visit. In fact, while there have been three planning applications here, the appointed officer has always taken the stance that a site visit was not necessary. That, in our opinion, has been a fundamental weakness in the approach taken by the Council and has delivered a desk-top analysis, unfamiliar with the actual facts on the ground.

#### **- The Site**

The red line site, which extends to 1 Ha is shown on Planning Application Drawing No 1211-04. The red line area is considered by the Applicants to be garden ground associated with Blairston House. The garden forms a relatively small part of the overall ownership, as shown in Planning Application Drawing No 1211-04. The overall ownership extends to 11 Ha and this is shown in Planning Application Drawing No 1211-03.

So why this precise location? Because, as described elsewhere, the proposals are intended to house elements of one of the Applicant's hobbies and pastimes, proximity to the house itself is an important consideration.

The location is dictated by geomorphological circumstances which assist in reducing visual impact and, while not immediately adjacent, the proposed garage will still be very close to the house and as close as practicable in an attempt to balance the requirements of proximity with those of general visual impact.

**Indeed, falling, as it does, within the Applicants' garden, the question that remains unanswered is whether or not these proposals should be considered under permitted development rights and not therefore require planning permission.**

The Applicants' garden is shown to be within the red line boundary on Drawing No 1211-05.

- **Site Boundaries**

Why these boundaries?

As shown in Planning Application Drawing No 1211-04, boundaries fall within an otherwise undeveloped portion of the Applicants' garden and are tightly drawn as practicable in order to take account of potential visual impact.

- **Topography**

A copy of the topographical survey carried out by Aspect Surveys can be found on page 19. This confirms that the site sits within topography that is typical of the edges of Landscape Character Area Type 68, i.e. Lowland River Valleys – Ayrshire, as described in Scottish Landscape

Character Types (LCT) Maps and Descriptions published by NatureScot in 2019.

**This point regarding the actual topography of the site/location, and the benefits regarding 'impact' that this brings, has been consistently ignored in the current and previous Reports of Handling.**

In detail, steep slopes are the significant characteristic on most sides but, as the details in Drawing No 1211-05 on page 19 confirm, the development site itself is virtually flat and occupies the floor of a marginally increased natural hollow.

The steep slopes, as shown in Drawing No 1211-05 on page 19 are immediately to the north west, west and south west, i.e. virtually three sides of the site. In terms of concealment, these steep slopes are also heavily wooded to the west and north west. The slope on the south east is not wooded because of the steep 'walls' of the hollow.

**These important points, in relation to the actual facts on the ground, have also been consistently ignored in Reports of Handling.**

To the immediate north east along the boundary with Glen Imm, while currently relatively more open in aspect, visibility is already reduced by a bund and will be reduced further as a result of native species trees and shrubs planted along its length.

- **Views of the Site from Outwith (photographs)**

These can be found on the Blairston Images Sheets in the Appendix **and confirm the extent to which the site is not visible from the wider countryside beyond.**

- **Its Relationship to Neighbouring Uses**

The building would be a structure within the garden ground of Blairston House but is effectively hidden from view from the house itself.

Importantly, while the Council's greenbelt policy does not formally recognise 'clusters' within the greenbelt, **the physical relationship between Blairston House, Glen Imm and Maryland Cottage would otherwise be recognised as a cluster.**

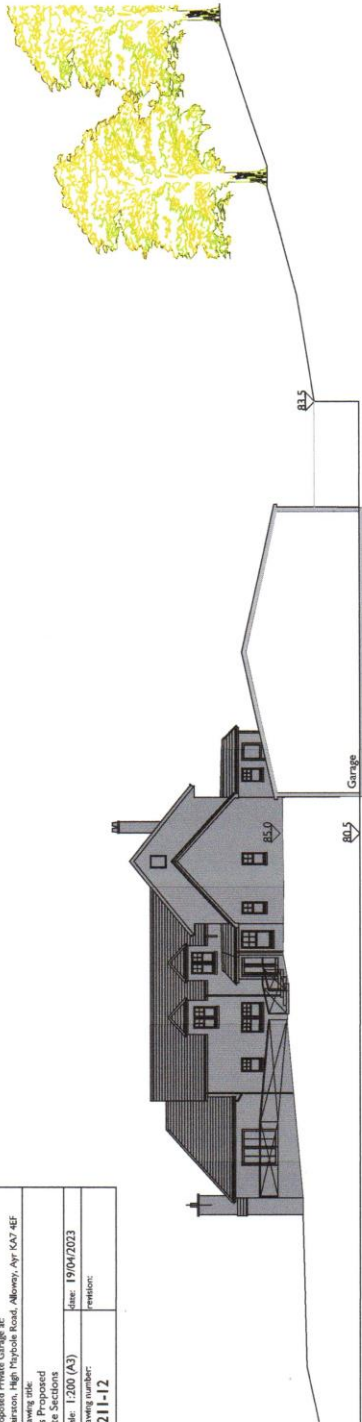
**The proposals would be located within this grouping and have an obvious physical relationship with it. Not therefore an isolated incongruous structure in the countryside.**

In addition, the materials have been deliberately chosen to reflect the appearance of Blairston House and Maryland Cottage.

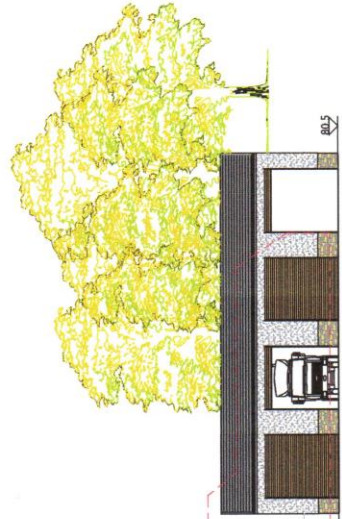
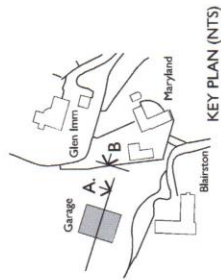
As confirmed in the Supporting Statement that forms part of Planning Application 22/01049/APP, the proposals, in accordance with the requirements of the Council, would have zero impact on the residential amenity of the nearest houses, i.e. Blairston House, Glen Imm or Maryland Cottage.

**As Proposed – Site Sections – Drawing No 1211-12**

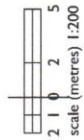
<b>Planning Application</b>	
Applicant:	Mr & Mrs John Scott
Address:	Blairston, High Nychole Road, Albany, Ayr KA7 4EF
Project:	Proposed Private Garage at Blairston, High Nychole Road, Albany, Ayr KA7 4EF
Drawing title:	As Proposed Site Sections
Scale:	1:200 (A3)
Date:	19/04/2023
Drawing No:	1211-12



VIEW on A



View on B



**Topographic Extract with Extent of Proposals Superimposed – Drawing No 1211-05**

LOCUS OF APPLICATION

PROPOSED GARAGE



revision	date
----------	------

**Planning Application**

Applicant:  
Mr & Mrs John Scott  
Blairston, High Maybole Road, Alloway, Ayr KA7 4EF

Project:  
Proposed Private Garage at:  
Blairston, High Maybole Road, Alloway, Ayr KA7 4EF

Drawing title:  
Topographic extract with extent of proposals superimposed


  
 Paul Sill Architects Services  
 19 Moorpark, Prestwick, KA9 2JH  
 Tel: 01292 471467  
 Fax: 01292 471467  
 E: paul.sill@psasill.com

Scale: 1:1250 (A3)	Date: 01/11/2022
Drawing number: <b>1211-05</b>	Revision:



### **3.0 THE COUNCIL'S REASONS FOR REFUSAL**

*The reasons for the Council's decision are:*

- (1) That the proposal is contrary to the provisions of the South Ayrshire Local Development Plan 2, specifically policies Core Principle C1, Strategic Policy 1: Sustainable Development, Strategic Policy 2: Development Management, Rural Housing and Landscape Quality as the development will have a significant detrimental visual impact and is incongruous with the existing landscape area by reason of its form, scale and siting, and will adversely affect the character of the rural locality*
  
- (2) That the proposal is contrary to the provisions of South Ayrshire Council's Planning Guidance 'Rural Housing' and Supplementary Planning Guidance on 'House Alterations and Extensions' as the garage, by reason of its siting, scale and form, does not appear to be ancillary to the main dwellinghouse*
  
- (3) That the proposed development is contrary to the provisions of the South Ayrshire Local Development Plan 2 by reason that it does not accord with LDP 2 policy: Greenbelt - insofar that it is neither of a suitable scale and form and the necessity and appropriateness of the proposed development with this greenbelt site is found to be unestablished and lacking with respect to the criteria of LDP 2 Policy: Greenbelt.*

#### 4.0 THE REASONS FOR SEEKING A REVIEW

- For the reasons set out in the Supporting Statement that formed part of the refused Planning Application 22/01049/APP and that have been further amplified elsewhere in this document, we do not agree that an evidence-based case has been made to underpin the decision to refuse on this or, indeed, previous occasions.
- We are of the opinion that the essentially desk-top approach taken by the Planning Service here has delivered a less than robust case for refusal and that, in our opinion, the development, based on the evidence that we have provided in the Supporting Statement that formed part of the refused application (and, indeed, previous Supporting Statements), together with this Statement, would not have a:
  - 'significant detrimental visual impact
  - would not appear incongruous with(in) the landscape area
  - by reasons of its form, scale and siting, and would not therefore
  - adversely affect the character of the rural locality

and one that would, in fact:

- **otherwise be ancillary to the main dwellinghouse, borne out by the fact that the proposals are located within the Applicants' garden as defined in Drawing No 1211-04.**
- and that, in the final analysis, it is considered, in our opinion, that the proposals do not compromise the strategic objectives of the greenbelt nor do they have a significant adverse impact on the visual amenity of the locale. The proposals are largely hidden from view by a combination of topography and existing planting and set a

substantial distance from the B7024 so as not to adversely impact on the visual amenity of the locale or scenic area

- The cornerstone of the Planning Service's reasons for refusal has been that, according to the Service, the site is located within the Greenbelt. Using information from the publicly available interactive map via LDP2 Proposals Map(s), we have concluded that the site is not, in fact, within the greenbelt. Strictly speaking therefore, Reason for Refusal 3 appears to be invalid.

## 5.0 RESPONSE TO THE COUNCIL'S REASONS FOR REFUSAL

### **Reason for Refusal 1**

*That the proposal is contrary to the provisions of the South Ayrshire Local Development Plan 2, specifically policies Core Principle C1, Strategic Policy 1: Sustainable Development, Strategic Policy 2: Development Management, Rural Housing and Landscape Quality as the development will have a significant detrimental visual impact and is incongruous with the existing landscape area by reason of its form, scale and siting, and will adversely affect the character of the rural locality.*

### **Response**

The Report of Handling concludes that the proposals fail to comply with the requirements of the various policies listed in the early part of Reason for Refusal 1 because they:

- (i) *will have a significant detrimental visual impact and*
- (ii) *is incongruous with the existing landscape area by reason of:*
  - *form*
  - *scale*
  - *siting, and will*
- (iii) *adversely affect the character of the rural locality*

- (i) It is agreed, and has previously been stated, that visual impact would, in this case, of course be a significant material consideration. The statement '*significant detrimental visual impact*' is, however, nowhere illustrated by any supporting information and there has been no discernible comment in the information provided by the Applicants that would confirm the opposite. As that information shows, the proposals

would, in truth, only be seen when standing in the yard in front of them or in the unlikely circumstances of from the air.

The proposals are largely hidden from view by a combination of the topography of its setting combined with virtually surrounding mature and developing tree cover and is totally obscured from the B7024. In actual fact therefore, the proposals will have virtually no visual impact.

Under these circumstances, their description as '*significantly detrimental*' is therefore puzzling, especially since the Report of Handling provides no information as to how this assertion might be substantiated.

- (ii) *is incongruous with the existing landscape area by reason of:*
- *form*
  - *scale*
  - *siting*

Interpreted literally, incongruous means not in harmony with the surroundings. The immediate context is a yard area used for parking and the proposals would sit at the north-west end of this. As previously stated, the location is largely hidden from view by a combination of topography and virtually surrounding mature and developing tree cover. The building does not reveal itself until you are within close proximity, as the experience of visiting via the main access into the site would confirm.

In terms of form, the structure is a straightforward rectangular structure not uncommon in rural areas, and is therefore simple in form. While relatively large, but not uncommonly so in rural areas. Size is dictated by its intended use but its siting means that hidden from view, as it is for

the most part, it does not appear incongruous within the existing landscape.

The proposals might be visible from the air but, otherwise, the potential for them to be spotted, unless you are actually visiting the site, is virtually zero.

(iii) *adversely affect the character of the rural locality*

As highlighted earlier in this Statement, it is universally agreed that the matter of **visibility** is a significant material consideration when attempting to measure impact on **character** and we have concluded earlier that the **level of concealment** will be very high in this case.

That said, while the Report of Handling refers to 'character' of the rural 'locality', there is no attempt to define what either character or locality means in this case.

While the broad context is technically rural, what we have is, in effect, a cluster of three dwellings with other 'outhouses' of differing scale, all in relatively close proximity, including the storage shed for a 'contracting business', Planning Application Ref No 16/01198/APP, granted consent on 18 April 2017, while smaller than the current proposals, certainly more visible and different in form and scale from Glen Imm and which now coincidentally is used for accommodating the current owners' collection of vintage tractors.

**Conclusion**

In conclusion to Reason for Refusal 1, in our opinion the Planning Service, having taken an essentially desk-top approach to an assessment and therefore, especially in the absence of a site visit, has not provided sufficient

robust evidence to underpin the reason for refusal and that the actual evidence confirms that the proposals would not be at variance with the requirements of the policies of LDP2 as listed. Indeed, this has been typical of the approach taken by them to previous planning applications at this location.

### **Reason for Refusal 2**

*That the proposal is contrary to the provisions of South Ayrshire Council's Planning Guidance 'Rural Housing' and Supplementary Planning Guidance on 'House Alterations and Extensions' as the garage, by reason of its siting, scale and form, does not appear to be ancillary to the main dwellinghouse.*

### **Response**

The Planning Service has concluded that the proposals are contrary to policy because *'by reason of its siting, scale and form, does not appear to be ancillary to the main dwellinghouse'*.

The matters of siting, scale and form have been dealt with in response to Reason for Refusal 1. The focus here therefore will be on the matter of not appearing to be ancillary to the main dwellinghouse.

The word 'garage' has, according to the New Oxford Dictionary of English, a number of meanings but among these is that it is 'a building for the housing of a motor vehicle or vehicles'.

The proposals would, indeed, by providing accommodation for vehicles, i.e. those that are the hobby of one of the Applicants, satisfy the requirements of this definition. Interestingly, while policy as worded in Guidance: Rural Housing reflects a concern for matters of design and physical relationship, it ignores the fact that, in the vast majority of cases, garage space is ultimately

used either as effectively – although physically separated – extensions to kitchens, where freezers and tumble dryers are located, or for general household storage! Cars are more often than not left outside!

The choice of location has been dictated by several considerations described elsewhere which, while on the one hand, have had obvious benefits in relation to any possible visual impact, have made ‘immediately adjacent’ not possible. Taking all factors into account in this regard, it is therefore the most obvious location in our opinion.

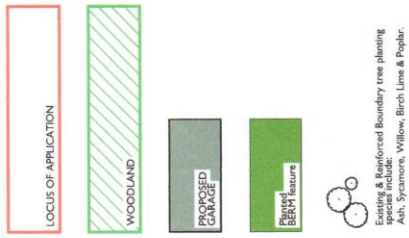
While not immediately adjacent, the proposed building will certainly be ancillary to Blairston House in terms of its use. The proposals are to house the Applicants’ hobby and would not otherwise exist but for this requirement.

The new garage would be 19m, measured horizontally from Blairston House but the degree of physical separation is relatively small and would be remedied, in part, by a simple connecting path and stair access, as shown in Drawing No 1211-04 (14.5m when measured horizontally from an outbuilding containing the dwellinghouse heating system) and, although not part of the application, the intention would be to make a more direct access.

**As Drawing No 1211-01 confirms, the proposed building sits comfortably within the grouping formed by Blairston House, Maryland Cottage, Glen Imm and their associated outhouses.**



# Site Location/Block Plan – Drawing No 1211-04



revision	date

### Planning Application

applicant: Mr & Mrs John Scott Blairton, High Maybole Road, Alloway, Ayr KA7 4EF
proposed Phase Change to: Blairton, High Maybole Road, Alloway, Ayr KA7 4EF
drawing title: Site Location/ Block Plan



Paul Gill architectural services  
19 moor park prytwick la7 2hj  
tel: 01293 411607  
mobile 078 278826  
e: paul.gill@outlook.com

scale: 1:1250 (A3)	date: 01/11/2022
drawing number: <b>1211-04</b>	revision:

In conclusion to Reason for Refusal 2, we agree that the proposed Garage is not a typical example of the preferred 'outcome' described in Planning Guidance: Rural Housing. We maintain, nevertheless, that this is a Garage and that its ancillary role to Blairston House has been confirmed, i.e. to provide accommodation for the Applicants' hobby.

Topography has made it impossible to locate the Garage immediately adjacent to Blairston House but the degree of physical separation is relatively small and would be remedied, in part, by the stair shown on Drawing No 1211-04. As Planning Application Drawing No 1211-12 partly confirms, it would sit comfortably below the skyline within the group of buildings formed by Blairston House, Maryland Cottage, Glen Imm and their associated outbuildings.

### **Reason for Refusal 3**

*That the proposed development is contrary to the provisions of the South Ayrshire Local Development Plan 2 by reason that it does not accord with LDP 2 policy: Greenbelt - insofar that it is neither of a suitable scale and form and the necessity and appropriateness of the proposed development with this greenbelt site is found to be unestablished and lacking with respect to the criteria of LDP 2 Policy: Greenbelt.*

### **Response**

The cornerstone of the Planning Service's reasons for refusal has been that, according to the service, the site is located within the Greenbelt. Using information from the publicly available interactive map via LDP2 Proposals Map(s), we have concluded that the site is not, in fact, within the greenbelt. Strictly speaking therefore, Reason for Refusal 3 appears to be invalid.

While we are therefore disputing the greenbelt status of the site, we are, nevertheless, presenting below a response to the details of the Planning Service's position.

The proposals are deemed to be contrary to the provisions of LDP2 Policy: Greenbelt insofar as they are:

- *neither of a suitable scale*
- *nor form*
- *and appropriateness*

The matters of scale and form have, at the detailed level, been dealt with earlier. This reason for refusal, however, suggests also that the proposals would be neither of a suitable scale nor form and therefore, in some way, untypical within the context of the Greenbelt as a whole.

The proposals are to accommodate the hobby of one of the Applicants in what he considers to be within the boundaries of his garden. **It is our understanding that the guidance provided by Guidance: Rural Housing, as the title indicates, includes no detailed guidance in relation to non-agricultural uses in the countryside, e.g. in matters of scale, design, massing/materials.** Proposals for Agricultural and Forestry buildings, as members will be aware, will otherwise travel via the Permitted Development Order route.

Via PAN 39: Farm and Forestry Buildings, the Scottish Government provides advice re best practice in relation to siting and design.

The South Ayrshire greenbelt, as LRB members will also be aware, contains significant agricultural areas and, as a result, a wide range of farm buildings by size, shape and materials.

**Buildings much larger in scale than the proposals will be found in the greenbelt.** In relation to 'form', the building would, in common with the overwhelming majority of buildings in the countryside/greenbelt, be **rectangular in form.** **We therefore do not concur with the assertion made that the proposals are 'neither of a suitable scale and form'.**

In our opinion, we have demonstrated that this is not an excessively large building in its context. The choice of location has ensured that any impact will be limited, both in relation to the Countryside/Greenbelt as a whole and, importantly, the immediate locality.

In relation to '*appropriateness*', this word does not appear in the text of the policy. The greenbelt accommodates a number of domestic properties that are purely houses with gardens and have no association with agriculture or other rural activities/pursuits. Most development associated with them will likely be Permitted Development **but sometimes to accommodate hobbies,** although LDP2 policy is not clear on the policy status of houses and their gardens in the countryside.

In this regard, the proposed use is located within the garden of Blairston House and is entirely one that is ancillary to the main dwelling and can, in fact, be viewed as incidental. The consequences for Greenbelt policy are therefore, in our opinion, to be zero.

### **Conclusion**

The greenbelt accommodates a number of houses and their garden – a matter that is not entirely recognised by policy. The policy states that the Council will only support development within the greenbelt if it is of a high design quality and suitable scale and form. No further guidance is, however, given as to the meaning of 'high quality design'. The South Ayrshire

Greenbelt, as LRB members will readily be aware, accommodates many buildings that would not satisfy these requirements!

In the final analysis, the proposals, like the vast majority of them, are rectangular in form. Otherwise, and unlike others, in relation to the walls, the materials used are of a domestic quality and have been chosen to reflect the appearance of Blairston House and Maryland Cottage. Treated on its individual merits, the proposals are seen not to offend the requirements of policy – either at the strategic or the more local levels.

LDP2 does not otherwise include a general policy for countryside. Reasons for Refusal 1 and 2 are therefore based on considerations relating to the details of the proposals and the location, and our response is shown above.

Outwith the greenbelt, Blairston House, Maryland Cottage and Glen Imm can be confirmed as a cluster for policy purposes.

#### **National Planning Framework 4 (NPF4)**

The policies of NPF4 became part of the Development Plan on 13 February 2023. At the time of writing, we have no information as to how NPF4, Policy 8 – Greenbelt will impact on LDP2, Policy 2 – Greenbelt.

As previously stated, we are of the opinion that the site is not in the Greenbelt. That said, as an interim position, we would maintain that the primary objectives of NPF4, Policy 8, have not altered the Council's primary policy objectives in that, while Greenbelt designation is not in place to prevent development from happening, and while identifying supportable uses, the important consideration is that any proposed development does not undermine the core role and function of the Greenbelt and, in particular, the intended Policy Outcomes of NPF4, Policy 8. Otherwise, we have consistently maintained that the proposals do not represent unsustainable

growth, will not impact negatively on the character, landscape and natural setting and identity of settlements, nor on nature networks and land managed to help tackle climate change.

## 6.0 CONCLUSIONS

- Members of the LRB will be aware that Section 25 of the Town and Country Planning (Scotland) Act 1997 requires that decisions are made in accordance with the Development Plan unless material considerations indicate otherwise and
- that each application should be assessed/treated by the planning authority on its own individual merits and, as reconfirmed by the Scottish Government's Chief Planner in her letter to Councils dated 9 March 2023, albeit in reference to the Transitional Arrangements for National Planning, who states: *'Application of planning judgement to the circumstances of an individual situation remains essential to all decision-making, informed by principles of proportionality and reasonableness'*.

While this statement was made in the context of particular circumstances, its general applicability must surely be valid?

- Material considerations are not given a statutory definition, although a number of them can be identified either directly or indirectly from statute or from government policy statements. Otherwise, it has been left to the courts to develop the meaning of the term. So much depends on the individual circumstances of each case.

Ones that are, however, relevant in this case, and, in this, we are in agreement with the Planning Service, identification of those in the Report of Handling include:

- the environmental impact of the proposals
- the design of the proposed development and its relationship to its surroundings – impact on the locality
- impact on amenity,

to which we would add:

- personal circumstances
- the Report of Handling, while also identifying most of them as being material, concludes, however, that the proposals do not successfully address these matters and are, as a consequence, contrary to the requirements of the Development Plan.

We, of course, beg to differ and the reasons for this are set out in detail in the Statement of Support which formed part of Planning Application No 22/01048/APP and also in this document.

- The cornerstone of the Planning Service's reasons for refusal has been that, according to the Service, the site is located within the Greenbelt. Using information from the publicly available interactive map via LDP2 Proposals Map(s), we have concluded that the site is not, in fact, within the greenbelt. Strictly speaking therefore, Reason for Refusal 3 appears to be invalid.
- Based on the evidence presented in these reports:
  - **In relation to Reason for Refusal 1**, in our opinion, the Planning Service, having taken an essentially 'desk-top' approach to an assessment and therefore, especially in the absence of a site visit, has not delivered sufficiently robust evidence to underpin this reason for refusal and that the actual evidence confirms that the proposals, as a review of mutually agreed material considerations concludes, would not be at variance with the requirements of the listed policies of LDP2 and would:
    - not have a 'significant' detrimental visual impact
    - not appear incongruous within the landscape area
    - by reason of its form, scale and setting, adversely affect the character of the rural locality



- **In relation to Reason for Refusal 2**, while we would agree that the proposed Garage is not a typical example of the preferred 'outcome' described in Planning Guidance: Rural Housing, we maintain, nevertheless, that this is a Garage and that its ancillary role to Blairston House has been confirmed, i.e. to provide accommodation for the Applicants' hobby.

Topography has made it impossible to locate the Garage immediately adjacent to Blairston House but the degree of physical separation is relatively small and would be remedied by a simple connecting path and stair access.

As Planning Application Drawing No 1211-12 confirms, the proposed Garage would sit comfortably below the skyline and within the group of buildings formed by Blairston House, Maryland Cottage, Glen Imm and their associated outbuildings.

- **In relation to the Reason for Refusal 3**. While we are disputing the Greenbelt status of this location, the following comment has been retained. The greenbelt accommodates a number of houses and their gardens – a matter that is not entirely recognised by policy. The policy states that the Council will only support development within the greenbelt if it is of a high design quality and a suitable scale and form. No further guidance is, however, given as to the meaning of 'high design quality'. The South Ayrshire Greenbelt, as LRB members will readily be aware, accommodates many buildings that would not satisfy these requirements!

In the final analysis, the proposals, like the vast majority of them, are rectangular in form. Otherwise, and unlike others, in relation to the walls, the materials used are of a domestic quality and have

been chosen to reflect the appearance of Blairston House and Maryland Cottage. Treated on its individual merits, the proposals are seen not to offend the requirements of policy – either at the strategic or the more local levels.

- LDP2 does not otherwise include a general policy for countryside. Reasons for Refusal 1 and 2 are therefore based on considerations relating to the details of the proposals and the location, and our response is shown above

Outwith the greenbelt, Blairston House, Maryland Cottage and Glen Imm can be confirmed as a cluster for policy purposes.

**APPENDIX TO ACCOMPANY  
STATEMENT IN SUPPORT**

**PHOTOGRAPHS, ETC OF THOSE  
VEHICLES TO BE HOUSED**

**ON BEHALF OF  
MR AND MRS JOHN SCOTT,  
BLAIRSTON HOUSE, AYR, KA7 4EF**

Appendix to Accompany Statement in Support of Planning Application for the  
Erection of Private Domestic Garage on Land at Blairston House, Ayr,  
KA7 4EF

Prepared for: Mr and Mrs John Scott

## Membership Card

Historic Commercial Vehicle Society

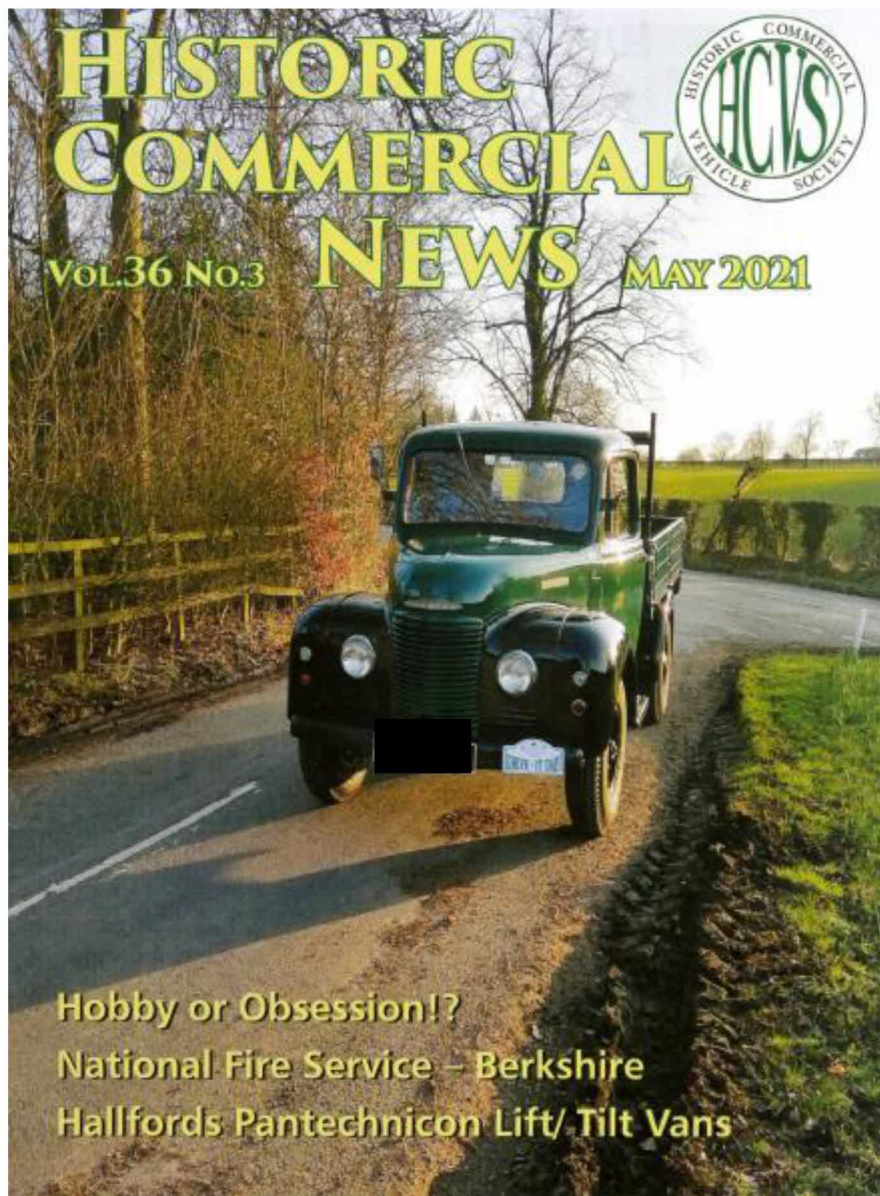
To promote the study and preservation of  
**Historic Commercial Vehicles**

Expiry Date 31st October 2021

Registered Charity No.271123  
Incorporated in England & Wales No.1241335

Name: John Scott

Membership No: 15916



**Appendix to Accompany Statement in Support of Planning Application for the  
Erection of Private Domestic Garage on Land at Blairston House, Ayr,  
KA7 4EF**

**Prepared for: Mr and Mrs John Scott**

---



*It was 20 years ago, back in June 2001, when I photographed this Thornycroft lorry parked in the Aberdeenshire village of Rhynie. It was taking part in the annual commercial vehicle road run where Rhynie was a morning stop before the vehicles tackled the hills and wild country of the Cabrach. It is good to see it was then owned by an HCVS member, though it was for sale at the time.*  
**Brian Gooding**



Appendix to Accompany Statement in Support of Planning Application for the  
Erection of Private Domestic Garage on Land at Blairston House, Ayr,  
KA7 4EF

Prepared for: Mr and Mrs John Scott

---



**Appendix to Accompany Statement in Support of Planning Application for the  
Erection of Private Domestic Garage on Land at Blairston House, Ayr,  
KA7 4EF**

**Prepared for: Mr and Mrs John Scott**

---





County Buildings Wellington Square Ayr KA7 1DR Tel: 01292 616 107 Email: [planning.development@south-ayrshire.gov.uk](mailto: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 100609614-001

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)

Erection of Private Garage

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

No  Yes - Started  Yes - Completed

## Applicant or Agent Details

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

Applicant  Agent



## Agent Details

Please enter Agent details

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

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

Individual  Organisation/Corporate entity

## Applicant Details

Please enter Applicant details

Title:	Other	You must enter a Building Name or Number, or both: *	
Other Title:	Mr & Mrs	Building Name:	Blairston
First Name: *	John	Building Number:	<input type="text"/>
Last Name: *	Scott	Address 1 (Street): *	High Maybole Road
Company/Organisation	<input type="text"/>	Address 2:	<input type="text"/>
Telephone Number: *	<input type="text"/>	Town/City: *	Ayr
Extension Number:	<input type="text"/>	Country: *	Scotland
Mobile Number:	<input type="text"/>	Postcode: *	KA7 4NR
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text"/>		

## Site Address Details

Planning Authority:

South Ayrshire Council

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

Address 1:

BLAIRSTON

Address 2:

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

AYR

Post Code:

KA7 4EF

Please identify/describe the location of the site or sites

Northing

616715

Easting

233003

## 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: Paul Sisi

On behalf of: Mr & Mrs John Scott

Date: 06/12/2022

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: Mr Paul Sisi

Declaration Date: 06/12/2022

## Payment Details

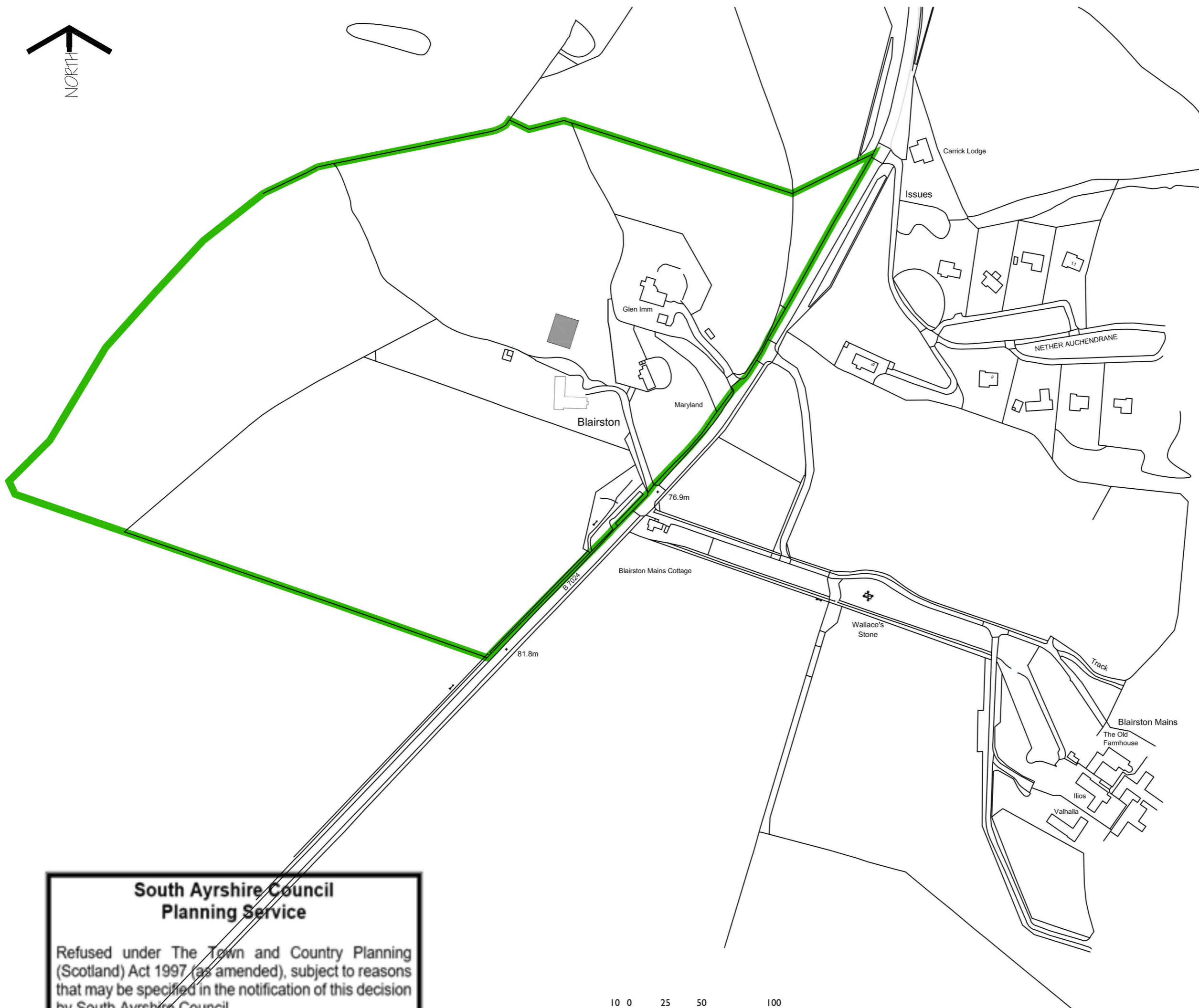


Created: 15/12/2022 11:35



IMMEDIATE LOCAL CONTEXT

PROPOSED GARAGE



revision	date

### Planning Application

applicant:  
**Mr & Mrs John Scott**  
 Blairston, High Maybole Road, Alloway, Ayr KA7 4EF

project:  
 Proposed Private Garage at:  
 Blairston, High Maybole Road, Alloway, Ayr KA7 4EF

drawing title:  
**Immediate Local Context**

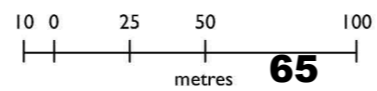
paul sisi architectural services  
 19 moor park prestwick ka9 2nj

tel: 01292 471607  
 mob: 07812778826  
 e: paul.sisi@outlook.com



**South Ayrshire Council  
 Planning Service**

Refused under The Town and Country Planning (Scotland) Act 1997 (as amended), subject to reasons that may be specified in the notification of this decision by South Ayrshire Council.

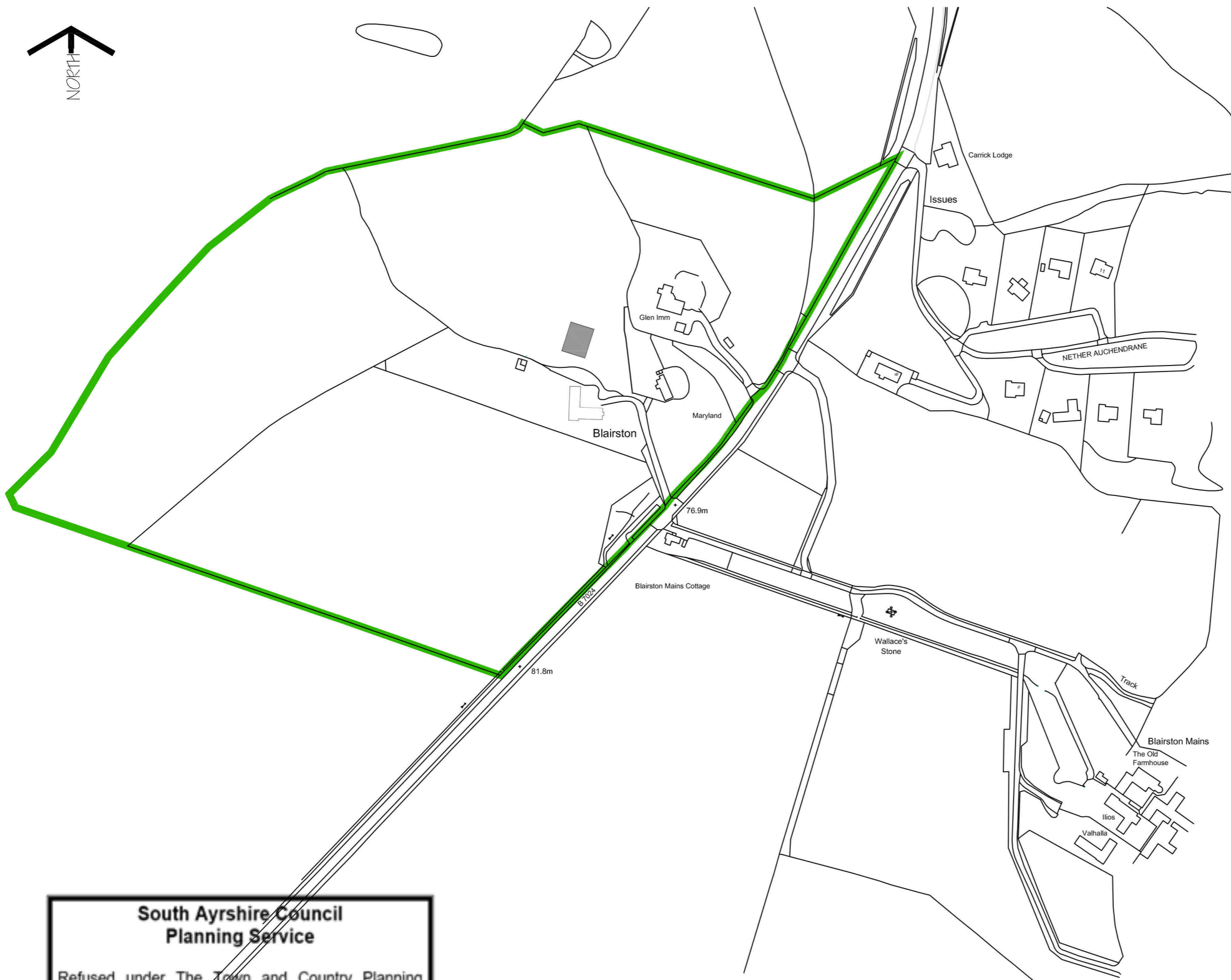


scale: 1:2500 (A3)	date: 01/11/2022
drawing number: <b>1211-02</b>	revision: .



IMMEDIATE LOCAL CONTEXT

PROPOSED GARAGE



revision	date

### Planning Application

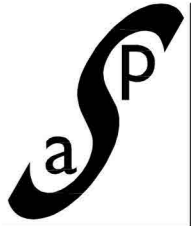
applicant:  
**Mr & Mrs John Scott**  
 Blairston, High Maybole Road, Alloway, Ayr KA7 4EF

project:  
 Proposed Private Garage at:  
 Blairston, High Maybole Road, Alloway, Ayr KA7 4EF

drawing title:  
**Immediate Local Context**

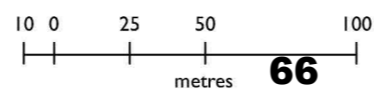
paul sisi architectural services  
 19 moor park prestwick ka9 2nj

tel: 01292 471607  
 mob: 07812778826  
 e: paul.sisi@outlook.com



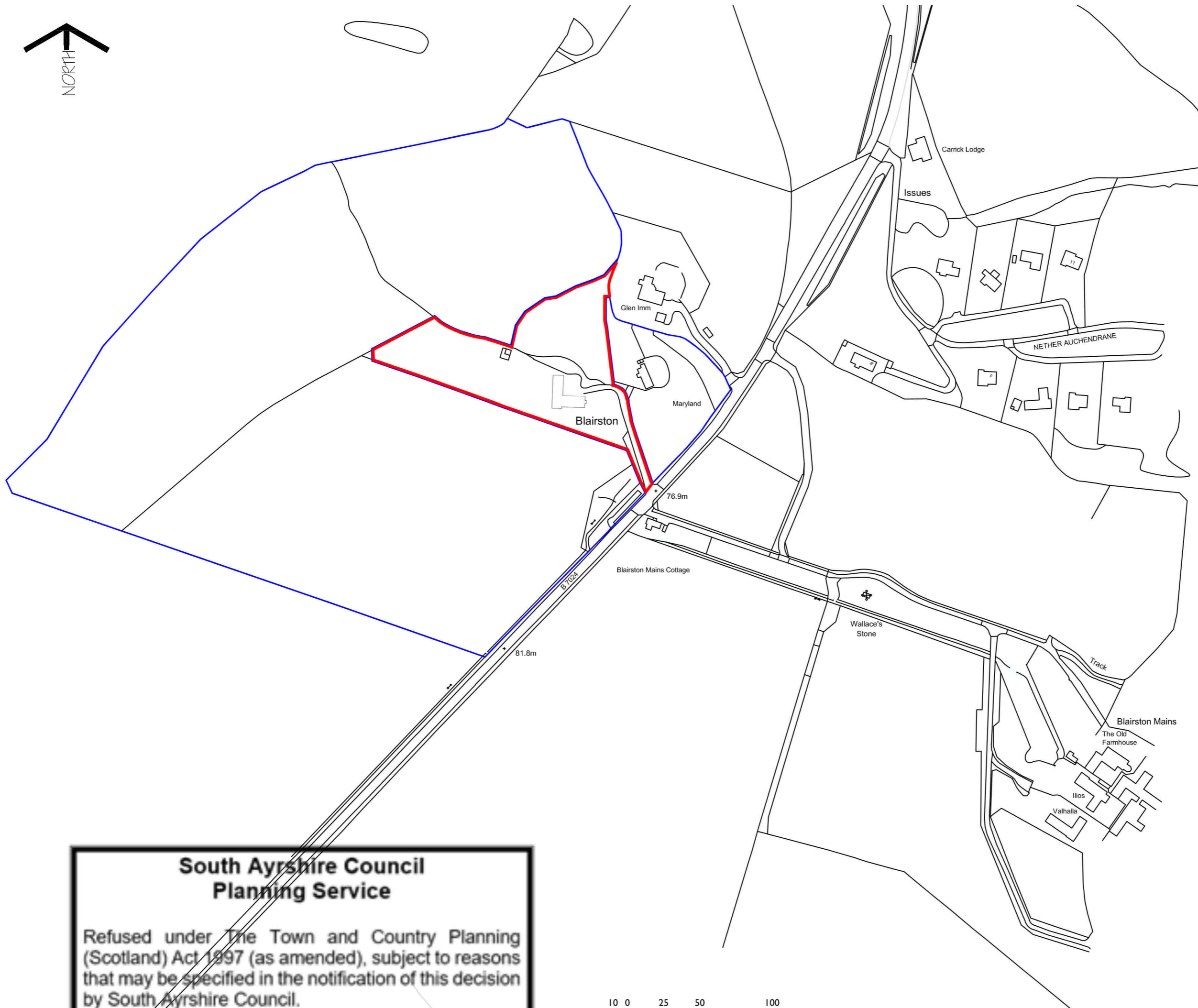
**South Ayrshire Council  
 Planning Service**

Refused under The Town and Country Planning (Scotland) Act 1997 (as amended), subject to reasons that may be specified in the notification of this decision by South Ayrshire Council.



scale: 1:2500 (A3)	date: 01/11/2022
drawing number: <b>1211-02</b>	revision: .





LOCUS OF APPLICATION

OTHER LAND IN OWNERSHIP OF APPLICANT

revision	date

### Planning Application

applicant:  
**Mr & Mrs John Scott**  
 Blairston, High Maybole Road, Alloway, Ayr KA7 4EF

project:  
 Proposed Private Garage at:  
 Blairston, High Maybole Road, Alloway, Ayr KA7 4EF

drawing title:  
**Area  
 Location Plan**

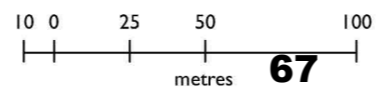
paul sisi architectural services  
 19 moor park prestwick ka9 2nj

tel: 01292 471607  
 mob: 07812778826  
 e: paul.sisi@outlook.com



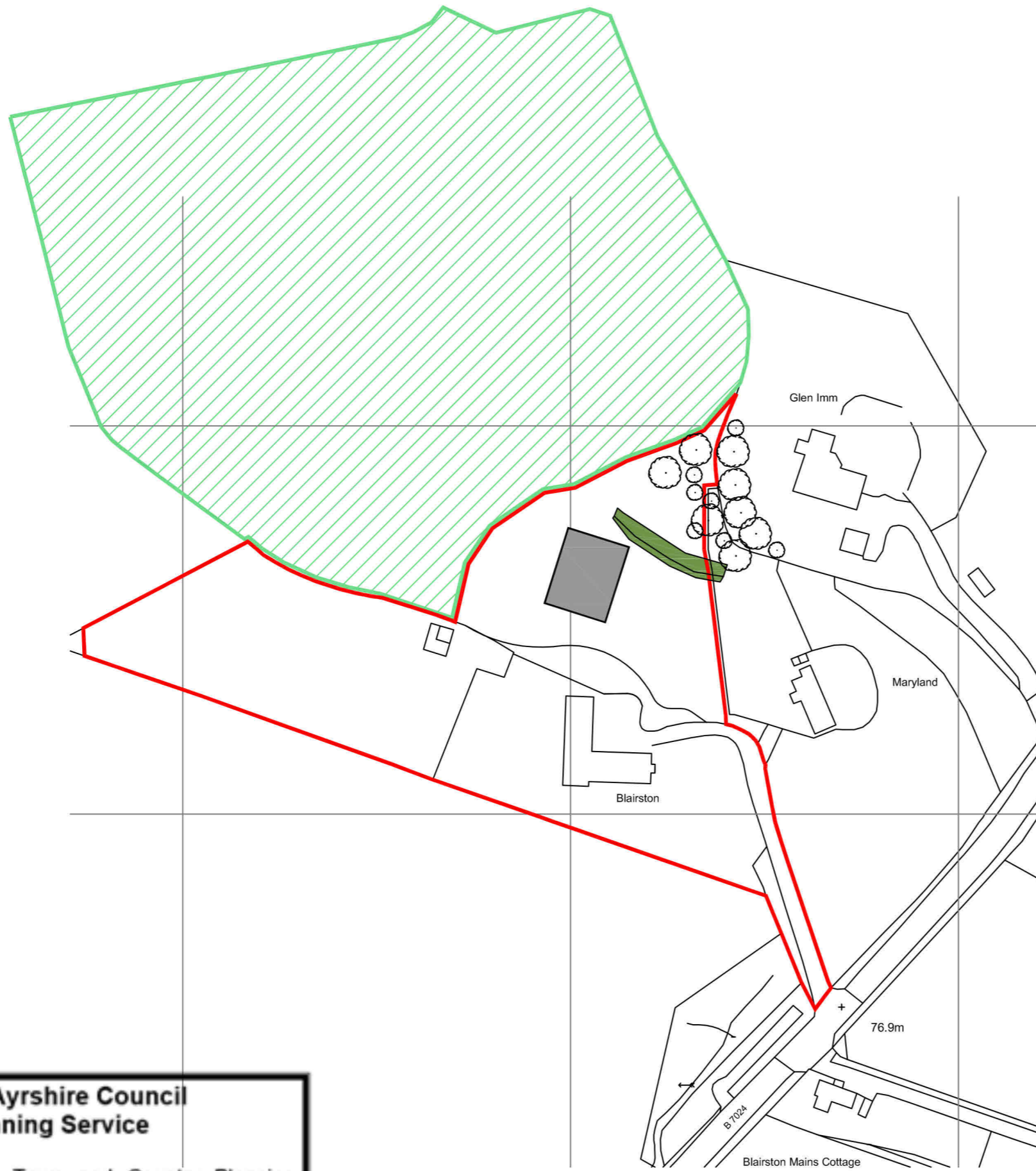
**South Ayrshire Council  
 Planning Service**

Refused under The Town and Country Planning (Scotland) Act 1997 (as amended), subject to reasons that may be specified in the notification of this decision by South Ayrshire Council.



scale: 1:2500 (A3)	date: 01/11/2022
drawing number: <b>1211-01</b>	revision: .



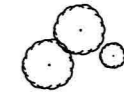


LOCUS OF APPLICATION

WOODLAND

PROPOSED GARAGE

Planted BERM feature



Existing & Reinforced Boundary tree planting species include:  
Ash, Sycamore, Willow, Birch Lime & Poplar.

revision	date
----------	------

**Planning Application**

applicant:  
Mr & Mrs John Scott  
Blairston, High Maybole Road, Alloway, Ayr KA7 4EF

project:  
Proposed Private Garage at:  
Blairston, High Maybole Road, Alloway, Ayr KA7 4EF

drawing title:  
Site Location/ Block Plan

paul sisi architectural services  
19 moor park prestwick ka9 2nj

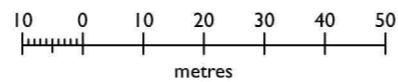
tel: 01292 471607  
mob: 07812778826  
e: paul.sisi@outlook.com



scale: 1:1250 (A3)	date: 01/11/2022
drawing number: <b>1211-04</b>	revision: .

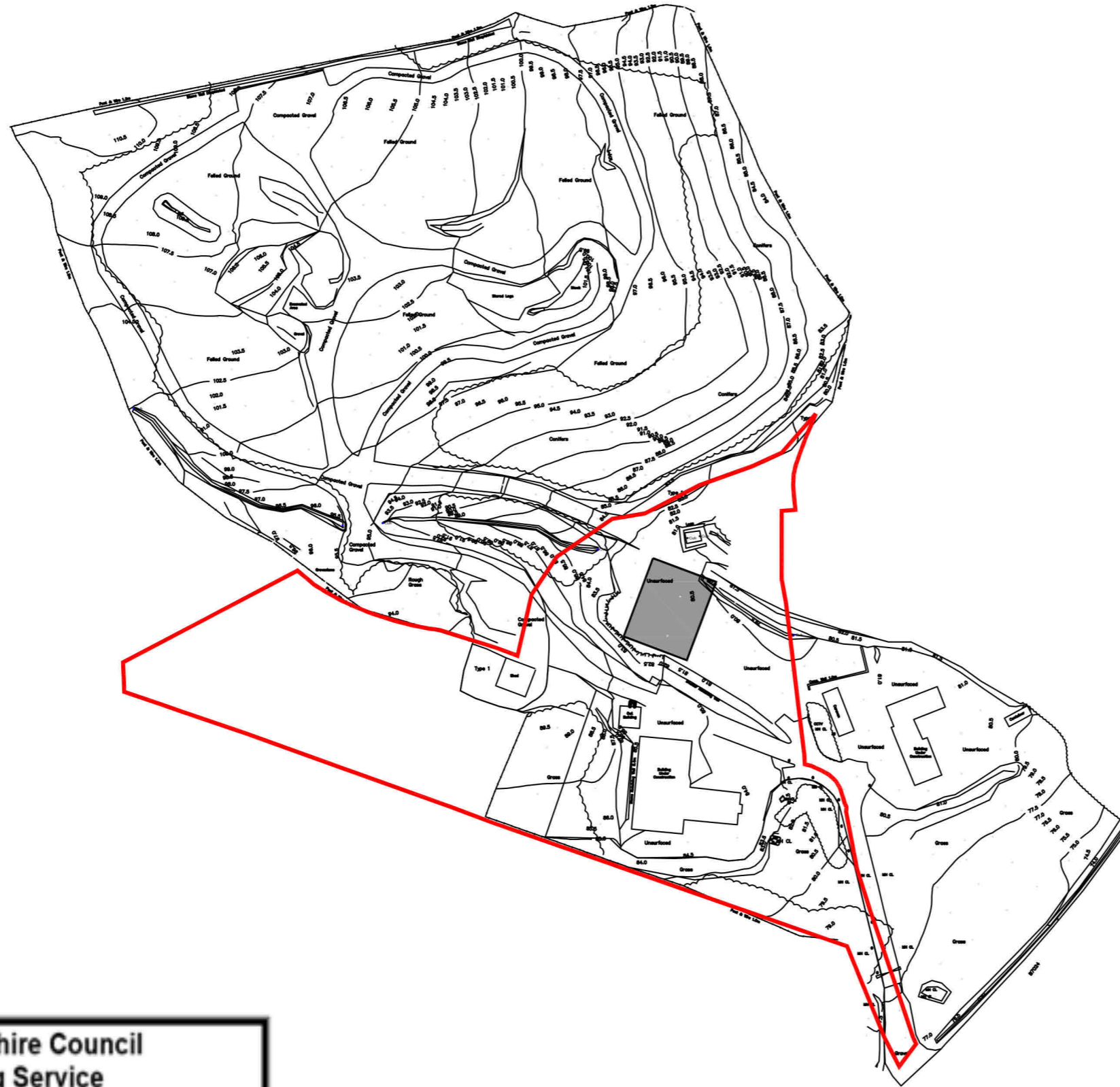
**South Ayrshire Council  
Planning Service**

Refused under The Town and Country Planning (Scotland) Act 1997 (as amended), subject to reasons that may be specified in the notification of this decision by South Ayrshire Council.



LOCUS OF APPLICATION

PROPOSED GARAGE



revision	date

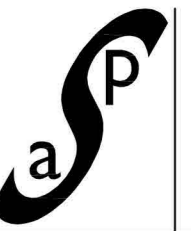
### Planning Application

applicant:  
Mr & Mrs John Scott  
Blairston, High Maybole Road, Alloway, Ayr KA7 4EF

project:  
Proposed Private Garage at:  
Blairston, High Maybole Road, Alloway, Ayr KA7 4EF

drawing title:  
Topographic extract with extent of proposals  
Superimposed

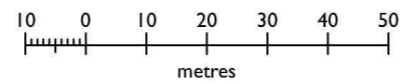
paul sisi architectural services  
19 moor park prestwick ka9 2nj  
tel: 01292 471607  
mob: 07812778826  
e: paul.sisi@outlook.com



scale: 1:1250 (A3)	date: 01/11/2022
drawing number: 1211-05	revision: .

### South Ayrshire Council Planning Service

Refused under The Town and Country Planning (Scotland) Act 1997 (as amended), subject to reasons that may be specified in the notification of this decision by South Ayrshire Council.





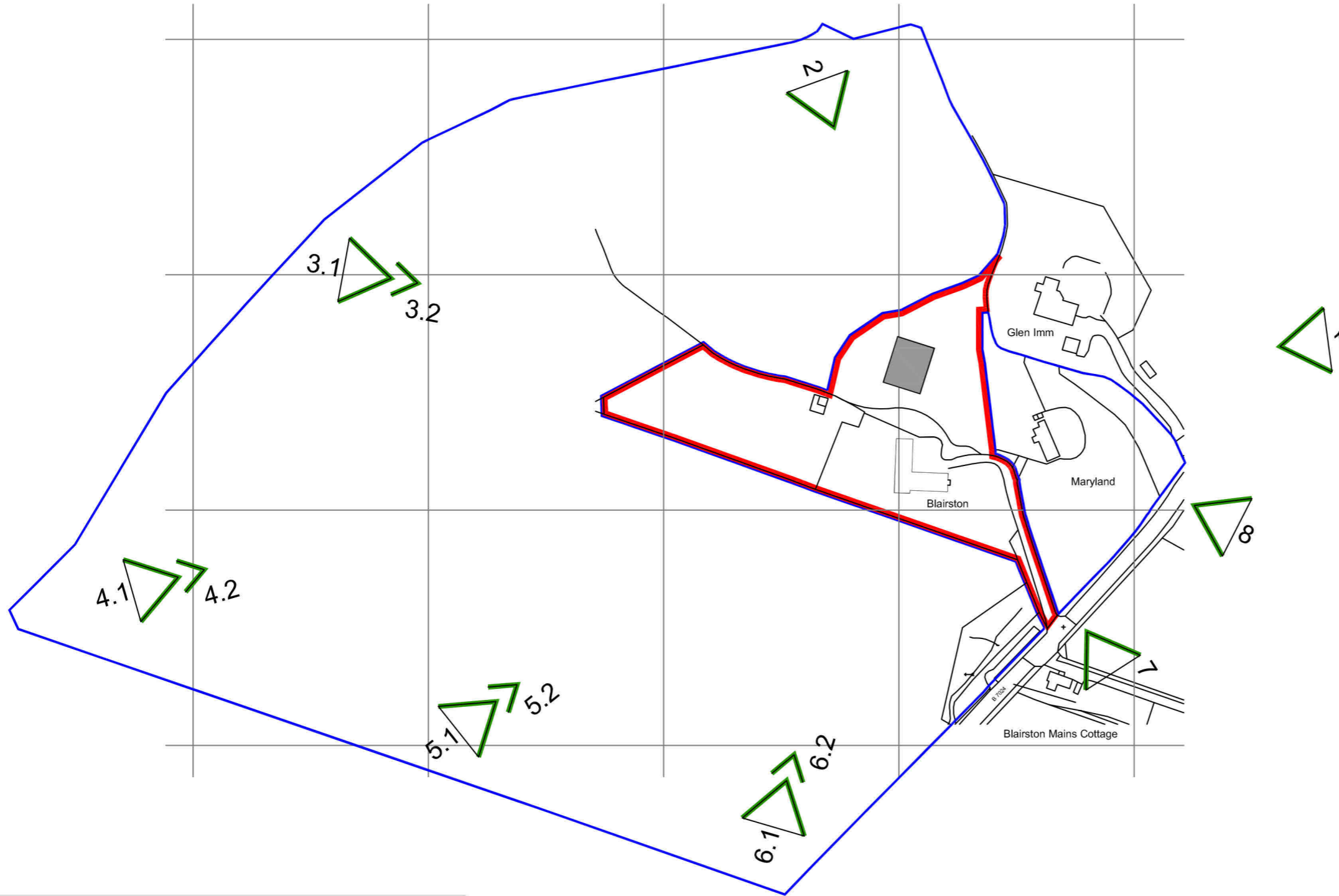


LOCUS OF APPLICATION

OTHER LAND IN OWNERSHIP OF APPLICANT

PROPOSED GARAGE

X.X PHOTOGRAPH VIEWPOINT



revision	date

**Planning Application**

applicant:  
**Mr & Mrs John Scott**  
 Blairston, High Maybole Road, Alloway, Ayr KA7 4EF

project:  
 Proposed Private Garage at:  
 Blairston, High Maybole Road, Alloway, Ayr KA7 4EF

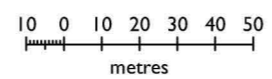
drawing title:  
**Photograph Viewpoints**

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



**South Ayrshire Council  
 Planning Service**

Refused under The Town and Country Planning (Scotland) Act 1997 (as amended), subject to reasons that may be specified in the notification of this decision by South Ayrshire Council.

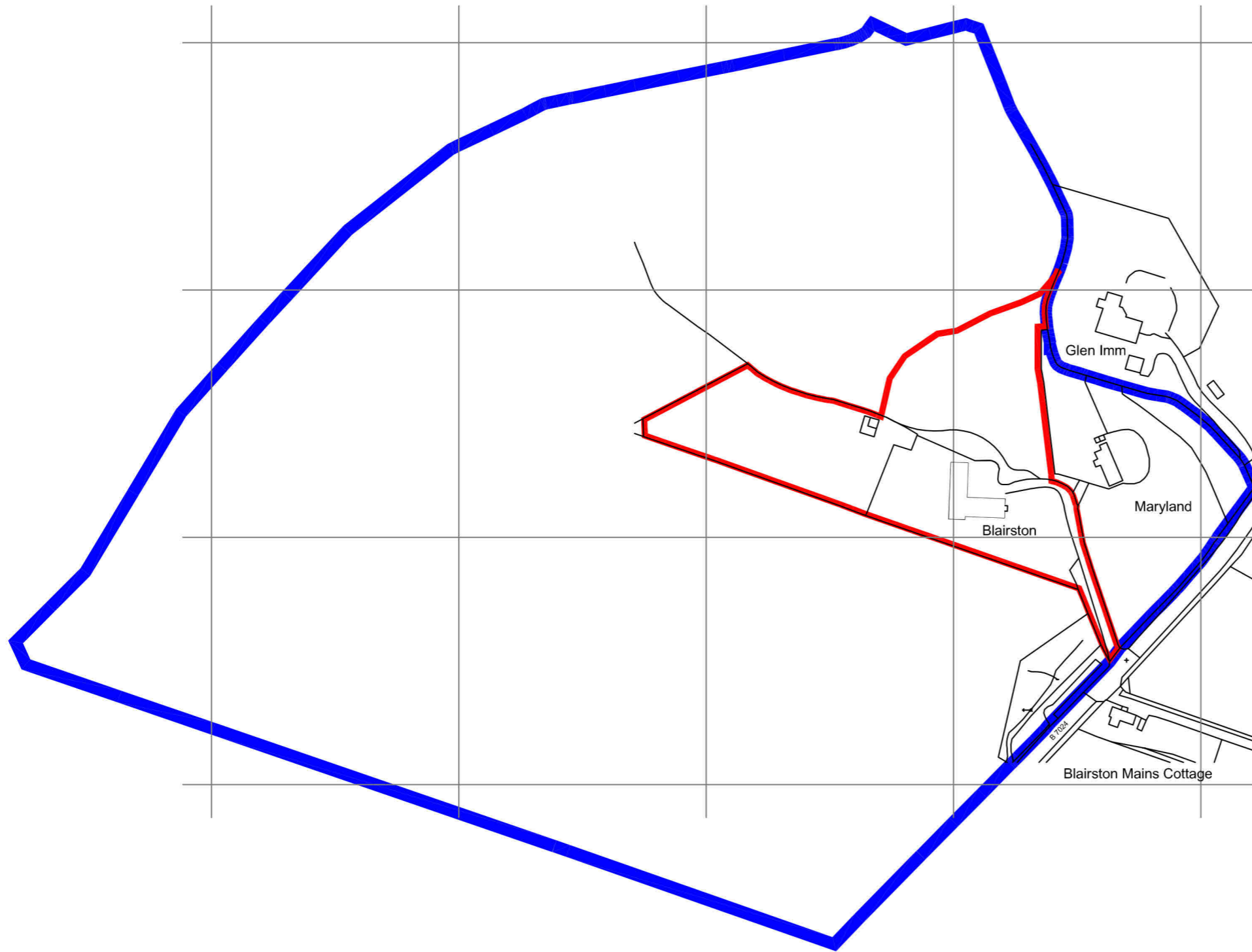


scale: 1:2000 (A3)	date: 07/11/2022
drawing number: <b>1211-10</b>	revision: .



ALL LAND IN OWNERSHIP OF APPLICANT

LOCUS OF APPLICATION



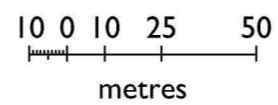
**South Ayrshire Council  
Planning Service**  
Refused under The Town and Country Planning (Scotland) Act 1997 (as amended), subject to reasons that may be specified in the notification of this decision by South Ayrshire Council.

.	.
revision	date

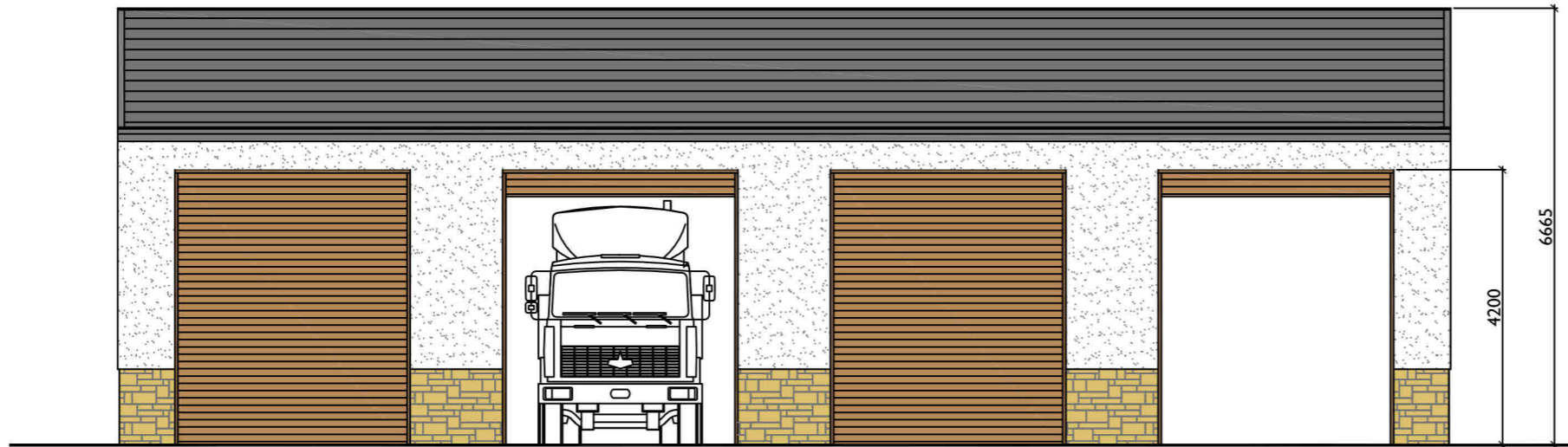
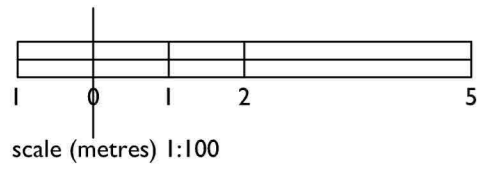
**Planning Application**

applicant: Mr & Mrs John Scott Blairston, High Maybole Road, Alloway, Ayr KA7 4EF
project: Proposed Private Garage at: Blairston, High Maybole Road, Alloway, Ayr KA7 4EF
drawing title: Block Plan Showing All Land in Ownership of the Applicant

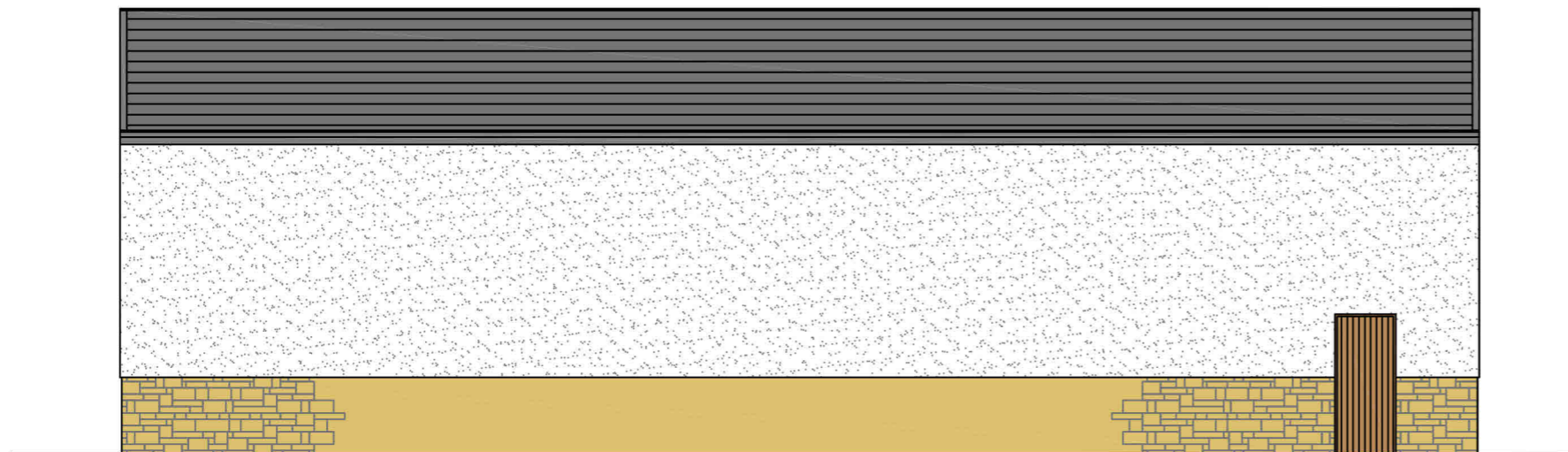
paul sisi architectural services  
19 moor park prestwick ka9 2nj  
tel: 01292 471607  
mob: 07812778826  
e: paul.sisi@outlook.com



scale: 1:2000 (A3)	date: 01/11/2022
drawing number: 1211-03	revision: .



SOUTH EAST ELEVATION



NORTH WEST ELEVATION

**South Ayrshire Council  
Planning Service**

Refused under The Town and Country Planning (Scotland) Act 1997 (as amended), subject to reasons that may be specified in the notification of this decision by South Ayrshire Council.

revision	date
----------	------

**Planning Application**

client:  
Mr & Mrs John Scott  
Blairston, High Maybole Road, Alloway, Ayr KA7 4EF

project:  
Proposed Private Garage at:  
Blairston, High Maybole Road, Alloway, Ayr KA7 4EF

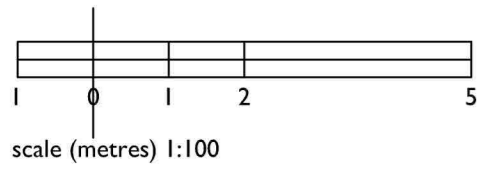
drawing title:  
As Proposed  
Elevations (sheet 1 of 2)

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



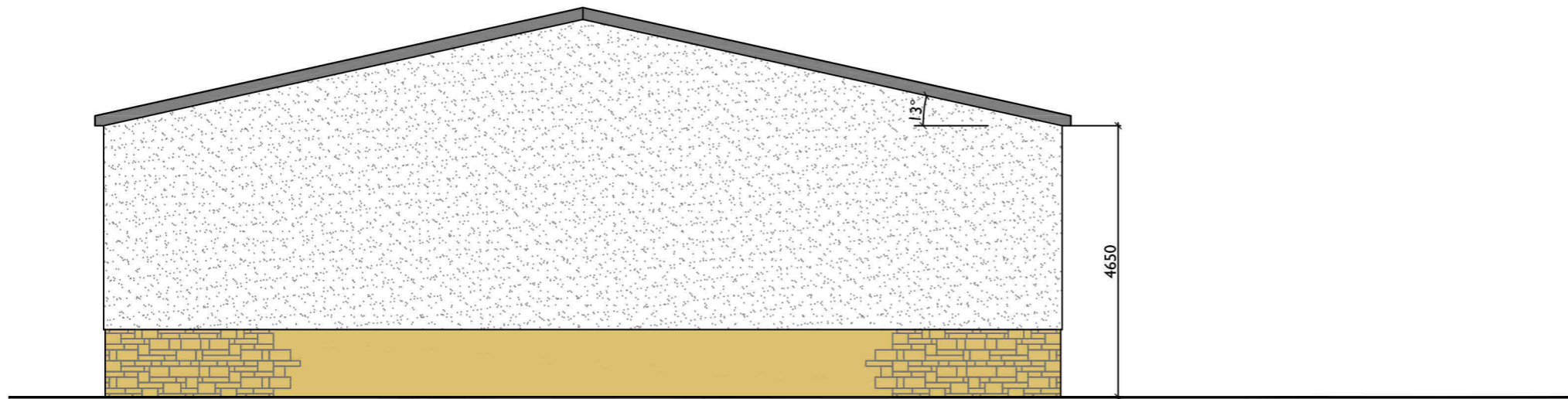
scale: 1:100 (A3)	date: 01/11/2022
drawing number: 1211-08	revision:



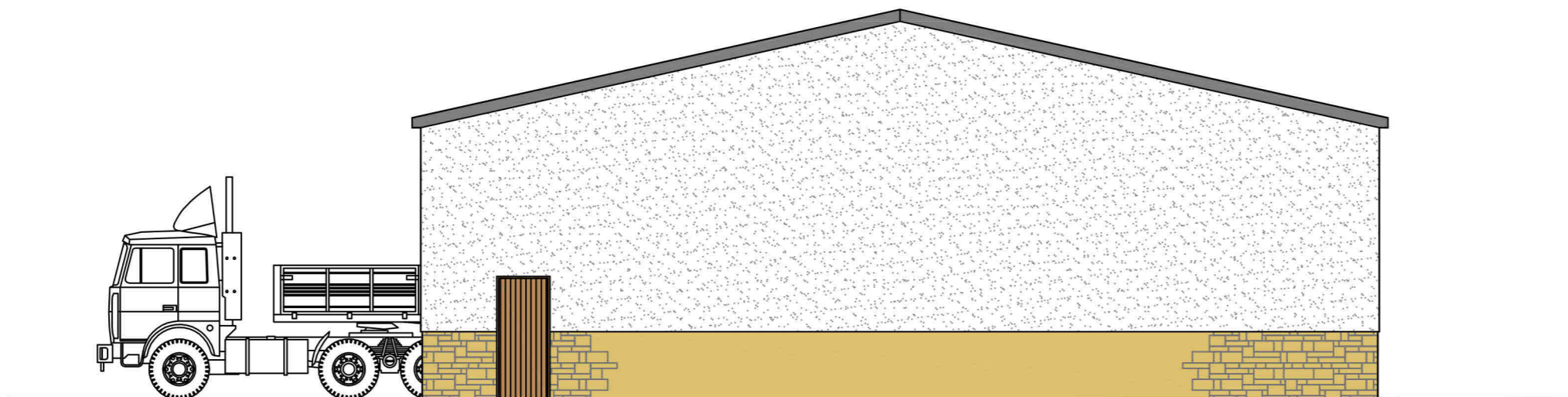


**South Ayrshire Council  
Planning Service**

Refused under The Town and Country Planning (Scotland) Act 1997 (as amended), subject to reasons that may be specified in the notification of this decision by South Ayrshire Council.



**NORTH EAST ELEVATION**



**SOUTH WEST ELEVATION**

revision	date

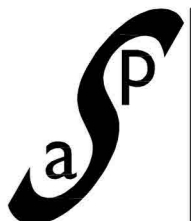
**Planning Application**

client:  
Mr & Mrs John Scott  
Blairston, High Maybole Road, Alloway, Ayr KA7 4EF

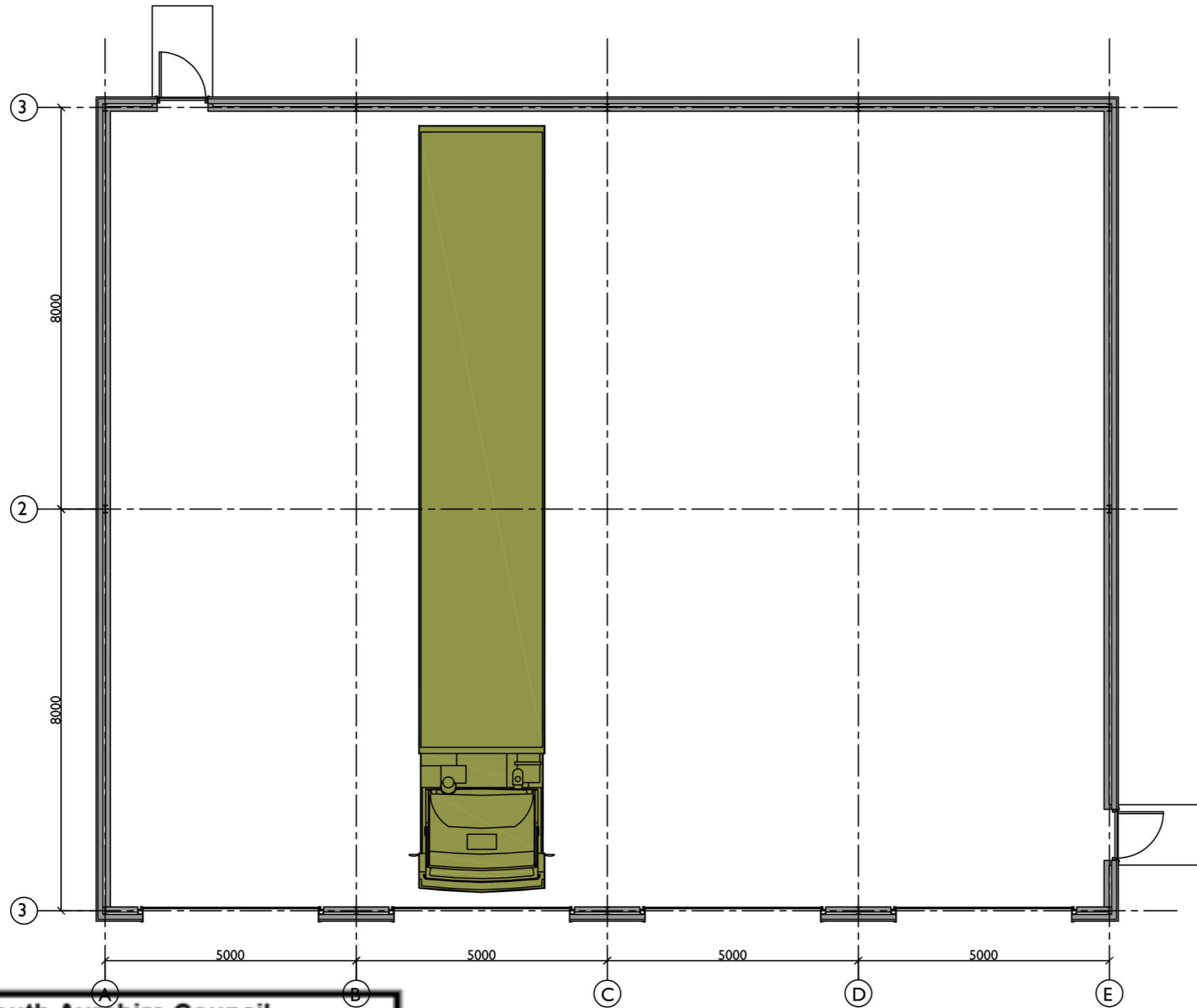
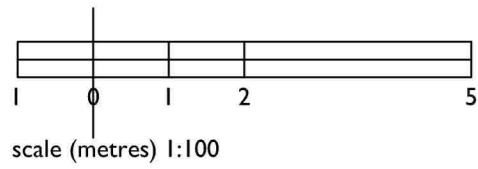
project:  
Proposed Private Garage at:  
Blairston, High Maybole Road, Alloway, Ayr KA7 4EF

drawing title:  
As Proposed  
Elevations (sheet 2 of 2)

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



scale: 1:100 (A3)	date: 01/11/2022
drawing number: <b>1211-09</b>	revision:



**GROUND FLOOR:**

New Ground bearing concrete floor slab.

**EXTERNAL WALLS:**

External render finish, to match both the dwelling house and adjoining properties, over a stone base course detail, again to reflect the detailing to both the dwelling house and the adjoining property.

**PITCHED ROOF:**

Interlocking tile profile roof sheets (colour slate grey), incl. associated fascia, soffit, verge and ridge detailing/ flashings.

**GUTTERS & DOWNPIPES:**

External gutters & downpipes, colour black.

**DOORS:**

Roller doors to Storage accommodation to have timber effect foil finish, colour to be agreed with Planning Authority.

Personnel access/ egress doors to identified locations to be traditional ledged and braced timber doors.

revision	date

**Planning Application**

client: <b>Mr &amp; Mrs John Scott</b> Blairston, High Maybole Road, Alloway, Ayr KA7 4EF
project: Proposed Private Garage at: Blairston, High Maybole Road, Alloway, Ayr KA7 4EF
drawing title: <b>As Proposed Garage Floor Plan</b>

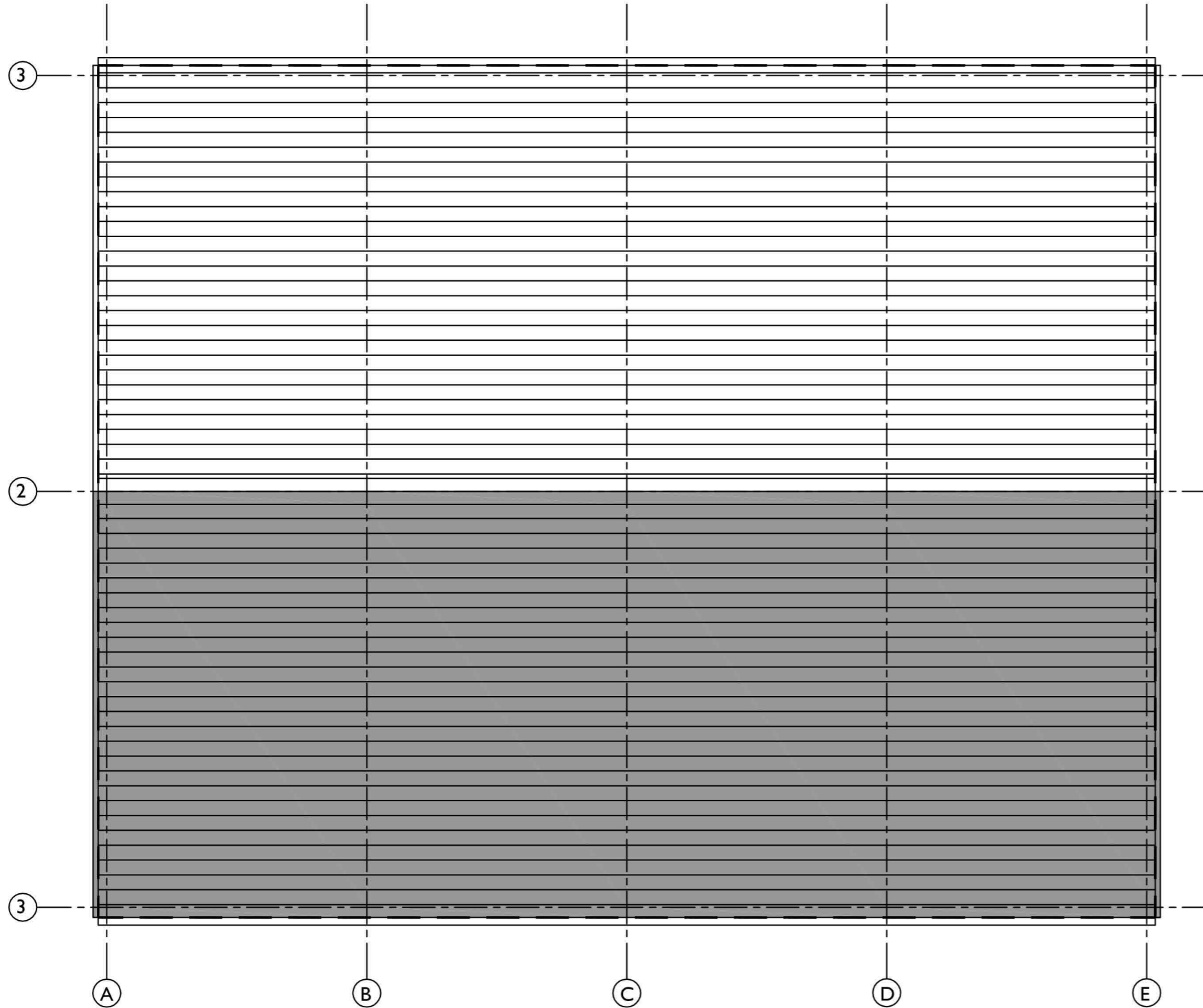
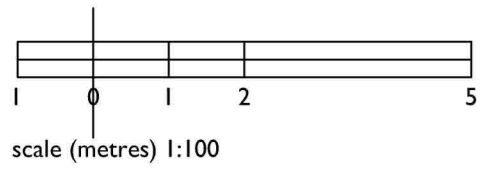
paul sisi architectural services  
19 moor park prestwick ka9 2nj  
tel: 01292 471607  
mob: 07812778826  
e: paul.sisi@outlook.com



scale: 1:100 (A3)	date: 01/11/2022
drawing number: <b>1211-06</b>	revision:

**South Ayrshire Council  
Planning Service**

Refused under The Town and Country Planning (Scotland) Act 1997 (as amended), subject to reasons that may be specified in the notification of this decision by South Ayrshire Council.



**South Ayrshire Council  
Planning Service**

Refused under The Town and Country Planning  
(Scotland) Act 1997 (as amended), subject to reasons  
that may be specified in the notification of this decision  
by South Ayrshire Council.

revision	date

Planning Application	
client:	Mr & Mrs John Scott Blairston, High Maybole Road, Alloway, Ayr KA7 4EF
project:	Proposed Private Garage at: Blairston, High Maybole Road, Alloway, Ayr KA7 4EF
drawing title:	As Proposed Roof Plan

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



scale: 1:100 (A3)	date: 01/11/2022
drawing number: <b>1211-07</b>	revision:



REFUSAL OF APPLICATION FOR PLANNING PERMISSION  
(Delegated)

Ref No: 22/01049/APP

SOUTH AYRSHIRE COUNCIL

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997 (AS AMENDED)  
TOWN AND COUNTRY PLANNING (GENERAL DEVELOPMENT) (SCOTLAND) ORDERS

To: **Mr & Mrs John Scott**  
**per Paul Sisi Architectural Services**  
**Paul Sisi**  
**19 Moor Park**  
**Prestwick**  
**KA9 2NJ**

With reference to your **Application for Planning Permission** dated **11th January 2023**, under the aforementioned Regulations, for the following development, viz:-

**Erection of a garage**

at: **Blairston B7024 From High Maybole Road Ayr To Alloway Road Maybole Ayr South Ayrshire KA7 4EF**

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 2, specifically policies Core Principle C1, Strategic Policy 1 Sustainable Development, Strategic Policy 2: Development Management, Rural Housing and Landscape Quality as the development will have a significant detrimental visual impact and is incongruous with the existing landscape area by reason of its form, scale and siting, and will adversely affect the character of the rural locality.
- (2) That the proposal is contrary to the provisions of South Ayrshire Council's Planning Guidance 'Rural Housing' and Supplementary Planning Guidance on 'House Alterations and Extensions' as the garage, by reason of its siting, scale and form, does not appear to be ancillary to the main dwellinghouse.
- (3) That the proposed development is contrary to the provisions of the South Ayrshire Local Development Plan 2 by reason that it does not accord with LDP 2 policy: Greenbelt - insofar that it is neither of a suitable scale and form and the necessity and appropriateness of the proposed development with this greenbelt site is found to be unestablished and lacking with respect to the criteria of LDP 2 Policy: Greenbelt.

**List of Plans Determined:**

- Drawing - Reference No (or Description): **Refused** 1211-01
- Drawing - Reference No (or Description): **Refused** 1211-02
- Drawing - Reference No (or Description): **Refused** 1211-03
- Drawing - Reference No (or Description): **Refused** 1211-04
- Drawing - Reference No (or Description): **Refused** 1211-05
- Drawing - Reference No (or Description): **Refused** 1211-06
- Drawing - Reference No (or Description): **Refused** 1211-07
- Drawing - Reference No (or Description): **Refused** 1211-08
- Drawing - Reference No (or Description): **Refused** 1211-09
- Drawing - Reference No (or Description): **Refused** 1211-10
- Other - Reference No (or Description): **Refused** Statement in Support
- Other - Reference No (or Description): **Refused** Statement in Support Appendices

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

**Dated: 7th February 2023**

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

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

[Redacted]

**Subject:** RE: Initial Letter to Interested Parties - Blairston, Ayr - 22/01049/APP [OFFICIAL]

**CLASSIFICATION: OFFICIAL**

Good afternoon,

The ARA returned a consultation response associated with application 22/01049/APP of **no objection** – we do not intend to offer any further representations, and our recommendation remains unchanged.

Kind regards,

G [Redacted] Senior  
Team Leader - Traffic  
Ayrshire Roads Alliance



[Redacted]

**Subject:** Initial Letter to Interested Parties - Blairston, Ayr - 22/01049/APP

Good Afternoon,

Please find attached the appropriate letter regarding the above case.

You may wish to make further representation(s) in writing to the Local Review Body. In order to be considered by the Local Review Body, any such representations must be received no later than **Wednesday 14<sup>th</sup> May 2023**.

Kind Regards,

Local Review Body.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]



Contact: [ARA.TransportationPlanningConsultations@ayrshireroadsalliance.org](mailto:ARA.TransportationPlanningConsultations@ayrshireroadsalliance.org)

ARA Case Officer: AP

Planning Case Officer: E McKie

Planning Application No: 22/01049/APP

Location: Blairston B7024 From High Maybole Road, Ayr

Date Received: 12/01/2023

Date Returned: 24/01/2023

Recommendation: No Objection

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

**Expository Statement (if applicable):**

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

## **APPOINTED OFFICER DRAFT CONDITIONS**

**SOUTH AYRSHIRE LOCAL REVIEW BODY**

**APPLICATION REF. NO: 22/01049/APP**

**APPLICANT: MR PAUL SISI**

**SITE ADDRESS: BLAIRSTON B7024 FROM HIGH MAYBOLE ROAD AYR TO ALLOWAY ROAD MAYBOLE AYR SOUTH AYRSHIRE KA7 4EF**

**DESCRIPTION: ERECTION OF A GARAGE**

### **Conditions:**

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

- (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) The garage shall be used solely for domestic purposes incidental to the use of the dwellinghouse and no commercial activities shall be undertaken to the satisfaction 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) In the interests of residential amenity.