

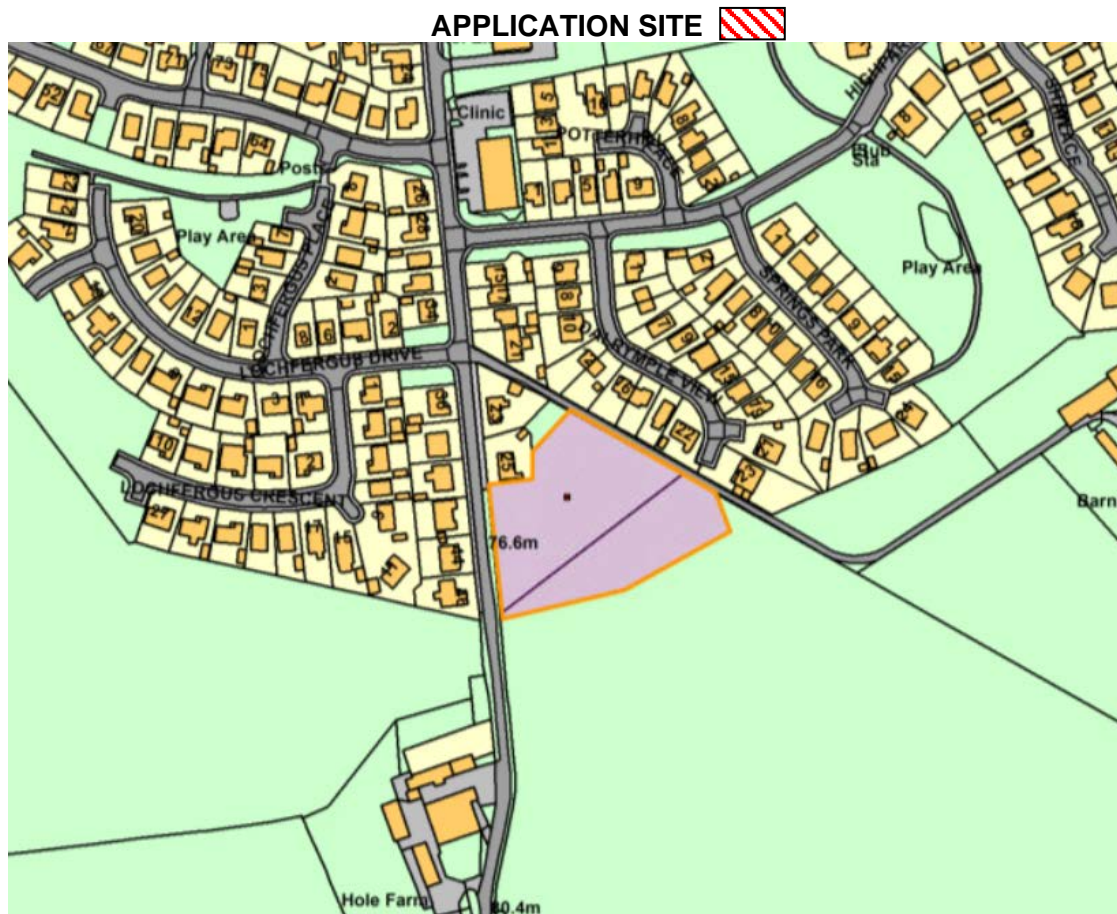
REGULATORY PANEL: 27 JUNE 2023

REPORT BY HOUSING, OPERATIONS AND DEVELOPMENT DIRECTORATE

23/00025/APP

LAND ADJACENT TO NUMBER 25 HOLE ROAD COYLTON SOUTH AYRSHIRE

Location Plan



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Summary

The application site comprises of an undeveloped agricultural field adjacent to 25 Hole Road, Coylton. The site is bounded to the west by Hole Road; to the north by existing residential properties; to the east by an access road to Bargore Farm and residential properties, and to the south by undeveloped fields. The site, which presents a frontage onto Hole Road, is characterised by grazing land which slopes downwards in a north-westerly direction. The site measures approximately 0.59 hectares and is roughly triangular in shape.

The application site forms the COY2 housing release site allocated in the South Ayrshire Local Development Plan 2, with an indicative capacity of 12 units.

The proposed development seeks planning permission for the erection of a residential development consisting of 11 dwellinghouses and associated works within the application site. The application submission includes full details of the proposed residential development, the formation of access roads, landscaping works and associated infrastructure on the site.

The application has been assessed against the various material planning considerations which include the provisions of the National Planning Framework 4, the Adopted Local Development Plan 2, consultations, representations received (38 in total from 32 individuals), and the impact of the proposed development on the locality. The assessment concludes that the proposed development broadly aligns with the policy provisions of both NPF4 and LDP2. The consultation responses do not raise any issues of concern and the matters raised in the representations have been fully considered, but do not raise any issues that would merit a different recommendation. Overall, it is considered that the proposal will not have an unacceptable impact on the character, setting or appearance of the site, or the wider locality. The application has been considered in this context.

Accordingly, the application is recommended for approval, subject to conditions.

REPORT BY HOUSING, OPERATIONS AND DEVELOPMENT DIRECTORATE

REGULATORY PANEL: 27 JUNE 2023

SUBJECT:	PLANNING APPLICATION REPORT
APPLICATION REF:	23/00025/APP
SITE ADDRESS:	Land Adjacent To Number 25 Hole Road Coylton South Ayrshire
DESCRIPTION:	Erection of residential development
RECOMMENDATION:	Approval with Condition(s)

APPLICATION REPORT

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

1. Proposal:

The application site comprises of an undeveloped agricultural field adjacent to an existing dwellinghouse at 25 Hole Road, Coylton. The site is bounded to the west by Hole Road; to the north by existing residential properties; to the east by an access road to Barn Gore Farm and residential properties and to the south by undeveloped fields. The site, which presents a frontage onto Hole Road, is characterised by grazing land which slopes downwards in a north-westerly direction. The site measures approximately 0.59 hectares and is roughly triangular in shape. The application site forms the COY2 housing release site allocated in the South Ayrshire Local Development Plan 2 with an indicative capacity of 12 units.

This application seeks planning permission for the erection of a residential development consisting of 11 dwellinghouses and associated works within the application site. The application submission includes full details of the proposed residential development, the formation of access roads, landscaping works and associated infrastructure on the site.

In summary the proposal involves the erection of 2 detached one and a half storey dwellings, 7 detached bungalows and 2 semi-detached bungalows. 2 detached dwellings are located along the frontage of the site at Hole Road, with the remainder being located throughout the site. A new access road shall be formed to/from Hole Road along the west of the site. Private parking for each unit is provided by in-curtilage parking. Each property has private garden ground, along with a central open amenity space towards the centre of the site and a smaller green space to the north east of the site. Further details of the development proposals are set out within the application submission.

2. Consultations:

Ayrshire Roads Alliance - Offer no objections, subject to conditions.

Ayrshire Roads Alliance (Flooding) - Offer no objections, subject to the flood risk mitigation measures detailed in the Risk Assessment being fully implemented.

Environmental Health - Offer no objections, subject to conditions.

Scottish Water - Offer no objections.

Sustainable Development (Landscape and Parks) - Offer no objections, subject to conditions.

Transport Scotland (Trunk Roads) - Offer no objections.

West of Scotland Archaeology Service – Offer no objections, subject to conditions.

3. Submitted Assessments/Reports:

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

Archaeological Mitigation Report: An Archaeological Written Scheme of Investigation has been submitted in support of the application. This Report details the works appropriate (evaluation, monitoring, exclusion, excavation, post-excavation analyses and publication) for the mitigation of groundbreaking works. The identified structure of appropriate mitigation works is necessary to ensure that the development can proceed while dealing appropriately with the identified adverse impact on the archaeological resource.

Design and Access Statement: This document sets out the approach to designing the site layout and includes an assessment of the context and analysis of the character of the area. The design statement confirms that the layout has been developed with due regard to the provisions of Scottish Government Guidance entitled 'Designing for Streets' and 'Creating Places' which seeks to meet the six qualities of successful place design in terms of being distinctive, safe and pleasant, easy to move around, welcoming, adaptable and resource efficient, and provides the background to the evolution of the design of the development proposals.

Flood Risk Assessment (FRA): This report assesses the vulnerability of the proposed development site to flooding. The report outlines the flood risk and provides recommendations to ensure that the development will not be at an unacceptable risk of flooding and will not increase the risk of flooding elsewhere. Flood modelling predicts that there is a surface water flow pathway through the site, generated from rainfall landing to the south of the site. Surface water flows through the site and into properties adjacent to the site. There are also other pathways to the south of the site that result in flooding on Hole Road adjacent to the site and properties to the west of the site. Measures have been outlined within the report to mitigate against surface water flooding within the site and the diversion of water onto Hole Road, subject to a suitable drainage design. The developer intends to progress a technical and engineering solution that includes a cut-off drain on the upslope edge of the development, water attenuation via underground storage within the site and a release to the Scottish Water system, based on an approved discharge rate. The report states that the developer has submitted a Pre-Development Enquiry (PDE) to Scottish Water, which has subsequently received their approval. This confirms that the site itself can be drained to the surface water sewer on Hole Road to the immediate west of the site. With appropriate measures in place, designed by the developer's engineers in agreement with the Council, the flood risk to others would not be anticipated to be increased by the development of the site.

The FRA also concludes that the site is not at risk of flooding from any of the following nearby watercourses, the Unnamed Burn (280m to west), Bow Burn (600m to south) or Joppa Burn (180m to north), as the application site sits above the levels of these burns.

4. S75 Obligations:

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

5. Scottish Ministers Directions:

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

6. Representations:

38 representations have been received, from 32 individuals, all of which object to the proposed development. All representations can be viewed online at www.south-ayrshire.gov.uk/planning

The issues raised by Representees can be summarised as follows.

- Parking, Traffic and Road Safety
- Flooding and Drainage
- Natural Environment and Biodiversity
- Noise Nuisance and Light Pollution
- Overlooking and Overshadowing
- Design
- Impact on Local Services
- Site History
- Loss of Property Value and Loss of View
- Loss of prime agricultural land
- Contrary to National and Local Policies and Guidance
- Impact on landscape Character

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

7. Assessment:

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

On 13 February 2023, Scottish Ministers published and adopted National Planning Framework 4 (NPF4). NPF4 sets out the Scottish Ministers position in relation to land use planning matters and now forms part of the statutory development plan, along with the South Ayrshire Local Development Plan 2 (LDP2) (adopted August 2022).

Sections 25(1) and 37(2) of the Town and Country Planning (Scotland) Act 1997 (as amended) indicates that in making any determination under the Planning Acts, regard is to be had to the development plan. The determination shall be made in accordance with the plan unless material considerations indicate otherwise. The application is determined on this basis.

Legislation states that in the event of any incompatibility between a provision of NPF4 and a provision of an LDP, whichever of them is the later in date is to prevail (Town and Country Planning (Scotland) Act 1997 ("the 1997 Act"); Section 24(3)). NPF4 was adopted after the adoption of LDP 2, therefore NPF4 will prevail in the event of any incompatibility.

(i) National Planning Framework 4 (NPF4)

NPF4 confirms that the purpose of planning is to manage the development and use of land in the long-term public interest. NPF4 also maintains a plan-led system and provides a long-term spatial strategy to 2045 based around enabling the transition to net zero emissions and environmental sustainability; driving inclusive economic growth; and building resilient and sustainable places, which adapt to the impacts of climate change, whilst protecting, recovering and restoring our environment. The provisions of NPF4 must, however, be read and applied as a whole, and as such, no policies should be read in isolation. The application has been considered in this context. An assessment of the proposals against the provisions of NPF4 is set out below.

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

National Policies 1 and 2: Tackling the climate and nature crises, and Climate Mitigation and Adaptation

National Policies 3 and 4: Biodiversity and Natural Places

National Policy 5: Soils

National Policy 9: Brownfield, vacant and derelict land and empty buildings

National Policy 13: Sustainable Transport

National Policies 14 and 15: Design, Quality and Place and Local Living and 20 minute neighbourhoods

National Policy 16: Quality Homes

National Policy 22: Flood risk and water management

Policy 1 gives significant weight to the global climate emergency in order to ensure that it is recognised as a priority in all plans and decisions. Policy 2 seeks to ensure that emissions from new development are minimised as far as possible. A healthy natural environment is recognised as key to reducing emissions. Policies 3 and 4 protect, and seek to positively enhance biodiversity and natural assets, which in turn play a crucial role in carbon reduction. It is recognised that planting and landscaping proposals have been included within the submission which include mixed meadow and wildflower areas as part of the amenity open space within the site and a variety of hedges and trees both within and forming part of the boundaries of the application site. While the site is currently undeveloped agricultural field, cognisance and weight has to be afforded to the status of the site as a housing land allocation in LDP2. Considering this, the proposed planting and landscaping is considered to achieve nature positive biodiversity benefits in accordance with this policy.

Policy 5 seeks to protect and minimises disturbance to soils from development. The application site is not classified as prime agricultural land and is therefore in accordance with this policy.

Policy 9 seeks to direct development to the right place, maximising the use of existing assets (such as brownfield, vacant and derelict land and empty buildings), and minimising additional land take (such as greenfield developments). As noted above, the application site is presently an undeveloped agricultural field but is allocated for development by the Adopted South Ayrshire Local Development Plan 2 and the development is therefore not considered to be in conflict with this policy.

Policy 13 considers the issue of sustainable transport and active travel and is supportive of development in locations which support safe sustainable travel, and travel by means other than private vehicle. The application proposes to form a new vehicular and pedestrian access to/from Hole Road. Following consultation with the ARA, they have raised no objections to this proposed access subject to relevant conditions. The application site is within easy walking distance of existing bus stops both on Hole Road (approx. 150m distance) and the A70 (approx. 0.5 miles) to the north. Further consideration of transport matters is set out below.

Policy 14 seeks to encourage and promote the 'Place Principle' and the six qualities of successful places (i.e. healthy, pleasant, connected, distinctive, sustainable, and adaptable). Proposals which are poorly designed, detrimental to the amenity of the surrounding area, or inconsistent with the qualities of successful places will not be supported (under criterion c). Policy 15 encourages and promotes the Place Principle as a means to create connected and compact neighbourhoods where people can meet the majority of their needs within a reasonable distance of their home. In a plan-led system the development planning process is the mechanism to secure local living and 20-minute neighbourhoods, and LDP2 allocates the site as an area suitable for residential development, in this instance. It is noted the site is within 10-15 minutes walk of local shops, recreation spaces and other services.

Policy 16 seeks an on-site contribution of at least 25% of the total number of new homes for affordable homes. The development does not make provision for affordable housing; and this issue is considered further below.

Policy 22 seeks to strengthen resilience to flood risk by promoting avoidance as a first principle and reducing the vulnerability of existing and future development to flooding. Under Criterion (c) development proposals are required increase the risk of surface water flooding to others, or itself be at risk, to manage all rain and surface water through sustainable urban drainage systems (SUDS), which should form part of and integrate with proposed and existing blue-green infrastructure and seek to minimise the area of impermeable surface. It is noted that there are no sections of the application site which lie within a flood risk area, as identified on the SEPA Flood Hazard maps. However, it has been recognised that the area to the south east of the site slopes towards the north west and there is evidence of flooding of Hole Road and areas of the site from surface water. As such, a Flood Risk Assessment (FRA) has been undertaken to assess the vulnerability of the proposed development site to flooding. Measures have been outlined within this report to mitigate against surface water flooding within the site and the diversion of water onto Hole Road, subject to a suitable drainage design, which are addressed further elsewhere within this report.

For the reasons set out above, and elsewhere in this report, the proposals are considered to align with the policy provisions of the National Planning Framework 4.

(ii) South Ayrshire Local Development Plan 2

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

LDP 2 Core Principle B1
LDP 2 Core Principle B3
LDP 2 Strategic Policy 1: Sustainable Development
LDP 2 Strategic Policy 2: Development Management
LDP 2 Policy: Maintaining & Protecting Land for Housing
LDP 2 Policy: Residential Policy within Settlement, Release Sites and Windfall Sites
LDP 2 Policy: Affordable Housing
LDP 2 Policy: Open Space
LDP 2 Policy: Landscape Quality
LDP 2 Policy: Flooding and Development
LDP 2 Policy: Land Use and Transport

The assessment of the proposal against the above development plan policies has identified the following matters for consideration:-

Principle of Residential Development (LDP2 Core Principle B1, LDP2 Core Principle B3, LDP 2 Policy: Maintaining & Protecting Land for Housing and LDP 2 Policy: Residential Policy within Settlements, Release Sites & Windfall Sites)

The application site forms the COY2 allocated residential development site and the principle of the proposal is consistent with the Spatial Strategy which encourages residential development on sites allocated for housing. LDP 2 Policy: Maintaining and Protecting Land for Housing requires that development on allocated sites must meet the guidance on local plan release sites. The brief for the COY2 allocation contained within the Guidance for Housing Site Design Briefs contains requirements in respect to building design & site layout, landscaping & boundaries, open space, transportation & access and education impact. The proposed layout and house designs are assessed against these requirements in the following paragraphs and are considered to be in general compliance with the Design Brief.

Number of Houses Proposed (LDP Policy: Maintaining and Protecting Land for Housing)

The application proposes to develop 11 houses within the COY2 allocation. The LDP2 (Appendix D) identifies an indicative capacity of 12 units for the COY2 allocation. It is therefore considered that the number of houses proposed can be accommodated within the application site.

Placemaking (LDP 2 Policy: Open Space, Guidance on Open Space, LDP 2 Strategic Policy 1: Sustainable Development, LDP2 Strategic Policy 2: Development Management, and Designing New Residential Developments Guidance and COY2 Design Brief)

The layout proposed is considered to be an appropriate response to the constraints and opportunities offered by the site's characteristics. The layout of the development incorporates design features which will create character and provide a good quality living environment. A 'village green' is located within the central area of the application site and is the main amenity space. This space is overlooked by plots 8-10 and 2-5 and forms a centralized space of over 500sqm. A secondary green space serves as an outlook for plots 6 and 7. No equipped play area is indicated on the submitted plans, however the Open Space Guidance confirms that for developments of between 5 and 15 units, applicants will be required to provide a financial contribution towards off site play provision in order to contribute towards the play area needs generated by the development. The Council's Sustainable Development Service has advised that the sum should be provided in relation to the provision of improved off-site play facilities with the nearby Coylton Recreation Ground. The applicant has provided the required commuted sum of £8000 as calculated by the Council's Sustainable Development Service in respect of the development proposals. The amount of public open space proposed within the site is sufficient and meets the requirements set out in the Council's Guidance on Open Space. The public open spaces are well located within the development layout, are overlooked, accessible and will add significantly to the sense of place.

Careful consideration of privacy, overlooking and plot size has been included in the current proposals. Sufficient rear garden areas and frontages have been designed into each plot. A minimum of 18m window to window separation distances are included for all proposed and existing properties to maintain privacy and amenity throughout. Minimum of 9m back gardens and 100m² of garden space will be achieved by every plot. Minimum of 4m plot separation is provided where there are no window-to-window issues (blank gable facings) to achieve a good balance of rear, side and frontage to all properties.

A highly permeable street layout is proposed which incorporates self-enforcing traffic calming features which allow for the shared access road and surfaces to be a safe area for pedestrians.

The architectural styles of the proposed houses comprise of one and a half storey detached villas and detached and semi-detached bungalows. The scale of the houses is typical of the surrounding area and is considered to be appropriate. The palette of materials proposed include slate effect concrete roof tiles, dry dash render and bash stone walls and white uPVC windows. A condition requiring the exterior finishes to be agreed prior to the commencement of development is proposed. Two detached one and a half storey houses are proposed to be situated either side of the proposed access to the site, facing outwards to continue the existing streetscape. In addition, there are no locations where there are excessive lengths of rear garden boundaries fronting the roadways. Although the rear of the properties to the south will face the countryside, it is considered that the impact of this is mitigated by way of the proposed landscaping along this site boundary.

Considering the above, the proposal is considered to accord with the aforementioned policies.

Impact on Landscape Quality (LDP 2 Policy: Landscape Quality and COY2 Site Brief)

The proposed development will be partly screened from wider viewpoints to the south due to the existing topography of the landscape. The character of the site will change from agricultural to urban and this new urban edge will be softened with proposed landscaping along the southern edge of the development, primarily comprising of a hedge row and trees. The surrounding landscape is rolling agricultural land, which is delineated, in boundary terms, by hedgerows, interspersed with occasional trees and the proposed landscaping arrangements are considered to replicate this boundary treatment to blend with the landscape of the surrounding area. The proposed landscaping will lessen the impact of the proposed development when viewed from entering the settlement of Coylton from Hole Road to the south. Having regard to the aforementioned landscaping proposals, it is considered that the proposal will not have a significant detrimental impact on the landscape and the proposals can be supported under this policy

Impact on Flood Risk (LDP 2 Policy: Flooding and Development)

It is noted that there are no sections of the application site which lie within a flood risk area, as identified on the SEPA Flood Hazard maps. However, it has been recognised that the area to the south of the site slopes towards the north and there is evidence of flooding of Hole Road, and areas of the site, from surface water. As such, a Flood Risk Assessment (FRA) has been undertaken to assess the vulnerability of the proposed development site to flooding. Flood modelling predicts that there is a surface water flow pathway through the site, generated from rainfall landing to the south of the site which has historically resulted in flooding on Hole Road adjacent to the site and properties to the west of the site. Measures have been outlined within the FRA to mitigate against surface water flooding within the site and the diversion of water onto Hole Road, subject to a suitable drainage design. The developer intends to progress a technical and engineering solution that includes a cut-off drain on the upslope edge of the development, water attenuation via underground storage within the site and a release to the Scottish Water system, based on an approved discharge rate. The report states that the developer has submitted a Pre-Development Enquiry (PDE) to Scottish Water, which has subsequently received their approval. This confirms that the site itself can be drained to the surface water sewer on Hole Road to the immediate west of the site.

The FRA also concludes that the site is not at risk of flooding from any of the following nearby watercourses, the Unnamed Burn (280m to west), Bow Burn (600m to south) or Joppa Burn (180m to north), as the application site sits above the levels of these burns.

The ARA has been consulted in their capacity as the local FRMA and has offered no objection to the proposals. The application has been considered in this context, and an appropriate planning condition can be attached to any permission to ensure appropriate technical solutions and associated mitigation measures are agreed and implemented.

Considering the above, the proposals comply with the flooding policies.

Impact on Traffic and Transportation (LDP 2 Policy : Land Use and Transportation)

Transport Scotland has raised no objection to the application in respect of the trunk road network. Ayrshire Roads Alliance (ARA) has raised no objections to the proposed development in respect of the impact on the local road network and the layout and design of the proposed road network within the site. ARA has advised that a number of planning conditions be attached to ensure that the roads and parking are constructed to appropriate standards. Provided these are imposed, the proposal can be considered consistent with the aims of this policy.

Impact on Education

The Council's Education Service has advised that there are no education issues associated with the proposed development.

Affordable Housing (LDP 2 Policy: Affordable Housing)

This policy of the LDP2 (alongside the PG outlined below) seeks a target contribution of 25% of the total number of units from all new housing developments of 15 units or more, or a site of 0.6 ha. In this instance, it is noted that the site area is noted to be less than 0.6 ha and for less than 15 units. Therefore, no affordable housing units are required to be provided as part of this proposed development.

The provisions of the Adopted South Ayrshire Local Development Plan 2 must, however, be read and applied as a whole, and as such, no single policy should be read in isolation. The application has been considered in this context.

For the reasons set out above, and elsewhere in this report, the proposals are considered to align with the policy provisions of the Adopted South Ayrshire Local Development Plan 2.

(iii) Other Policy Considerations (including Government Guidance)

Scottish Government - Creating Places

This document is the Scottish Ministers' policy statement on architecture and place, which contains policies and guidance on the importance of architecture and design. The layout of the development incorporates design features which will create character and provide a good quality living environment. The incorporation of landscaping within the new urban environment will create a strong sense of place and the proposals are considered to be consistent with the Government's advice.

Scottish Government - Designing Streets

This document is the Scottish Ministers' policy statement putting street design at the centre of placemaking. It contains policies and guidance on the design of new or existing streets. A highly permeable street layout is proposed which incorporates self-enforcing traffic calming features and convenient pedestrian routes and the design of the proposed development is considered to be consistent with the Government's advice.

South Ayrshire Council Planning Guidance – Housing Site Design Briefs

The LDP2 designates the land as being suitable for residential development, due to forming part of a larger area of agricultural land which is the designated land release site COY2. The Council has also prepared Guidance in the form of design briefs for housing release sites, including the COY2 site, part of which is formed by the current application. The design brief is materially significant in the consideration of the proposals and their layout and design.

The Design Brief for the application site notes various requirements, including: that as the development shall access onto an existing street (Hole Road), new dwellings should front onto that road to continue the streetscape; the boundary of the site should replicate the existing boundary to blend with the landscape and ensure development does not present suburban rear boundaries onto the rural landscape; amenity open space should be provided within the site; vehicular access should be taken to/from Hole Road and possibility of second access to/from Dalrymple View should be explored; layout should comply with Designing Streets; and any technical infrastructure issue should be addressed.

In terms of infrastructure issues, the FRA outlines that the immediate locality is affected by surface water flooding. Flood modelling presented within the FRA predicts that there is a surface water flow pathway through the site, generated from rainfall landing to the south of the site, which has historically resulted in flooding on Hole Road adjacent to the site and properties to the west of the site. Measures have been outlined within the FRA to mitigate against surface water flooding within the site and the diversion of water onto Hole Road, subject to a suitable drainage design. The developer intends to progress a technical and engineering solution that includes a cut-off drain on the upslope edge of the development, water attenuation via underground storage within the site and a release to the Scottish Water system, based on an approved discharge rate. The report states that the developer has submitted a Pre-Development Enquiry (PDE) to Scottish Water, which has subsequently received their approval. This confirms that the site itself can be drained to the surface water sewer on Hole Road to the immediate west of the site. The FRA also concludes that the site is not at risk of flooding from any of the following nearby watercourses, the Unnamed Burn (280m to west), Bow Burn (600m to south) or Joppa Burn (180m to north), as the application site sits above the levels of these burns. The ARA has been consulted in their capacity as the local FRMA and has offered no objection to the proposals. The application has been considered in this context, and an appropriate planning condition can be attached to any permission to ensure that an appropriate technical solution and associated mitigation measures are agreed and implemented.

In terms of access to/from the application site. Vehicular access is proposed to be taken to/from Hole Road. The possibility of creating a second access to/from Dalrymple View has been explored by the developer. However, it has been concluded that the lane to the north east of the site is a private access track, with no public access rights, and that a natural link with Dalrymple view is not possible as this would cross a private garden area and existing mature hedgerow. A secondary green space has been provided to the frontage of plots 7 and 6 acting as a buffer zone adjacent to the boundary with the private access track which would not preclude the formation of a pedestrian link in future if the rights of access issues were overcome.

In terms of the landscape impact, it is acknowledged that the character of the site will change from agricultural to urban. However, this new urban edge will be softened with proposed landscaping along the southern edge of the development, primarily comprising of a hedge row and trees. The surrounding landscape is rolling agricultural land, which is delineated, in boundary terms, by hedgerows, interspersed with occasional trees and the proposed landscaping arrangements are considered to replicate this boundary treatment to blend with the landscape of the surrounding area.

To conclude, it is considered that the proposed design meets the requirements of the Design Brief.

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

This guidance sets out how to arrive at a meaningful design solution, key attributes of successful areas of open space, the different types of open space with residential developments, the applicable standards, private open space standards, amenity and privacy considerations and where flexibility exists. It is considered that proposed development complies with the requirements of this Guidance. The proposed dwellinghouses are generally all served by garden ground provision which meets the minimum distances as outlined with the guidance and open amenity space provided at the entrance to the site. The above policy guidance also confirms that for developments of between 5 and 15 units, applicants will be required to provide a play contribution per unit in order to contribute towards the play area needs generated by the development. The applicant has provided the required commuted sum in respect of the development proposals.

South Ayrshire Council Planning Guidance - New Housing Developments and Affordable Housing

As noted above, this policy of the LDP2 and PG seeks a target contribution of 25% of the total number of units from all new housing developments of 15 units or more, or a site of 0.6 ha. In this instance, it is noted that the site area is noted to be less than 0.6 ha and for less than 15 units. Therefore, no affordable housing units are required to be provided as part of this proposed development.

(iv) Site History

Planning Application 21/00874/APP for the erection of a residential development was withdrawn by the agent in November 2021, following concerns raised by the Planning Service regarding matters including the design and layout of the proposed development and the provision of open space within the site.

Following the withdrawal of this application, the applicant/agent entered into pre-application discussions with the Planning Service, prior to the submission of this current application.

(v) Objector Concerns

- *Parking, Traffic and Road Safety*

This matter is addressed in section 7(i) and (ii) above. Transport Scotland has raised no objection to the application in respect of the trunk road network. The Ayrshire Roads Alliance (ARA) has raised no objections to the proposed development in respect of the impact on the local road network and the layout and design of the proposed road network within the site. The ARA has advised that a number of planning conditions be attached to ensure that the roads and parking are constructed to appropriate standards. It is recommended that these be imposed.

- *Flooding and Drainage*

The seriousness of this concern is recognised and acknowledged through the representations received and photographs of flooding provided. This matter is addressed in section 7(i), (ii) and (iii) above. As set out, the ARA, as local flood prevention authority, have raised no objections to the development, subject to the mitigation measures detailed within the submitted Flood Risk Assessment being fully implemented to ensure existing flooding problems are not exacerbated by the development. The mitigation measures proposed shall not divert surface water towards third party land, thereby preventing an increase in flood risk to others. The drainage system proposed for the site is intended to prevent surface water runoff towards the existing properties to the north of the site. With regard to Hole Road, as outlined in sections 7(i), (ii) and (iii) above, the developer proposes a cut-off drain on the upslope edge of the development, water attenuation via underground storage within the site and a release to the discharge culvert/pipe associated with the Scottish Water system.

Regulatory Panel (Planning): 27 June 2023

Report by Housing, Operations and Development Directorate (Ref: 23/00025/APP)

Notwithstanding, the ARA, as local flood prevention authority, has a duty to ensure that surface water management infrastructure (drainage and flooding) is designed to appropriate standards, where that infrastructure is owned by the land / homeowners rather than vested by Scottish Water or a local authority (as roads authority).

- *Natural Environment and Biodiversity*

There are no designated natural heritage areas within the application site, and it is not anticipated that the development will adversely impact on natural heritage interests outwith the site. Notwithstanding, it is recognised that planting and landscaping are proposed within the site which include mixed meadow and wildflower areas and a variety of hedges and trees. Additionally, the Council's Landscape Officer offered no objections to the proposed landscaping scheme. Information and advice for the developer is contained within advisory notes attached to the permission with regards to European Protected Species and it is for the developer to seek the appropriate licenses under the Countryside and Wildlife Act 1981 should any protected species be present at the site.

- *Noise Nuisance and Light Pollution*

Noise, vibration, and dust arising during the construction phase have the potential impact on the amenity of the residential properties that adjoin the site. All development involves a degree of temporary disruption during the construction period. Should any statutory nuisance arise regarding odours, noise and air pollution, or any other matter related to lighting or health and safety issues, it is for the Council's Environmental Health Service to address such matters under their statutory powers. The Council's Environmental Health Service have advised that they have no objections to the proposed development subject to appropriate conditions.

- *Overlooking and Overshadowing*

The potential impact of the proposed development within regard to the residential amenity of existing properties is addressed in sections 7(ii) and (vi) of this report.

- *Design*

The design and layout of the proposed development is addressed in sections 7(i), (ii) and (vi) of this report.

- *Impact on Local Services*

As noted in section 7(ii), the Council's Education Service has advised that there are no education issues associated with the proposed development.

In terms of the other matters raised regarding the capacity of other local services being insufficient to support the increase in population as a result of the development, it is not considered that this in itself would be sufficient enough reason to warrant refusal of the application noting that the principle of development has already been established.

- *Site History*

The application site is within the settlement boundary of Coylton and extends the area of housing site allocation COY2 as released by the Local Development Plan (2014) and carried through to the Adopted Local development Plan 2.

It is noted that there were two historic refusals relating to detail and outline consent respectively for a single dwellinghouse (08/00121/FUL refused April 2008; 09/00073/OUT refused April 2009). However, with regard to principle of the development, it is considered that these refusals are obsolete in terms of being regarded as material planning considerations, as they predate the adoption of the 2014 LDP which originally set the status of the site as allocated housing site COY2. Further details of the recent planning history for the application site are set out in section 7 (iv) above.

- *Loss of Property Value and Loss of View*

These matters do not constitute material planning considerations in the assessment of a planning application

- *Loss of prime agricultural land*

The application site comprises of an agricultural field. However, the land is not designated as 'prime' agricultural land and as such the development proposals shall not result in the loss of an area of prime agricultural land. This matter is further addressed in section 7(i) above.

- *Contrary to National and Local Policies and Guidance*

The proposed development is assessed against National Planning Framework 4 (NPF4) in section 7(i) of this report. A consideration of the proposed development against the policies of LDP2 and associated guidance documents is also contained within section 7(ii) and (iii) of this report.

It is noted that it has been raised within the representations that the allocation of the application site for housing has been removed from the adopted LDP2. However, as outlined above, housing site allocation COY2, as released by the Local Development Plan (2014), has been carried through to the Adopted Local Development Plan 2. As such the application site extends the area of housing site allocation COY2 as released by the Adopted LDP 2.

Representations have also referred to the application being contrary to the section of Appendix D relating to COY2 within the Local Development Plan. While this did form part of Appendix D within the previous LDP, the recently Adopted Local Development Plan 2 has not carried this section of Appendix D forward.

References have also been made to Scottish Planning Policy (SPP). However, following the adoption of National Planning Framework 4 (NPF4) in February 2023, the SPP no longer constitutes a material consideration in the assessment of planning applications. An assessment of the proposed development against NPF4 is set out in section 7(i) above.

- *Impact on landscape character*

The impact of the proposed development on the wider landscape character is considered in section 7(i) and (ii) above.

(vi) Impact on the Locality

Notwithstanding, consideration also needs to be given to the impact of the proposed development on the residential amenity of the surrounding area. The separation distances of the proposed development have been configured so as not to adversely compromise the amenity of the adjacent properties. In particular, it is noted that rear gardens of the properties towards the top (northern) section of the site are separated from the properties to the north east by a private access track. In addition, these existing properties to the north east (nos. 14-22 Dalrymple View) are noted to primarily composed of two storey dwellings. Therefore, given the topography of the site and the house style of bungalows proposed, it is considered that the development proposals shall preserve the amenity and privacy of those neighbouring properties to the north-west.

To the frontage of the site, the proposed one and half storey dwellings are separated from the existing two storey properties opposite by a public road, and therefore, given the existing and proposed public elevations onto Hole Road, it is not considered that the proposals will adversely impact on the amenity of those properties. Given the distance separation of the application site to adjacent residential dwellings, it is not considered that the proposed development will adversely compromise the amenity of the neighbouring residential properties in terms of loss of light, sense of enclosure or privacy.

In terms of the parking provision proposed to serve the residential development, it is considered that the proposal represents an appropriate development. The Ayrshire Roads Alliance has indicated that parking provision and servicing arrangements are acceptable and offer no objections, subject to conditions. Appropriate planning conditions are proposed to address matters such as, external materials, and other matters raised by consultees in their consideration of the proposals.

Overall, for the reasons noted above, and elsewhere in this report, the proposed development is considered to be appropriate in terms of its layout, scale, massing, design and materials in relation to its surroundings.

For the reasons noted above, it is considered that the development proposal broadly aligns with the provisions of National Planning Framework 4, the Adopted South Ayrshire Local Development Plan 2. Given the above assessment and having balanced the applicants' rights against the general interest, it is recommended that the application is approved, subject to the following conditions.

8. Conclusion:

The application has been assessed against the various material planning considerations which include the provisions of the development plan, consultations, representations received (38 in total from 32 individuals) and the impact of the proposed development on the locality. The assessment concludes that the proposed development complies with the development plan. The consultation responses do not raise any issues of over-riding concerns that cannot be addressed by condition. Equally, the points raised in the letter of objection have been fully considered, but do not raise any issues that would merit a recommendation of refusal of the application. Overall, there are no policy objections, and following the above assessment, it is considered that the proposal will not have an adverse impact on the residential character or amenity of the locality.

Given the above and having balanced the applicant's rights against the general interest, it is recommended that the application be approved subject to conditions.

9. Recommendation:

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) That prior to the commencement of development, samples or a brochure of all materials to be used on external surfaces, in respect of type, colour and texture, shall be submitted for the prior written approval of the Planning Authority and implemented in accordance with the approved details.
- (4) That before any works start on site, details of the future management and aftercare of the proposed landscaping and planting shall be submitted for approval in writing by this Planning Authority. Thereafter the management and aftercare of the landscaping and planting shall be carried out in accordance with these approved details.
- (5) The approved landscaping scheme as set out in Drawing no. 22-0620-LAND-10 Rev. F shall be implemented within 3 months / first planting season following the completion or occupation of the development, whichever is the sooner. The open space/landscaped area shall be retained as open space and to this approved standard.
- (6) That the presence of any previously unsuspected or un-encountered contamination that becomes evident during the development of the site shall be brought to the attention of the Planning Authority within one week. At this stage, a comprehensive contaminated land investigation shall be carried out if requested, and which shall be submitted to for the formal prior written approval of the Council as planning authority. The investigation shall be completed in accordance with a recognised code of practice such as *British Standards Institution 'The investigation of potentially contaminated sites- Code of Practice' (BS 10175: 2001, or as may be amended)*. The report shall include a site-specific risk assessment of all relevant pollutant linkages, as required in Scottish Government Planning Advice Note 33 (or as may be amended). Any unacceptable risk or risks as defined under Part IIA of the Environmental Protection Act 1990, shall be the subject of a detailed remediation strategy which shall be submitted for the formal prior written approval of the Council as planning authority. Remediation of the site shall be carried out in accordance with the approved remediation plan prior to the occupation of the development. Any amendments to the approved remediation plan shall not be implemented unless approved in writing by the Planning Authority.

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- (7) That no development shall take place within the development site as outlined in red on the approved plan until the developer has secured the implementation of a programme of archaeological works in accordance with the submitted Written Scheme of Mitigation. Thereafter the developer shall ensure that the programme of archaeological works is fully implemented and that all recording and recovery of archaeological resources within the development site is undertaken to the satisfaction of the Planning Authority in agreement with the West of Scotland Archaeology Service.
- (8) That before occupation of the first dwelling within the development a Residential Travel Pack shall be submitted for the prior written approval of the Council as Planning Authority (in consultation with the Council as Roads Authority). The Travel Pack shall include information on walking, cycling and public transport facilities and services within the vicinity of the development sites, including journey times by sustainable modes of transport to key local destinations. The Travel Pack shall be distributed to all new residents within the development.
- (9) That the proposed access shall be constructed in accordance with the specifications in the Council's National Roads Development Guide and be a minimum of 5.5 metres wide over the initial 10 metres as measured from the rear of the public roadway and be formed with radius curves. The access shall be constructed, as approved, prior to completion of the development.
- (10) That the private access shall be surfaced for a minimum of 10 metres as measured from the rear of the public roadway, prior to occupation. Precise detail and specifications of the required surfacing shall be submitted for the prior written approval of the Council as Planning Authority (in consultation with the Council as Roads Authority) before any work commences on site.
- (11) That the discharge of water onto the public road carriageway shall be prevented by drainage or other means. Precise details and specifications of how this is to be achieved shall be submitted for the prior written approval of the Council as Planning Authority (in consultation with the Council as Roads Authority) before any work commences on site.
- (12) That a minimum of 24 off-road parking spaces and an additional 3 visitor parking spaces shall be provided within the existing site boundary to satisfy provision levels as defined within the Council's adopted National Roads Development Guide. Details of parking layouts designed to comply with the guidance set out in the Council's National Roads Development Guide, and Designing Streets as National Policy, shall be submitted for the prior written approval of the Council as Planning Authority (in consultation with the Council as Roads Authority).
- (13) That cycle parking accommodating a minimum of 1 cycle per dwelling shall be provided within the site boundary prior to the occupation of the 11th dwellinghouse. Precise details of the siting and specifications of the cycle parking stand(s) shall be submitted for the prior written approval of the Council as Planning Authority (in consultation with the Council as Roads Authority) before any work commences on site.
- (14) That the applicant shall submit a swept path analysis accommodating the largest size of vehicle expected to be used by or serve the development for the formal prior written approval of the Council as Planning Authority.
- (15) That a 2 metre wide public footway shall be provided along the site frontage(s) on Hole Road, to be designed in accordance with the specifications as set out within the Council's National Roads Development Guide. The footways shall be constructed, as approved, prior to completion of the development.
- (16) No work shall be carried out on any phase of the development unless and until an effective vehicle wheel washing facility has been installed in accordance with details that shall be submitted for the written approval of the Council as Roads Authority prior to its installation, if required for that phase. When required, such facility shall be retained in working order and used such that no vehicle shall leave the site carrying earth and mud in their wheels in such a quantity which will cause a nuisance or hazard to the road system in the locality.
- (17) The applicant/ developer shall, prior to the movement of any construction traffic to or from the site, submit a Construction Traffic Management Plan for the written approval of the Council as Roads Authority, and Police Scotland. The plan shall describe the methodology for the movement of construction traffic to and from the site, including agreement on suitable routes to and from the site, and shall require the agreement of the Council as Roads Authority and Police Scotland prior to any movement of construction traffic associated with the site.

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- (18) That surface water from the site shall be treated in accordance with the principles of the Sustainable Urban Drainage Systems (SUDS) Manual, the updated version published by CIRIA in March 2015. At the Road Construction Consent stage full details of the methods to be employed, following discussions with SEPA, and including where appropriate calculations, along with details of how these measures will be maintained in perpetuity, shall be submitted for the formal prior written approval of the Council as Planning Authority before any work commences on site.
- (19) That the flood risk mitigation measures detailed in the submitted Flood Risk Assessment v1.2 are fully implemented to the satisfaction of the Council as Planning Authority in agreement with the Ayrshire Roads Alliance as Flood Risk Management Authority.

9.1 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 visual amenity.
- (4) In the interests of visual amenity; to ensure that adequate measures are put in place to protect the landscaping and planting in the long term.
- (5) In the interests of visual amenity and to ensure a satisfactory standard of local environmental quality.
- (6) To ensure all contamination within the site is dealt with.
- (7) To establish whether there are any archaeological interests on this site and allow for archaeological excavation and recording.
- (8) To encourage sustainable means of travel.
- (9) In the interest of road safety and to ensure an acceptable standard of construction.
- (10) In the interest of road safety and to ensure an acceptable standard of construction.
- (11) In the interest of road safety and to avoid the discharge of water onto the public road.
- (12) In the interest of road safety and to ensure adequate off-street parking provision.
- (13) To ensure adequate provision of cycle parking on site, and encourage sustainable means of travel.
- (14) In the interest of road safety.
- (15) In the interest of road safety and to ensure that adequate provision is made for pedestrians.
- (16) In the interest of road safety.
- (17) In the interest of road safety.
- (18) To ensure the site is drained in an acceptably sustainable manner and the drainage infrastructure is properly maintained.
- (19) In order to ensure the development is protected against flooding in an acceptable manner.

9.2 Advisory Notes:

- (1) That a Road Opening Permit shall be applied for, and obtained from the Council as Roads Authority, for any work within the public road limits, prior to works commencing on site.
- (2) The Council as Roads Authority advises that all works on the carriageway to be carried out in accordance with the requirements of the Transport (Scotland) Act 2005 and the Roads (Scotland) Act 1984.
- (3) In order to comply with the requirements of the New Roads and Street Works Act 1991, all works carried out in association with the development on the public road network, including those involving the connection of any utility to the site, must be co-ordinated so as to minimise their disruptive impact. This co-ordination shall be undertaken by the developer and his contractors in liaison with the local roads authority and the relevant utility companies.
- (4) The Council as Roads Authority advises that any costs associated with the relocation of any street furniture shall require to be borne by the applicant / developer.
- (5) The Council as Roads Authority advises that promotion of Traffic Regulation Orders resulting from this development shall require to be fully funded by the applicant – including any relevant road signs and markings.
- (6) The Council as Roads Authority advises that only signs complying with the requirements of 'The Traffic Signs Regulations and General Directions 2016' are permitted within public road limits.

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- (7) Please note that Roads Construction Consent (RCC) from the Council as Roads Authority shall be required for the formation of any new road. The formation of any new road shall require to comply with the specifications of the Council's National Roads Development Guide and Designing Streets as National Policy.
- (8) The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at: www.gov.uk/government/organisations/the-coal-authority

- (9) Please note that work should be undertaken in compliance with legislation and guidance relating to Scottish Environment Protection Agency (SEPA) Guidance Note No.8 which can be found at the website of SEPA as follows: www.sepa.org.uk
- (10) Should any EPS be found either prior to or during the period of development then a qualified ecological consultant should be contacted immediately for advice before proceeding with works. Advice from NatureScot may be required and the ecologist should be able to determine this. Further information available at <https://www.nature.scot/professional-advice/planning-and-development/planning-and-development-advice/>

9.3 List of Determined Plans:

Drawing - Reference No (or Description): 22-0620-LOC-01- Location Plan
Drawing - Reference No (or Description): 22-0620-SITE-01 – Site Block Plan Existing
Drawing - Reference No (or Description): 22-0620-SITE-02 – Site Layout Plan Existing
Drawing - Reference No (or Description): 22-0620-SITE-02 Rev.A – Site Layout Plan Existing
Drawing - Reference No (or Description): 22-0620-SITE-10 Rev.F – Site Layout Plan Proposed
Drawing - Reference No (or Description): 22-0620-LAND-10 Rev.F – Soft Landscape Layout & Specification
Drawing - Reference No (or Description): 22-0620-LAY-005 – Topographic Survey as Existing
Drawing - Reference No (or Description): 22-0620-LAY-010 – Topographic Survey as Proposed
Drawing - Reference No (or Description): 22-0620-LAY-10 Rev.A – Floor Plans - Aspen
Drawing - Reference No (or Description): 22-0620-LAY-20 Rev.A – Ground Floor Plans - Rowan (Plot 1)
Drawing - Reference No (or Description): 22-0620-LAY-21 Rev.A – First Floor Plans – Rowan (Plot 1)
Drawing - Reference No (or Description): 22-0620-LAY-30 Rev.A – Ground Floor Plans - Rowan (Plot 11)
Drawing - Reference No (or Description): 22-0620-LAY-31 Rev.A – First Floor Plans – Rowan (Plot 11)
Drawing - Reference No (or Description): 22-0620-LAY 50 Rev.A – Floor Plans – Elm (B)
Drawing - Reference No (or Description): 22-0620-LAY 60 Rev.A – Floor Plans – Maple Plus
Drawing - Reference No (or Description): 22-0620-ELE-10 Rev.A – Elevations - Aspen
Drawing - Reference No (or Description): 22-0620-ELE-20 Rev.A – Elevations – Rowan (Plot 1)
Drawing - Reference No (or Description): 22-0620-ELE-30 Rev.A – Elevations – Rowan (Plot 11)
Drawing - Reference No (or Description): 22-0620-ELE-50 Rev.A – Elevations – Elm (B)
Drawing - Reference No (or Description): 22-0620-ELE-60 Rev.B – Elevations – Maple Plus
Drawing - Reference No (or Description): 22-0620-SEC-AA-010 – Topographic Site Sections AA as Existing and Proposed
Drawing - Reference No (or Description): 22-0620-SEC-BB-011 – Topographic Site Sections BB as Existing and Proposed
Other - Reference No (or Description): Archaeological Mitigation – Written Scheme of Investigation
Other - Reference No (or Description): Design and Access Statement
Other - Reference No (or Description): Flood Risk Assessment v1.2

9.4 Reason for Decision (where approved):

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

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

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Background Papers:

1. Planning application form, plans and supporting information.
2. National Planning Framework 4.
3. Adopted Local Development Plan 2.
4. South Ayrshire Council Planning Guidance – Housing Site Design Briefs
5. South Ayrshire Council Planning Guidance – Open Space and Designing New Residential Developments
6. South Ayrshire Council Planning Guidance – New Housing Developments and Affordable Housing
7. Scottish Government – Creating Places
8. Scottish Government – Design Streets
9. Consultation Responses.
10. Representations.

Equalities Impact Assessment:

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

Person to Contact:

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