

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

15 August 2023

To:- Councillors Bell (Chair), Cavana, Clark, Dixon, Hunter, Kilbride, Kilpatrick, Mackay and Townson.

Dear Councillor

## **SOUTH AYRSHIRE LOCAL REVIEW BODY**

You are requested to participate in the above Panel to be held within County Hall on **Tuesday, 22 August 2023 at 2.00 p.m.** for the purpose of considering the undernoted business.

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

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

Yours sincerely

**Catriona Caves**  
Head of Legal and Regulatory Services

## **B U S I N E S S**

1. Declarations of Interest.
2. Minutes of the Previous meetings of 9<sup>th</sup> May 2023 and 20<sup>th</sup> June 2023.
3. Continuation of Review following a Site Visit - 22/01049/APP – Application for Planning Permission for erection of Garage at Blairston B7024 from High Maybole Road Ayr to Alloway Road, Maybole South from Ayr, South Ayrshire, KA7 4EF.

[Application Summary](#)

4. Continuation of Review following a Procedure Notice – 22/00634/APP – Application for Planning Permission for erection of residential development at Kilmarnock Road Monkton, South Ayrshire.

[Application Summary](#)

For more information on any of the items on this agenda, please telephone  
Committee Services on 01292 612101, at Wellington Square, Ayr or  
e-mail: [localreviewbody@south-ayrshire.gov.uk](mailto:localreviewbody@south-ayrshire.gov.uk)  
[www.south-ayrshire.gov.uk](http://www.south-ayrshire.gov.uk)

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**SOUTH AYRSHIRE LOCAL REVIEW BODY.**

Minutes of a hybrid webcast meeting held  
on 09 May 2023 at 2.00 p.m.

Present: Councillors Martin Kilbride (Chair), Ian Cavana and Alec Clark.

Apologies: Councillors Brian Connolly and Mary Kilpatrick.

(Councillors Kenneth Bell, Mark Dixon, Craig Mackay and Duncan Townson were not in attendance as they had not participated in all previous meetings (on 31st January, 10th March (site visit) and 14th March 2023) where the Review on the agenda was considered.)

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

Also Attending: G. Senior (Ayrshire Roads Alliance), the applicant and the appointed officer

**Opening Remarks.**

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

**1. Declarations of Interest.**

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

**2. Minutes of Previous Meeting.**

The minutes of 18 April 2023 (issued) were submitted and approved.

**3. Continuation of Review for a Hearing Session – 22/00367/APP – Application for Planning Permission for alterations and extension to Dwellinghouse at 86 Adamton Estate, Monkton, South Ayrshire, KA9 2SQ.**

There were submitted the relevant papers (issued) relating to a request to review the decision to refuse planning permission for alterations and extension to dwellinghouse at 86 Adamton Estate, Monkton, South Ayrshire, KA9 2SQ.

Having heard from Ayrshire Roads Alliance, the Appointed Officer and the Applicant on the specified matters of parking requirements and road safety at the site, and having heard the Chair, the Legal Adviser to the Body and the Planning Adviser to the Body, the Body considered the papers relating to the Review.

**Decided:** To reverse the appointed officer's decision and grant planning permission subject to the following conditions:-

**Conditions**

- 1) That the development hereby permitted must be begun within three years of the date of this permission.
- 2) That the development hereby granted shall be implemented in accordance with the approved plan(s) as listed below and as forming part of this permission unless a variation required by a condition of the permission, or a non-material variation has been agreed in writing by the Planning Authority.
- 3) That notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Scotland) Order, 1992 (or any Order amending or revoking and re-enacting that Order) no development within Class(es) 1A-3E shall be undertaken without the prior written permission of the Planning Authority.
- 4) That, prior to the commencement of works on-site, details, in a suitable format, shall be submitted for the prior written approval of the Council, as planning authority, of an off-road parking space that is to be accommodated on the site as developed, which shall be to the satisfaction of the Ayrshire Roads Alliance. Thereafter the development shall be implemented as per the agreed specification.

#### **Reasons**

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

#### **List of Approved Plans**

Drawing - Reference No (or Description): LOCATION PLAN

Drawing - Reference No (or Description): 01

Drawing - Reference No (or Description): 02

Drawing - Reference No (or Description): 03

#### **Reason for Decision**

The justification for the alterations and extension to the dwellinghouse hereby approved is considered to accord with the provisions of the development plan and 'Rural Housing Supplementary Guidance' and 'House Alterations and Extensions Supplementary Guidance' and there is no adverse impact on the character and amenity of the local area.

The meeting ended at 2:45 p.m.

**SOUTH AYRSHIRE LOCAL REVIEW BODY.**

Minutes of a hybrid webcast meeting held  
on 20 June 2023 at 2.00 p.m.

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

Remote: Councillor Mark Dixon

Apologies: Councillors Alec Clark, Brian Connolly and Craig Mackay.

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

**Opening Remarks.**

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

**1. Declarations of Interest.**

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

**2. New Case for Review - 22/01049/APP – Application for Planning Permission for erection of Garage at Blairston B7024 from High Maybole Road Ayr to Alloway Road, Maybole South from Ayr, South Ayrshire, KA7 4EF.**

There were submitted the relevant papers (issued) relating to a request to review the decision to refuse planning permission for erection of a garage at Blairston B7024 from High Maybole Road, Ayr to Alloway Road, Maybole South from Ayr, South Ayrshire, KA7 4EF.

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

The Body

**Decided:**

- (1) to hold an accompanied site visit to assess the application site in its setting and the surrounding area; and
- (2) that, thereafter, the review be continued to a future meeting of the Local Review Body for further consideration and decision.

2. **New Case for Review - 22/00634/APP – Application for Planning Permission for erection of residential development at Kilmarnock Road Monkton South Ayrshire.**

There were submitted the relevant papers (issued) relating to a request to review the decision to refuse planning permission for erection of a residential development at Kilmarnock Road, Monkton, South Ayrshire.

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

The Body

**Decided:** to continue consideration of this review to a future meeting of the Local Review Body for further information to be provided on the responses of the statutory consultees and the prospective loss of trees at the site, by way of a procedure notice.

The meeting ended at 3:00 p.m.

**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>	Continued 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 61 – Notice of Review and Supporting Information Pages 62 to 145 – Planning Application and Supporting Information Pages 146 to 147 – Decision Notice Pages 148 to 150 – Interested Parties Correspondence Page 151– Draft Conditions
<b>New Material:</b>	N/A
<b>Additional Material Any other Comments:</b>	Site Visit carried out on Friday 18th August 2023
<b>Dated:</b>	15 <sup>th</sup> August 2023

## Report of Handling of Planning Application

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

### REASON FOR REPORT

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

#### 1. Site Description:

The application site 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>Decision Agreed By:</b>	<i>Appointed Officer</i>
<b>Date:</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



**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:**

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**April 2023**

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**(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.**

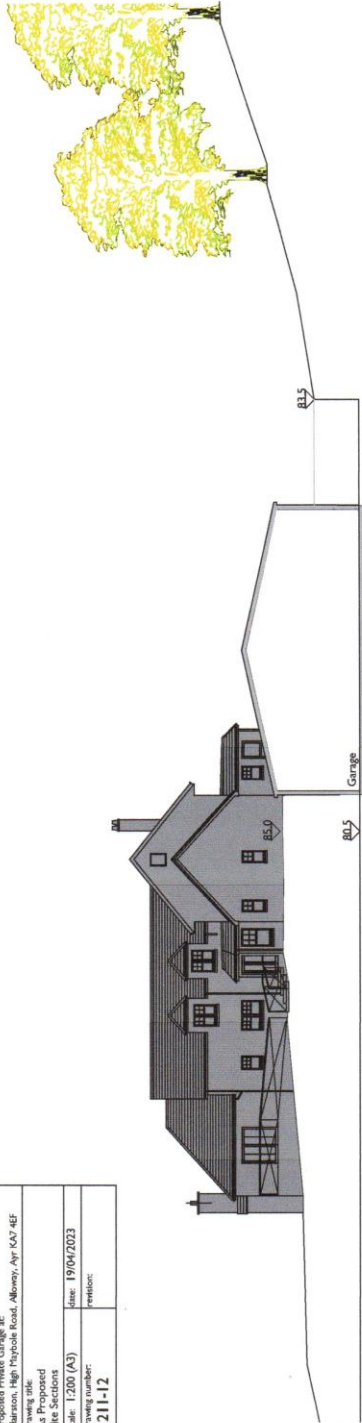
**The proposals would be located within this grouping and have an obvious physical relationship with it. Not therefore an isolated incongruous structure in the countryside.**

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

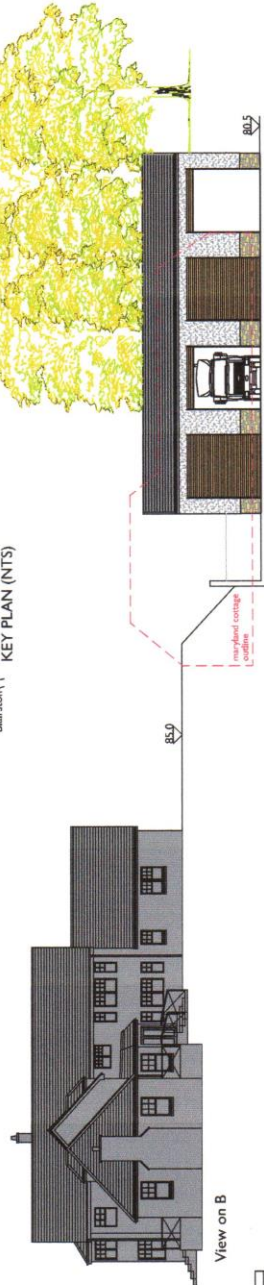
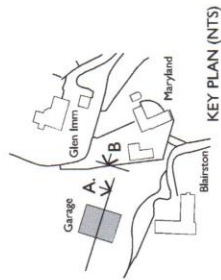
As confirmed in the Supporting Statement that forms part of Planning Application 22/01049/APP, the proposals, in accordance with the requirements of the Council, would have zero impact on the residential amenity of the nearest houses, i.e. Blairston House, Glen Imm or Maryland Cottage.

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

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



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 Architectural Services  
19 Moorpark, Prestwick, KA9 2JH  
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fax: 01292 471467  
e: paul.sill@psa.co.uk

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

	LOCUS OF APPLICATION
	WOODLAND
	PROPOSED GARAGE
	Boundary Treatment


 Proposed Boundary Treatment tree planting species include:  
 Ash, Sycamore, Willow, Birch Line & Poplar.



revision	date

### Planning Application

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

paul dill architectural services  
 19 moor park prinstwick h7 2hj  
 telf: 01793 411607  
 mobile: 078 2778826  
 e: paul.dill@outlook.com



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

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

**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**

**AERIAL IMAGE 1 of 3**  
(Courtesy of Google Maps)



**Locus of Proposed Garage Accommodation**



**AERIAL IMAGE 2 of 3**  
(Courtesy of Google Maps)

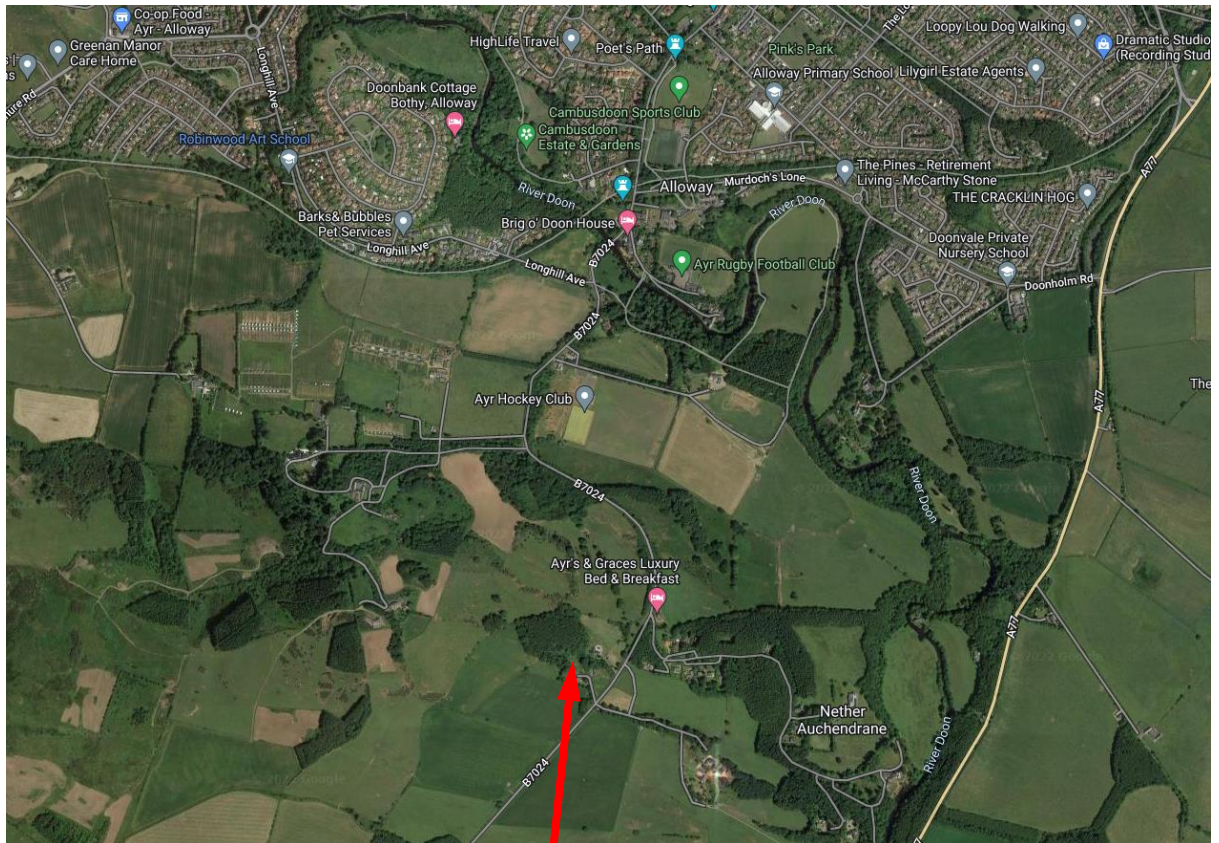


**Locus of Proposed Garage Accommodation**





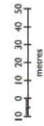
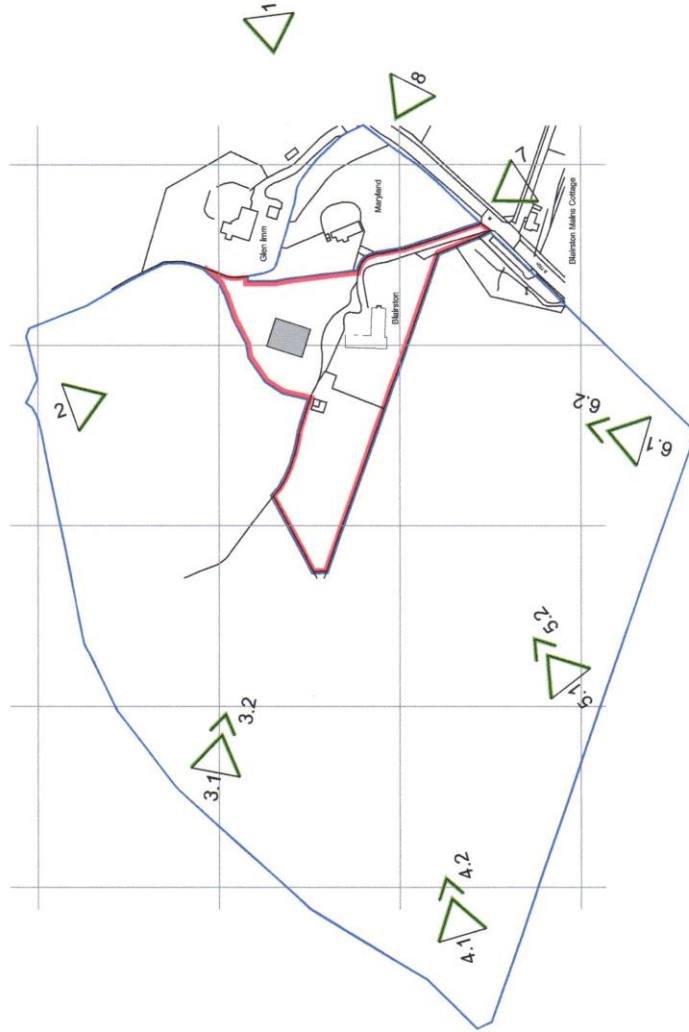
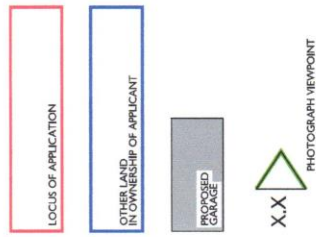
**AERIAL IMAGE 3 of 3**  
(Courtesy of Google Maps)



**Locus of Proposed Garage Accommodation**



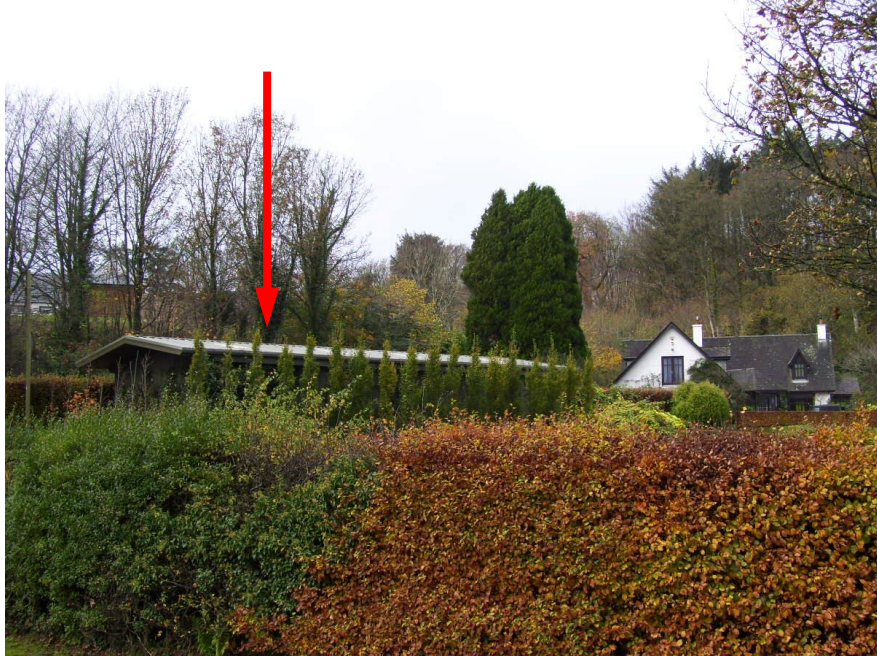
**Photograph Viewpoints. Drawing No: 1211-10**



Revision	Date
<p><b>Planning Application</b></p> <p><b>Applicant:</b> Mr &amp; Mrs John Scott Blarzon, High Maypole Road, Alloway, Ayr KA7 4EF</p> <p><b>Project:</b> Proposed Private Garage at: Blarzon, High Maypole Road, Alloway, Ayr KA7 4EF</p> <p><b>Drawing title:</b> Photograph Viewpoints</p>	
<p>paaf ltd architectural services 19 moor park prestwick, ka7 2h tel: 01292 471607 mobile: 07812776834 jr.paaf.ltd@gmail.com</p>	
Scale: 1:2000 (A3)	Date: 07/11/2022
Working number:	Revision:
<b>1211-10</b>	







**PHOTOGRAPH 1**



**PHOTOGRAPH 2**

**Locus of Proposed Garage Accommodation**



**NOTE: The `location arrows' are a general indication of where the proposed Garage Accommodation is located (in all cases being below and behind intervening physical and landscape features)**



**PHOTOGRAPH 3.1**



**PHOTOGRAPH 3.2**

**Locus of Proposed Garage Accommodation**



**NOTE: The `location arrows' are a general indication of where the proposed Garage Accommodation is located (in all cases being below and behind intervening physical and landscape features)**





**PHOTOGRAPH 4.1**



**PHOTOGRAPH 4.2**

**Locus of Proposed Garage Accommodation**



**NOTE: The `location arrows' are a general indication of where the proposed Garage Accommodation is located (in all cases being below and behind intervening physical and landscape features)**



**PHOTOGRAPH 5.1**



**PHOTOGRAPH 5.2**

**Locus of Proposed Garage Accommodation**



**NOTE: The `location arrows' are a general indication of where the proposed Garage Accommodation is located (in all cases being below and behind intervening physical and landscape features)**



**PHOTOGRAPH 6.1**



**PHOTOGRAPH 6.2**

**Locus of Proposed Garage Accommodation**



**NOTE: The `location arrows' are a general indication of where the proposed Garage Accommodation is located (in all cases being below and behind intervening physical and landscape features)**





**PHOTOGRAPH 7**



**PHOTOGRAPH 8**

**Locus of Proposed Garage Accommodation**



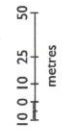
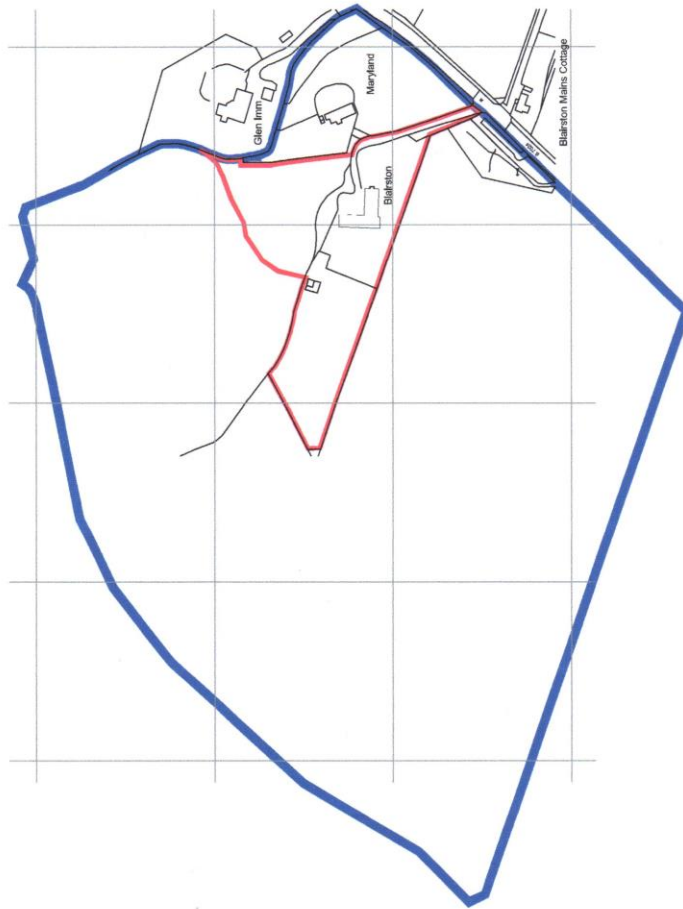
**NOTE: The 'location arrows' are a general indication of where the proposed Garage Accommodation is located (in all cases being below and behind intervening physical and landscape features)**



**Block Plan showing All Land in Ownership of Applicants. Drawing No 1211-03**

ALL LAND IN OWNERSHIP OF APPLICANT

LOCUS OF APPLICATION



revision	date

**Planning Application**

Applicant:  
Mr & Mrs John Scott  
Blakiston, High Hyshide Road, Alweary, Ayr KA7 4EF

Project:  
Proposed Private Garage at:  
Blakiston, High Hyshide Road, Alweary, Ayr KA7 4EF

Project Name:  
Block Plan  
Showing All Land in Ownership of the Applicant




AP/AS/ architectural services  
17 West Park, Perthshire, MK3 2H  
Tel: 01752 471667  
Fax: 01752 471668  
E: paul.scott@apad.co.uk

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

**Immediate Local Context. Drawing No 1211-02**



Location	Site
<p><b>Planning Application</b></p> <p>Mr &amp; Mrs John Scott Blariston, High Maybole Road, Alloway, Ayr KA7 4EF</p> <p>Proposed: Proposed Private Garage at: Blariston, High Maybole Road, Alloway, Ayr KA7 4EF</p> <p>Drawing title: Immediate Local Context</p>	
<p>paal and architectural services 19 moor park prunedick rd 2h tel: 01392 474607 mob: 0781277826 e: paul.s@paal.co.uk</p>	
	
Scale: 1:2500 (A3)	Date: 01/11/2022
Drawing number: 1211-02	Revision:



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

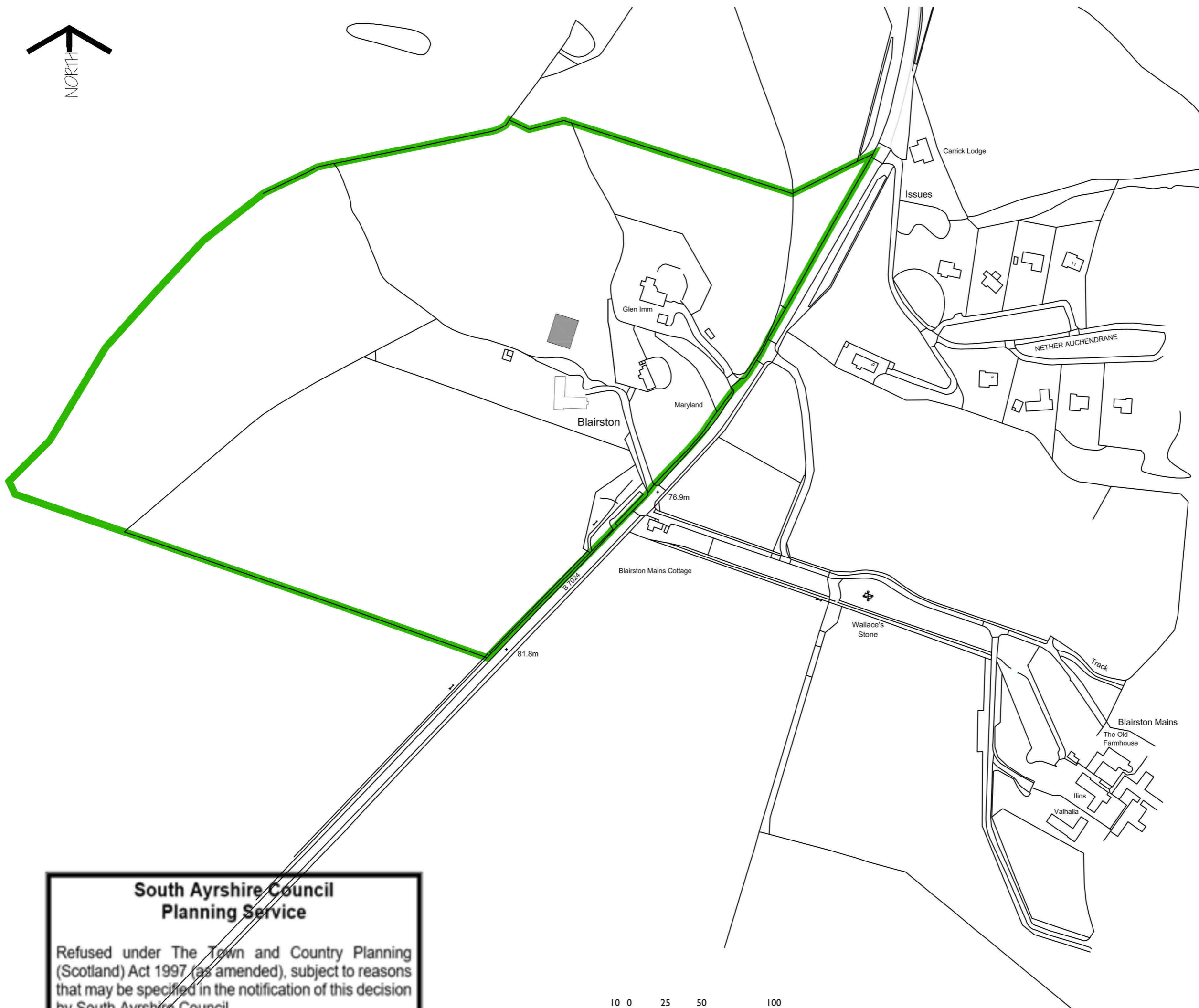


Created: 15/12/2022 11:35





IMMEDIATE LOCAL CONTEXT

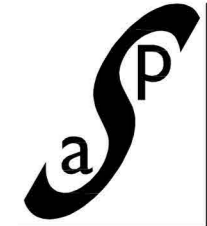


revision	date

### Planning Application

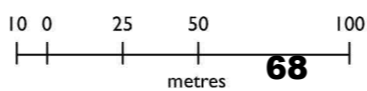
applicant: <b>Mr &amp; Mrs John Scott</b> Blairston, High Maybole Road, Alloway, Ayr KA7 4EF
project: Proposed Private Garage at: Blairston, High Maybole Road, Alloway, Ayr KA7 4EF
drawing title: <b>Immediate Local Context</b>

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.

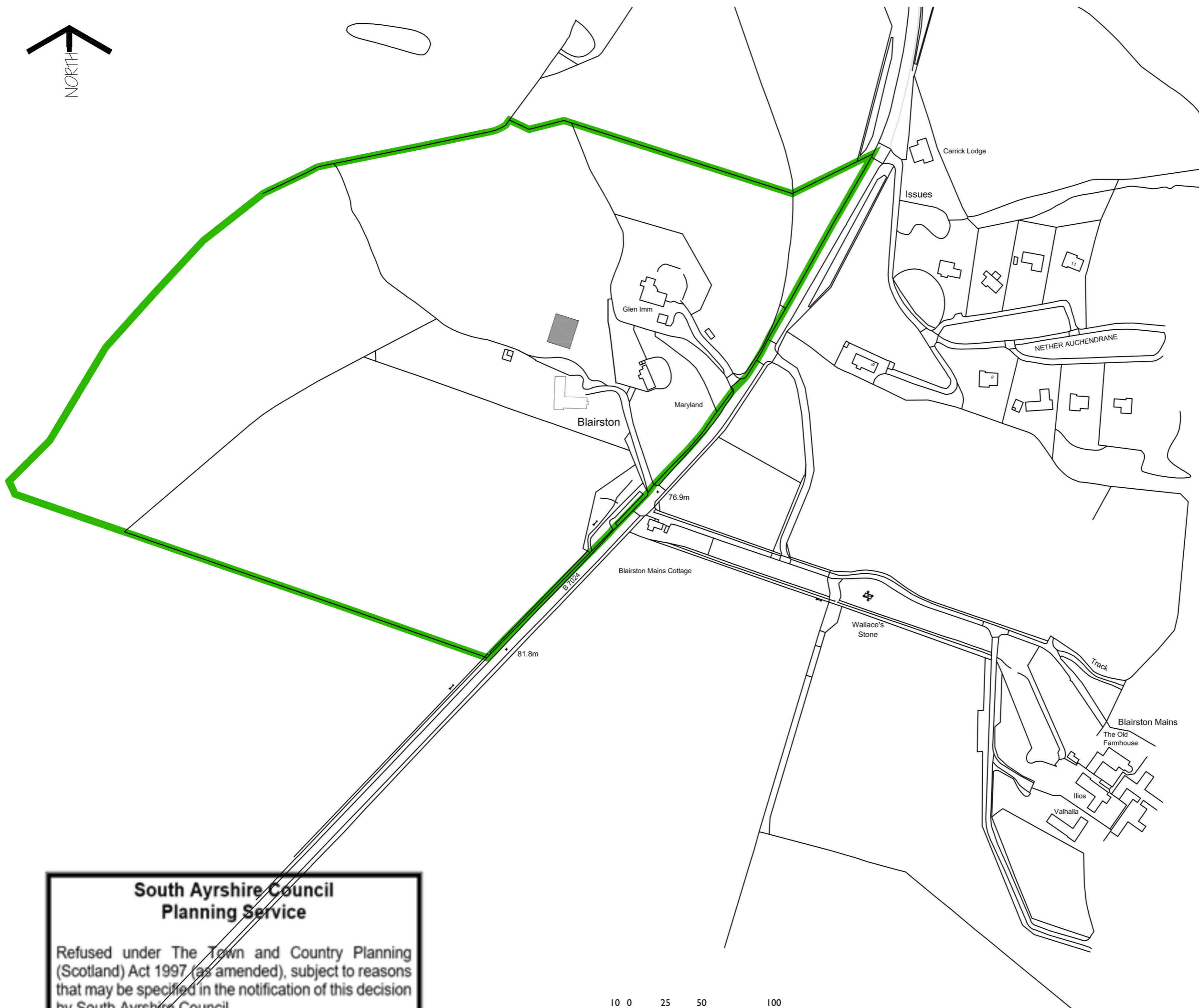


scale: 1:2500 (A3)	date: 01/11/2022
drawing number: <b>1211-02</b>	revision: .



IMMEDIATE LOCAL CONTEXT

PROPOSED GARAGE



revision	date

### Planning Application

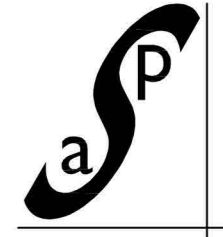
applicant:  
**Mr & Mrs John Scott**  
 Blairston, High Maybole Road, Alloway, Ayr KA7 4EF

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

drawing title:  
**Immediate Local Context**

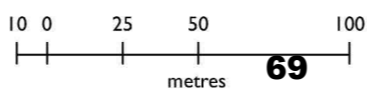
paul sisi architectural services  
 19 moor park prestwick ka9 2nj

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.



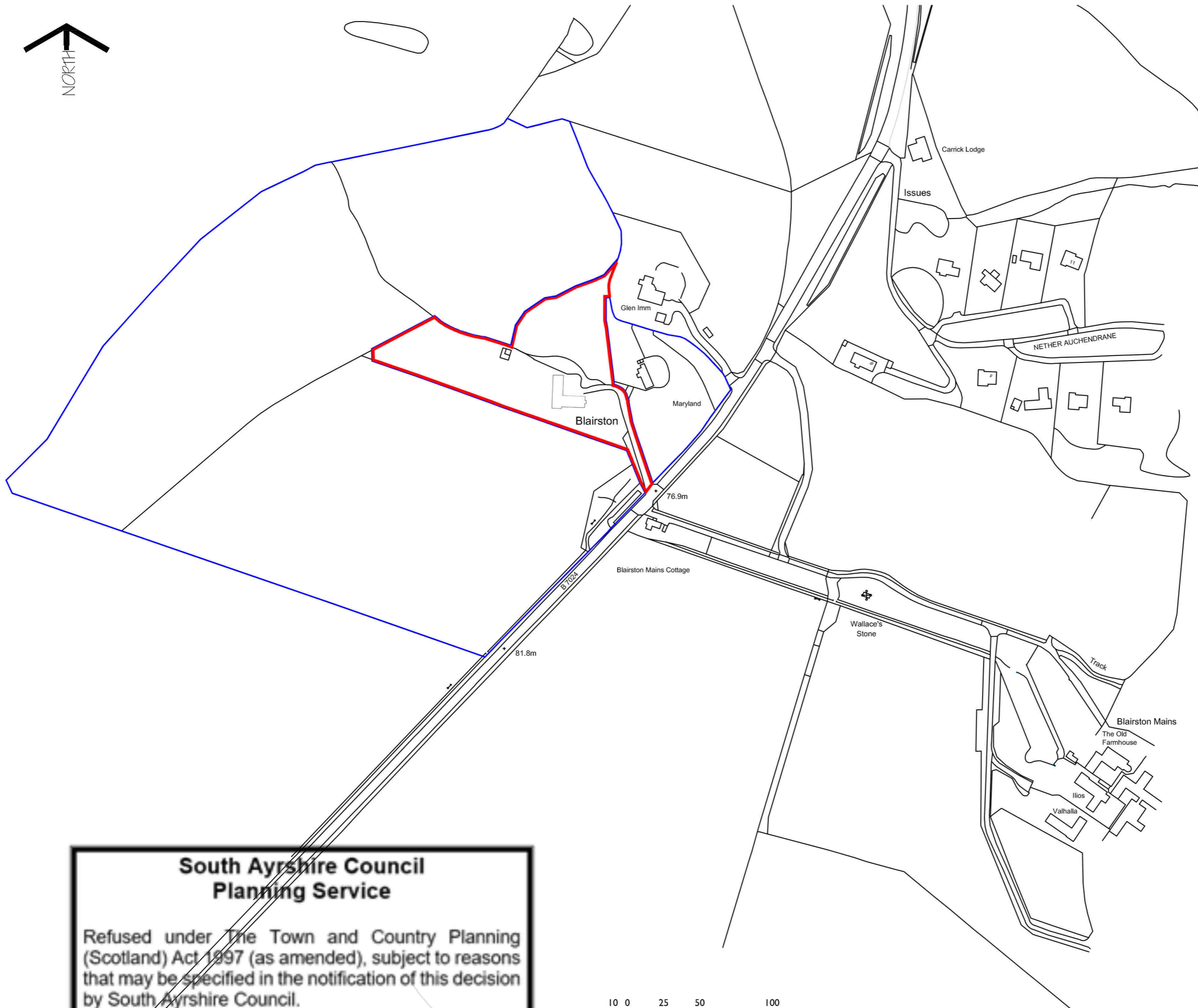
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drawing number: <b>1211-02</b>	revision: .





LOCUS OF APPLICATION

OTHER LAND IN OWNERSHIP OF APPLICANT



revision	date

### Planning Application

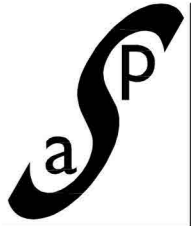
applicant:  
**Mr & Mrs John Scott**  
 Blairston, High Maybole Road, Alloway, Ayr KA7 4EF

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

drawing title:  
**Area  
 Location Plan**

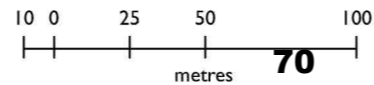
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 19 moor park prestwick ka9 2nj

tel: 01292 471607  
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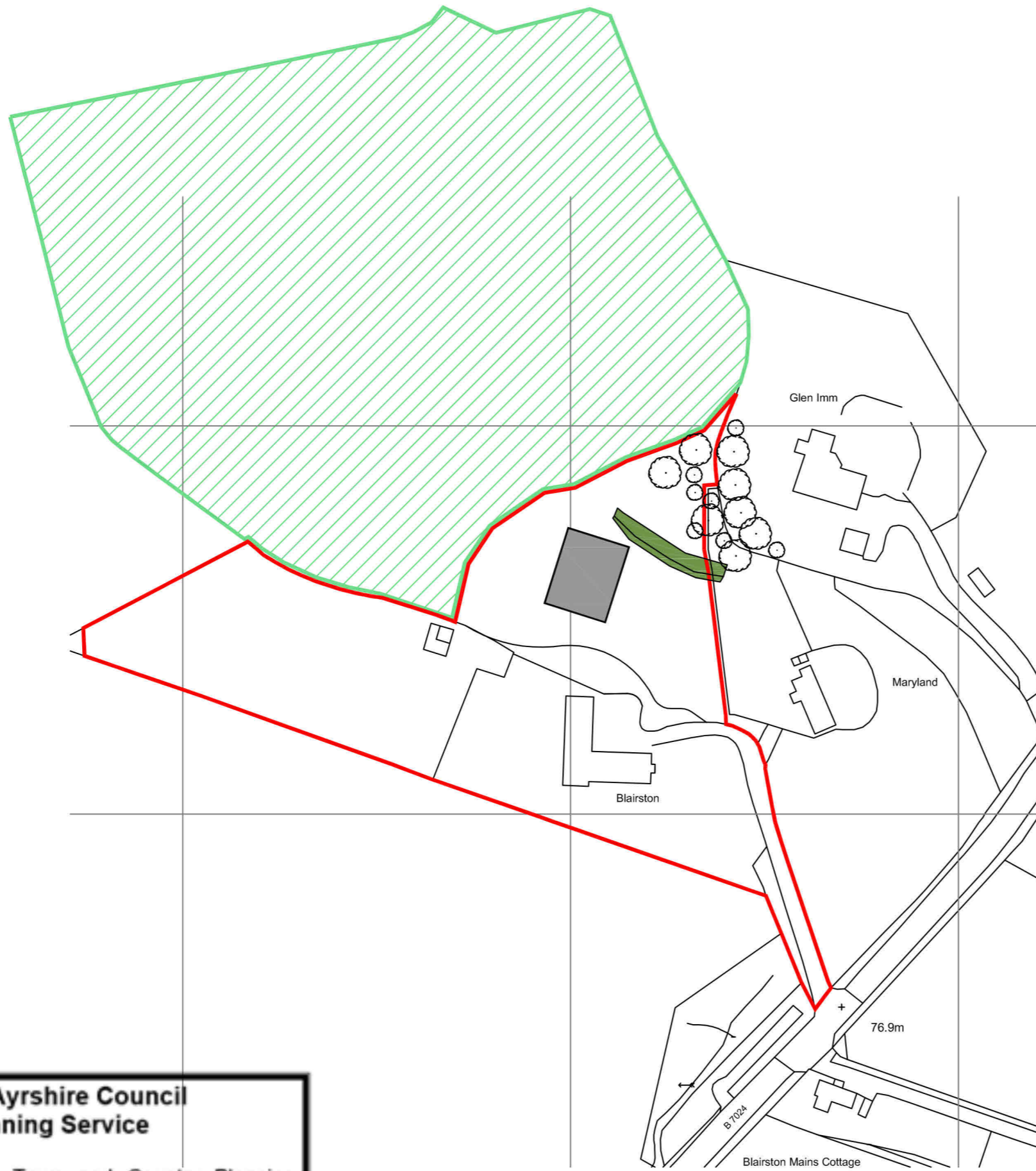


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 Planning Service**

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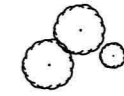


LOCUS OF APPLICATION

WOODLAND

PROPOSED GARAGE

Planted BERM feature



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

revision	date
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### Planning Application

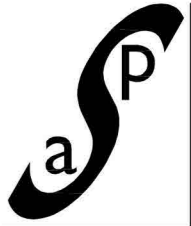
applicant:  
Mr & Mrs John Scott  
Blairston, High Maybole Road, Alloway, Ayr KA7 4EF

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

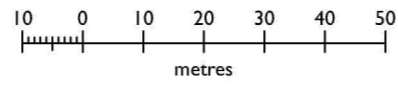
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mob: 07812778826  
e: paul.sisi@outlook.com



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drawing number: <b>1211-04</b>	revision: .

**South Ayrshire Council  
Planning Service**

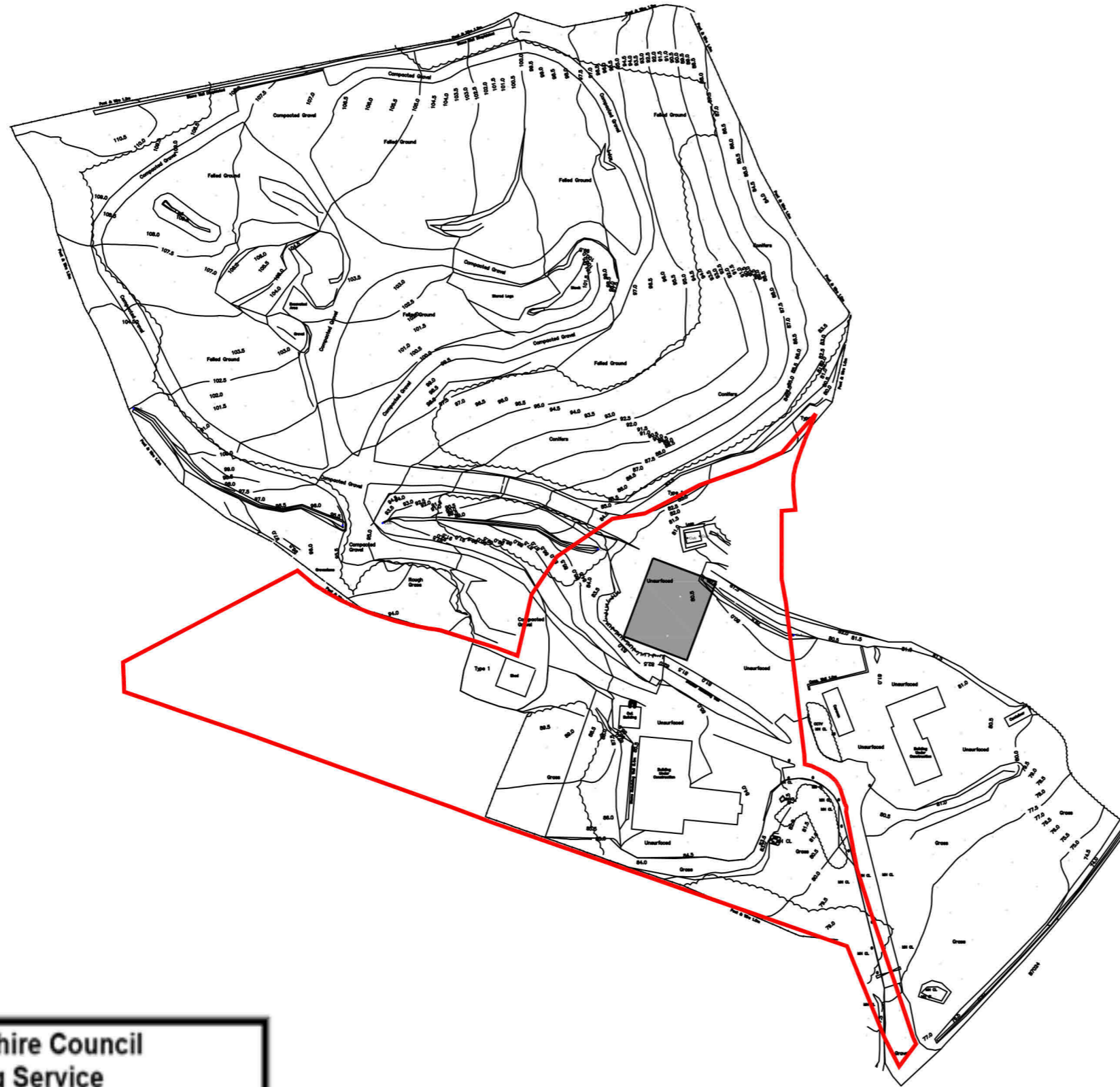
Refused under The Town and Country Planning (Scotland) Act 1997 (as amended), subject to reasons that may be specified in the notification of this decision by South Ayrshire Council.





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

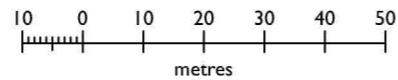
paul sisi architectural services  
19 moor park prestwick ka9 2nj  
tel: 01292 471607  
mob: 07812778826  
e: paul.sisi@outlook.com



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.



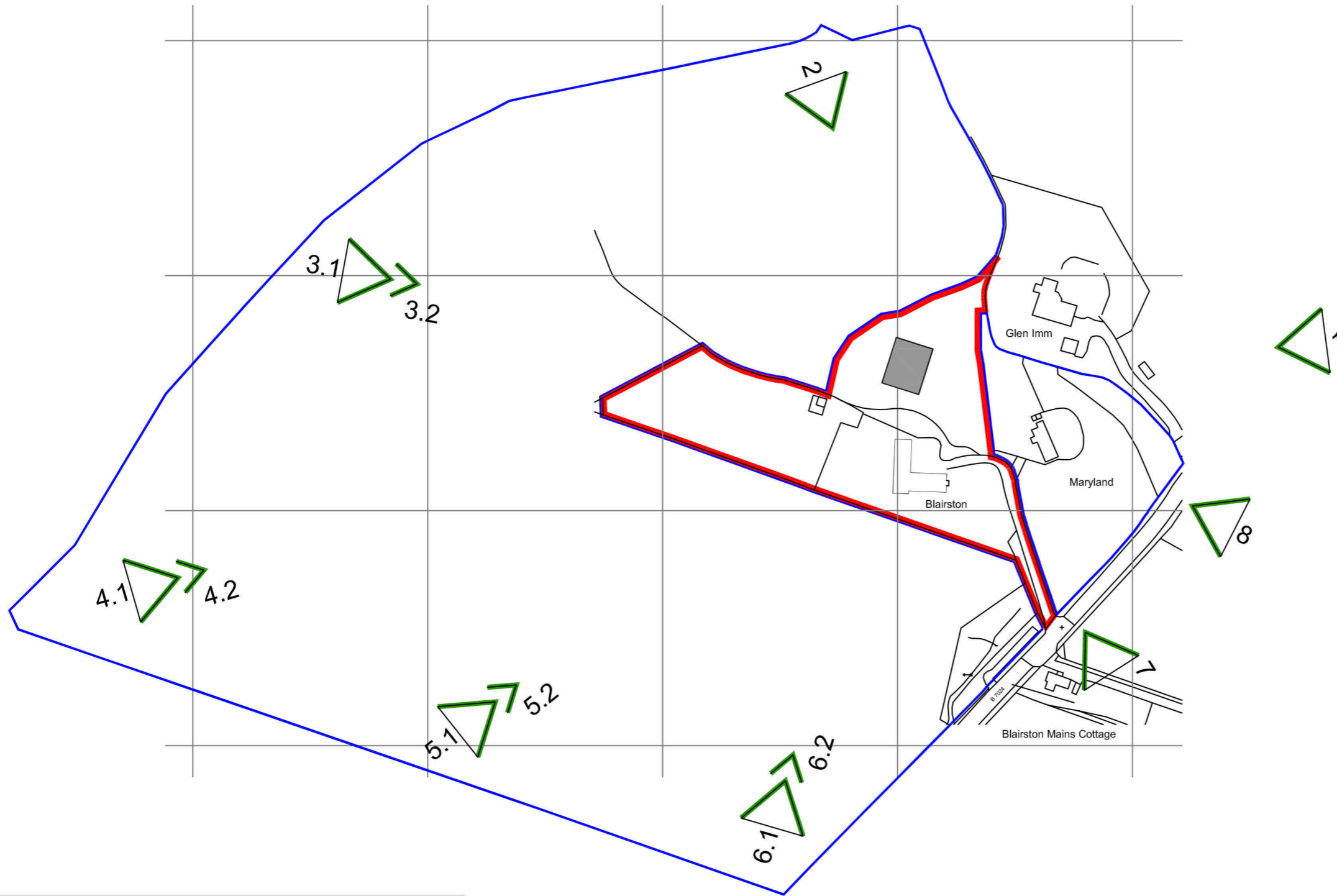


LOCUS OF APPLICATION

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

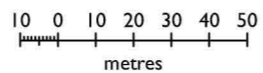
drawing title:  
**Photograph Viewpoints**

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**

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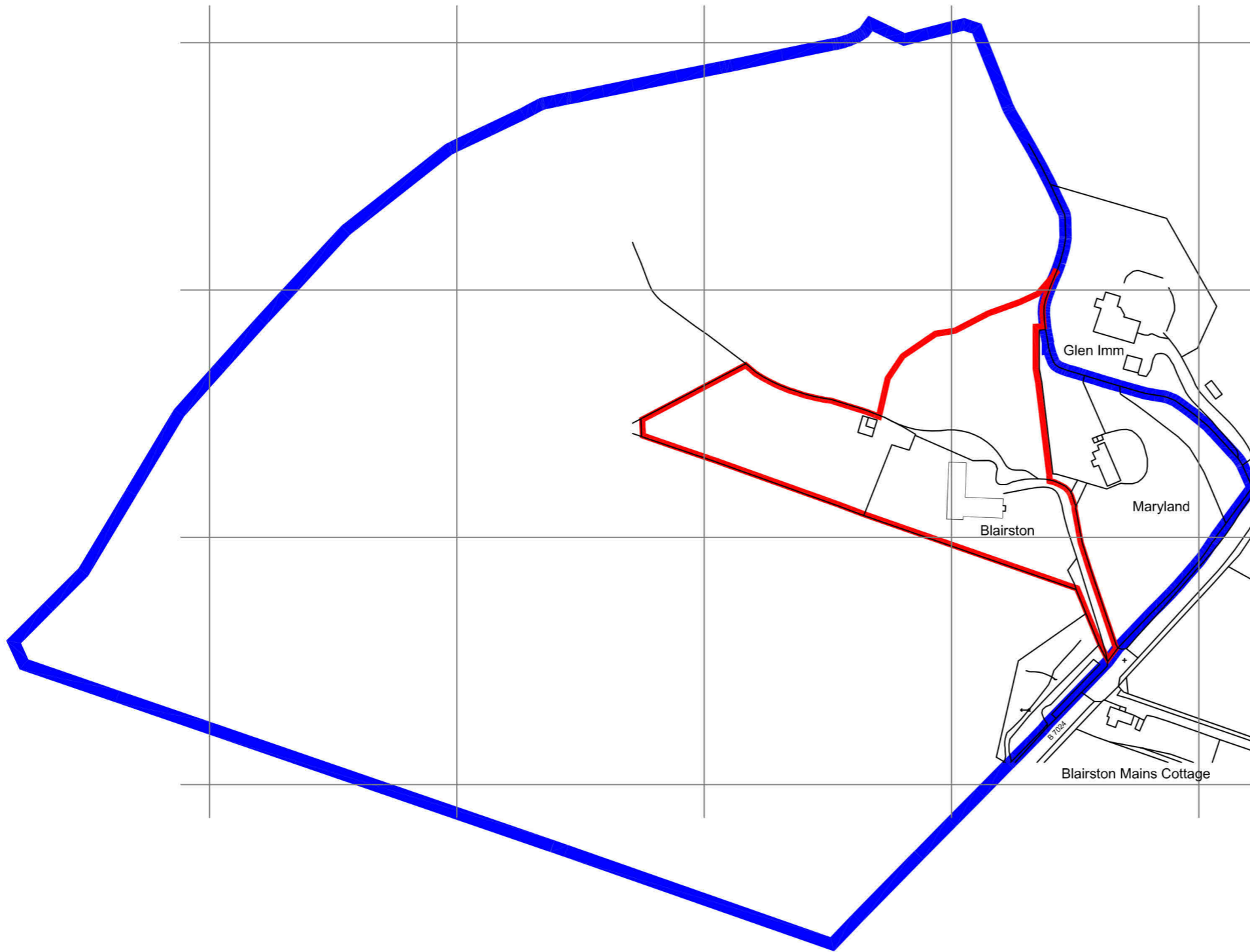


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drawing number: <b>1211-10</b>	revision: .



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
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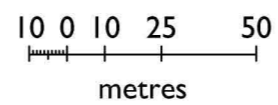
**Planning Application**

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

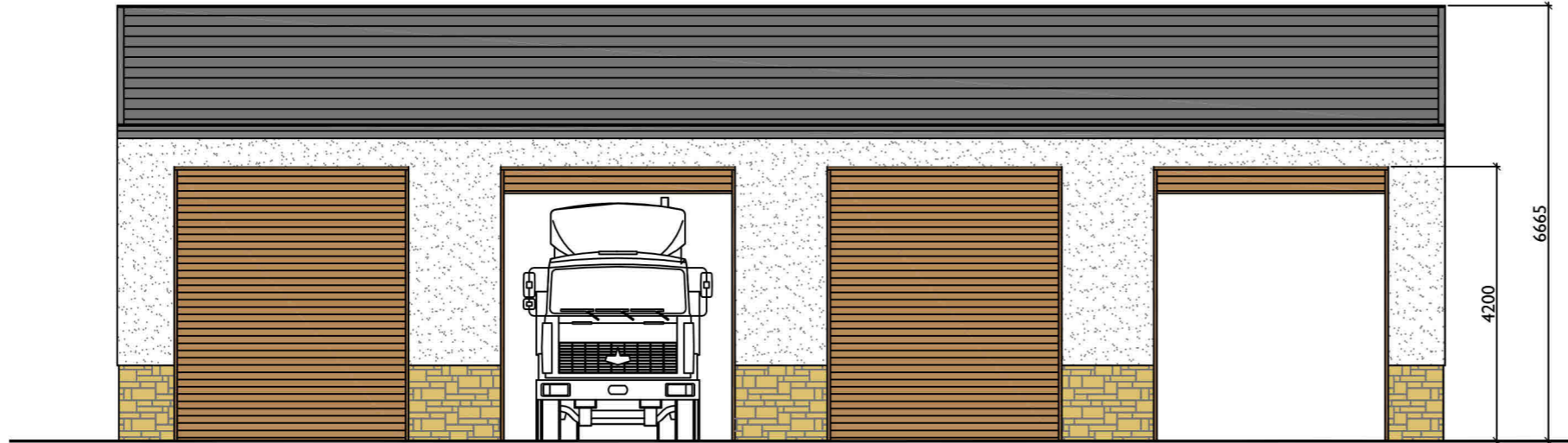
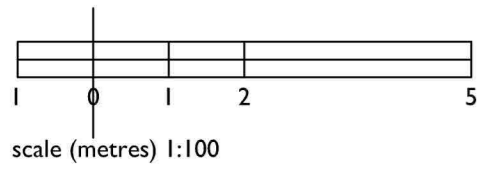
drawing title:  
Block Plan  
Showing All Land in Ownership of the Applicant

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

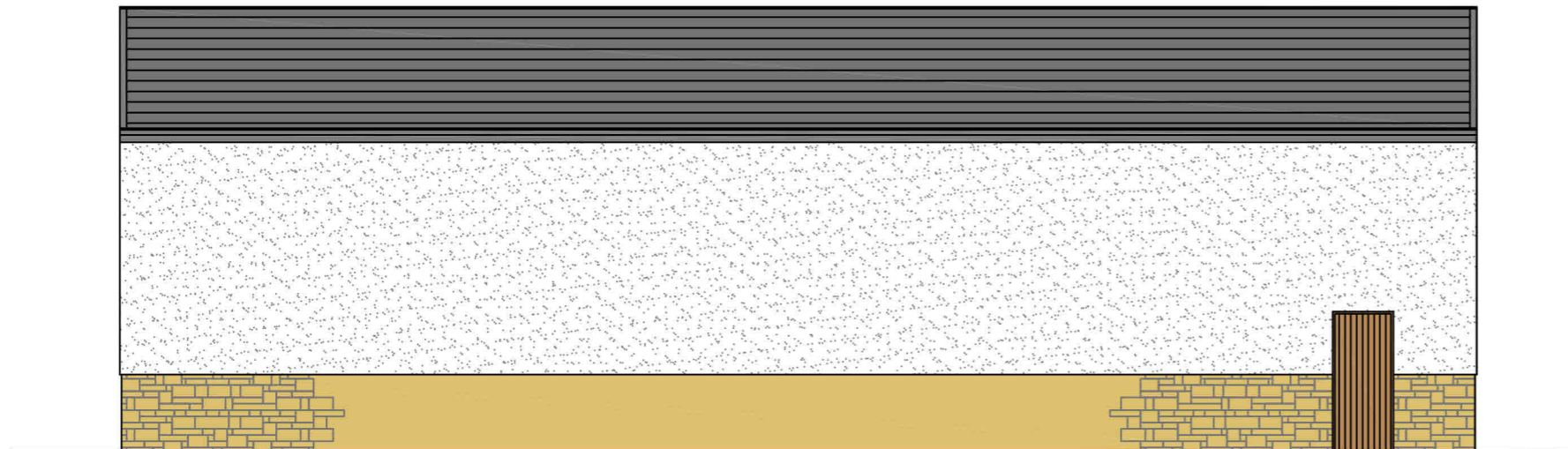


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drawing number: 1211-03	revision: .





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)

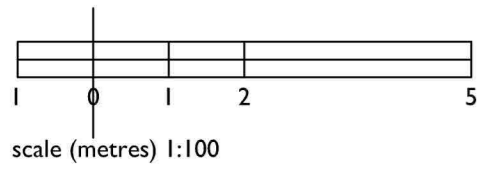
paul sisi architectural services  
19 moor park prestwick ka9 2nj

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



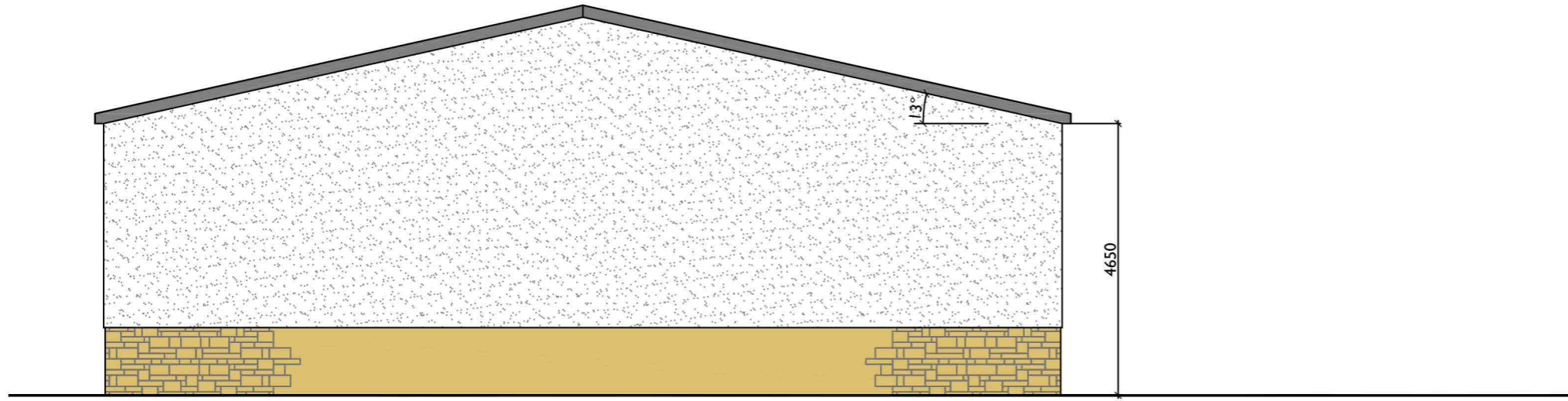
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drawing number: 1211-08	revision:



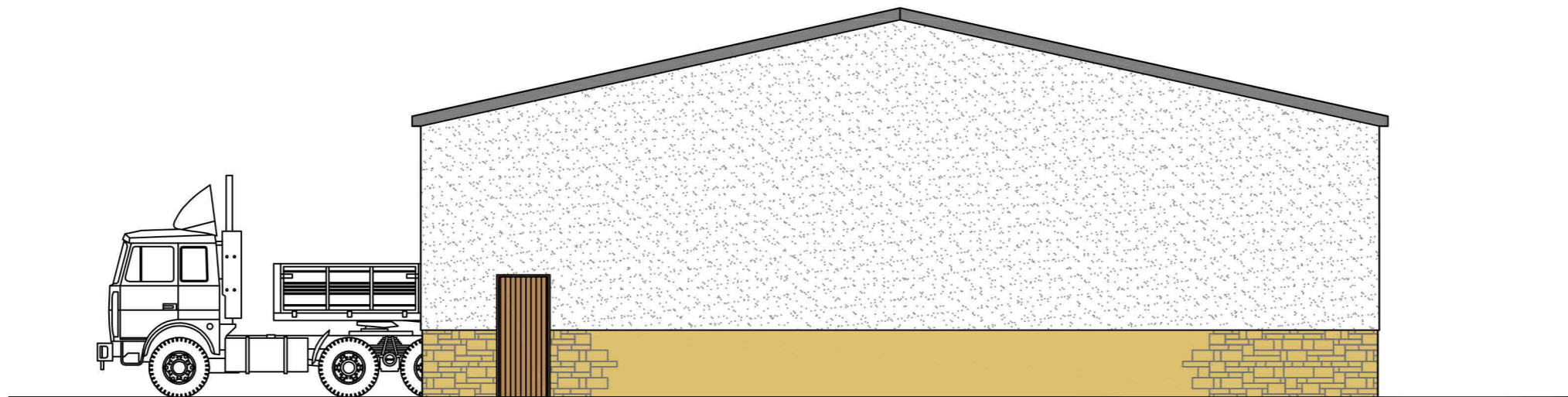


**South Ayrshire Council  
Planning Service**

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NORTH EAST ELEVATION



SOUTH WEST ELEVATION

revision	date

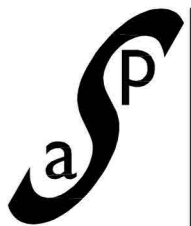
**Planning Application**

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

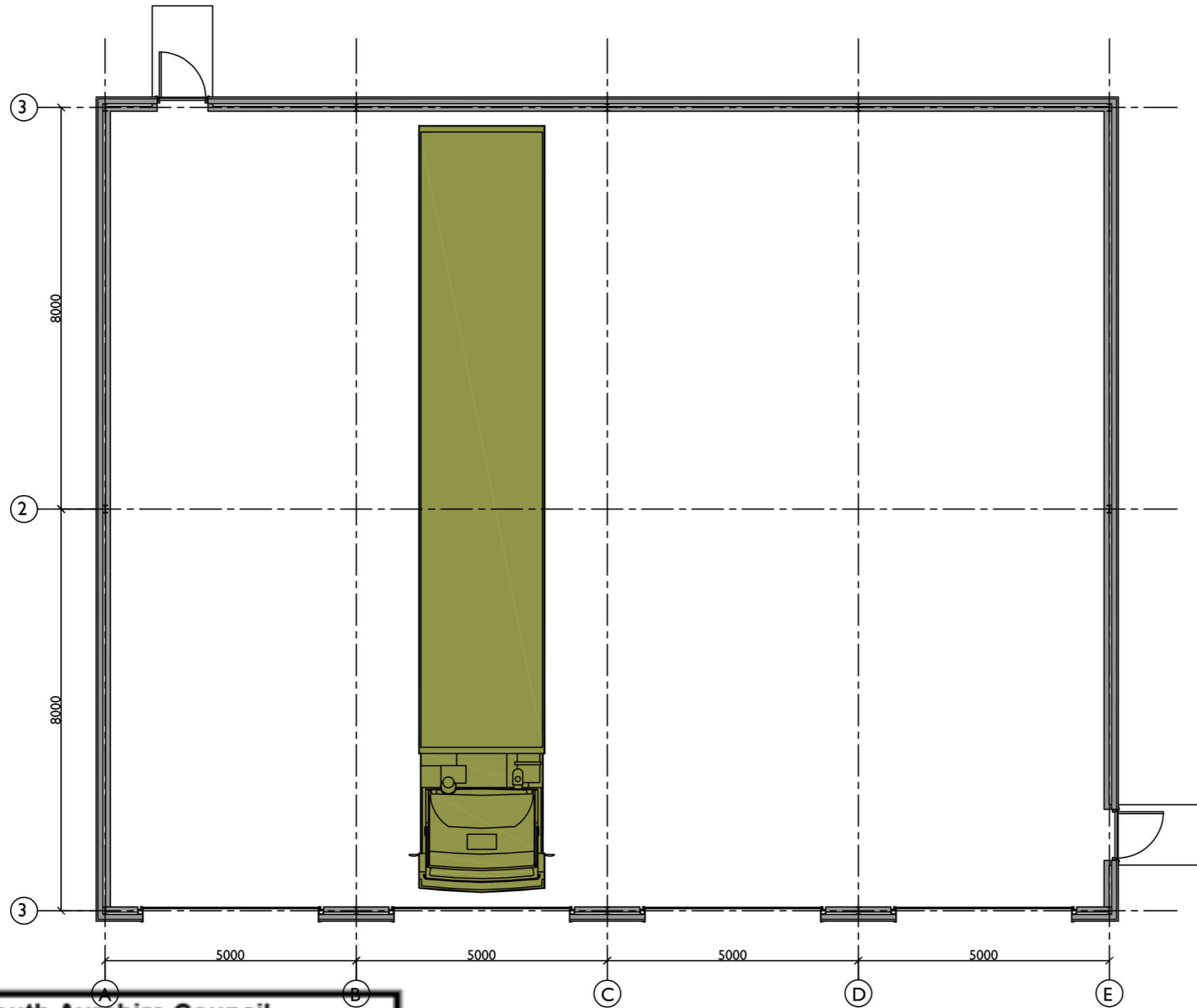
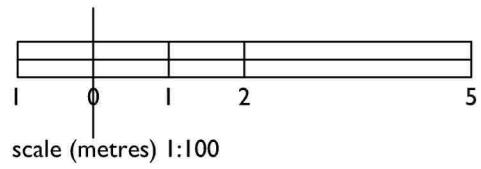
project:  
Proposed Private Garage at:  
Blairston, High Maybole Road, Alloway, Ayr KA7 4EF

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: 1211-09	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: 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 Garage Floor Plan

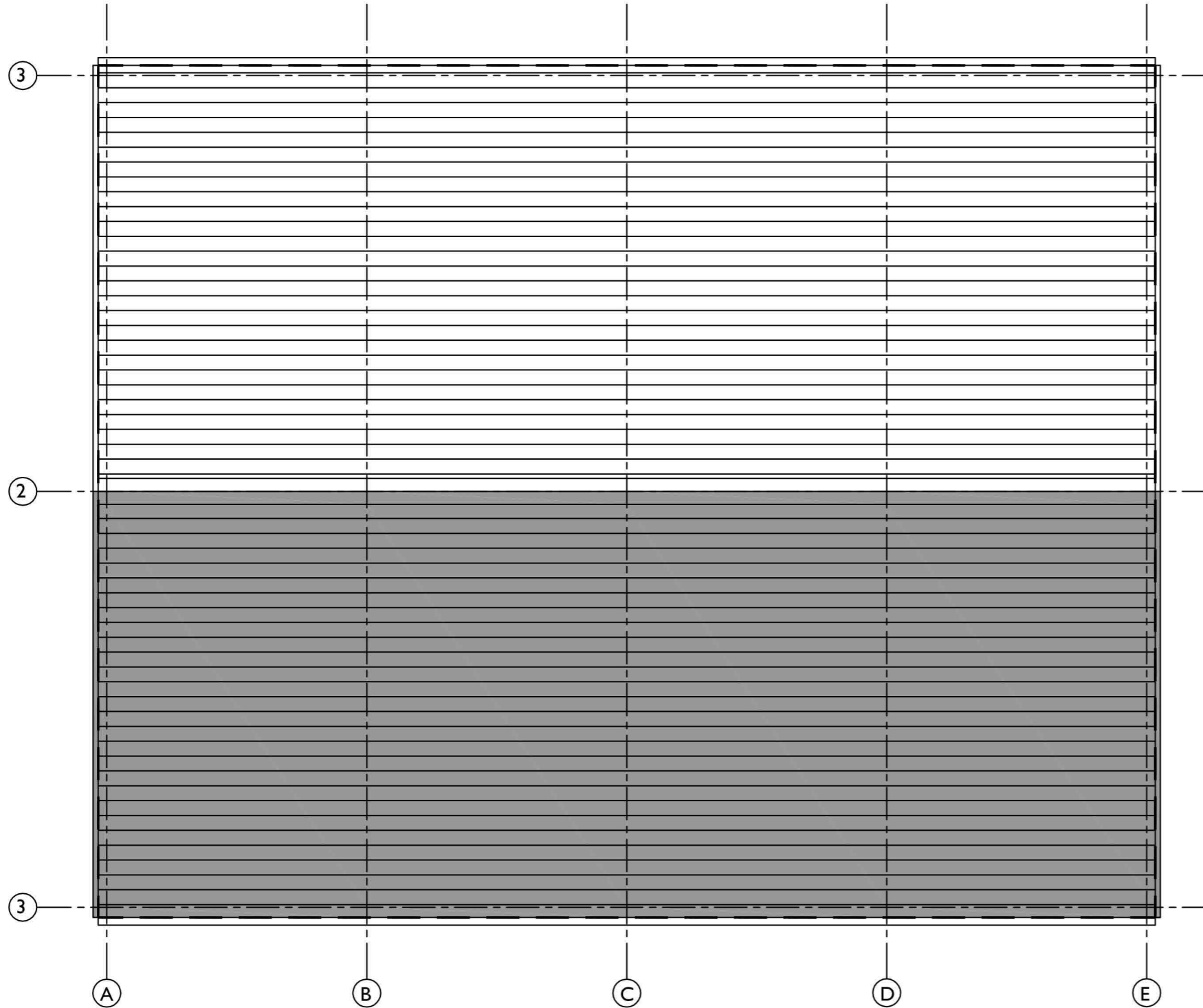
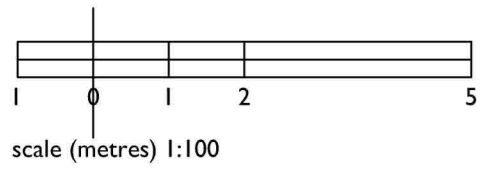
paul sisi architectural services  
19 moor park prestwick ka9 2nj  
tel: 01292 471607  
mob: 07812778826  
e: paul.sisi@outlook.com



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

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Planning Service**

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Planning Service**

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(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:

**STATEMENT IN SUPPORT  
OF PLANNING APPLICATION FOR  
THE ERECTION OF PRIVATE DOMESTIC GARAGE  
ON LAND AT BLAIRSTON HOUSE, AYR, KA7 4EF**

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

**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**



**December 2022**

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	<b><u>Area Context</u></b>	
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- Responses to relevant Planning Policy, advice and guidance from relevant source documents at national and local levels
- Other Relevant Material Considerations

## **5.0 PROPOSALS**

**P55 – 60**

- The Proposals, including:
  - Drawings
  - Materials and Details of Construction
    - External finishes
  - Landscaping

## **6.0 SUMMARY / CONCLUSIONS**

**P61 – 62**

**APPENDIX (separate document)**

***Photographs, etc, including those of the Vehicles to be housed***

**(i) SUMMARY / CONCLUSIONS**

- Planning permission is being sought to construct a Private Garage on ground shown on Planning Application Drawing No 1211-01, i.e. within the garden of Blairston House

The Garage will be used for the storage of vintage vehicles, the primary hobby of one of the Applicants – a long-standing member of the Historic Commercial Vehicle Society and, as there is no other garage associated with the property, the garaging of the Applicants' private cars.

- The proposed site is within the greenbelt. Housing is, however, recognised as an established use within the greenbelt. The proposed Garage is within the area of the garden of Blairston House and would be for entirely domestic use
- The precise details of the location mean, as confirmed elsewhere in this Statement, that, including both visual and physical impact, the proposals would have no discernible impact on the character of that part of the greenbelt within which it would be situated. Effectively, it would only be seen from the air
- In summary, the proposals would not:
  - impact on the landscape setting of settlements
  - encourage coalescence, located as this would be well away from the margin of the greenbelt
  - disrupt patterns of woodland, fields, hedgerows, etc, or
  - impact on skylines, hill features, including prominent views
  - be isolated
- While not typical of the garages described in Supplementary Guidance: Rural Housing, Design Policy 2, it is generally agreed that, while the word 'garage' has several connotations, it is generally agreed that it

means a building for housing a motor vehicle or vehicles. The use of the proposed Garage falls within the scope of the definition of 'domestic'

- The proposals would form an integral part of a group of buildings
- The key physical/visual relationships are with Blairston House and Maryland Cottage and its eventual Garage
- To assist with tying in the proposals with these two properties, a similar palette of materials would be used. In detail, the proposals are for a rendered wall finish over a stone-effect base course detailing, with the use of a mock tile interlocking roof
- These details reinforce the domestic nature of the structure, tying it in visually with the two houses
- At a detailed level, the proposals would not offend the requirements of residential amenity relative to its nearer neighbours
- In the final analysis, the question therefore is, would the proposals undermine the effectiveness and robustness of Green Belt Policy here or elsewhere within the LDP2 area? No clear evidence has been brought forward to support the opinion that previous proposals for the site of a similar scale would have such a consequence.
- It is maintained, therefore, that the current proposals – on a reduced scale and using different materials – would be even less evident if that was indeed possible



## 1.0 INTRODUCTION AND BACKGROUND INFORMATION

### Background

This Report has been commissioned by Mr and Mrs John Scott, Blairston House, Ayr, KA7 4EF. At the time of writing, it was understood that the application site was in their ownership. Boundaries of the application site and overall extent of ownership are confirmed by Planning Application Drawing No 1211-01, a copy of which can be found on page 28 and which forms part of the planning application.

### The Applicants

These are Mr and Mrs John Scott, Blairston House, High Maybole Road, Ayr, KA7 4EF.

### Project Team

This Supporting Statement, as instructed by the Applicants, was prepared by:

- **Michael S Evans, Planning Consultant, meicplan.associates**  
“Ty-Newydd”, 11 Murchie Drive, Kings Meadow, Prestwick, KA9 2ND and
- **Paul Sisi, Architectural Services, 19 Moor Park, Prestwick, KA9 2NJ**

### The Site

The proposed red line site extends to 1 Ha and comprises the private garden of Blairston House. As shown in Planning Application Drawing No 1211-04, the proposed Garage would be within a northern portion of the garden.

## **The Proposals**

**Planning permission is being sought to construct a private garage on the above-mentioned site to be used for the storage of vintage vehicles, the primary hobby of one of the Applicants.**

A copy of Planning Application Drawing Nos 1211-06, 1211-07, 1211-08 and 1211-09 can be found in Part 5.0.

This would extend to 324 m<sup>2</sup> and would comprise space for the storage of vintage vehicles (trucks).

John Scott, since his earliest days, 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.

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 £50,000.
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 £50,000.
4. 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 £45,000.
5. 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.
6. 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 £55,000 now.

While it does include other vehicles, the majority, as can be seen, are 'trailer units', i.e. trucks/lorries. These represent the core of Mr Scott's hobby. He has spent years restoring these vehicles to their original condition and he now requires a building where they can be stored safely and will enable periodically low intensity maintenance to take place.

This building needs to be accessible so that it can be used as often as required on an essentially ad hoc basis. To emphasise the importance of Mr Scott's hobby to him, he is a long-standing member of 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. It should be noted, however, that attendances at these and other charity events are on an occasional basis, with the vehicles only being on the public roads perhaps three or four times a year.

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 and, as a hobby, should be as accessible as possible.**

#### **Scope and Purpose of this Supporting Statement (Project Brief)**

This Statement forms part of the planning application and relates to the area of ground shown in Planning Application Drawing No 1211-04.

#### **The purpose of this Statement is to confirm that the proposals are:**

- (i) **consistent with the requirements of the relevant policies of the Adopted South Ayrshire Local Development Plan, the Council's Supplementary Planning Guidance and**
- (ii) **consistent with Scottish Planning Policy (SPP) and**
- (iii) **have taken into account relevant outcomes from material considerations**

In particular:

- (a) the refusal on a delegated basis of Planning Application Ref No 21/00551/APP and
- (b) Decision by South Ayrshire Local Review Body (LRB), 29 March 2022

## 2.0 AREA CONTEXT AND SITE ANALYSIS

### Area Context

The Area context is shown in Planning Application Drawing No 1211-01.

The application site lies approximately one mile to the south of Alloway.

The policy position in relation to landscape is dealt with later. The Applicants and their Design Team are aware that a successful outcome will be dependent upon a number of considerations. Among them, in this case, relate to the detailed characteristics of the site and its location and setting within the near and broader landscape (i.e. area context). Can the proposals, as designed, be successfully absorbed into both?

The intention at this stage therefore, in order to provide a baseline for assessing potential impact, is to provide from confirmed sources as clear a picture as possible about landscape context/setting.

#### (i) Broad Landscape Character

The landscape policies of the adopted LDP refer to the Ayrshire Landscape Assessment published by the then SNH in 1998 as the primary source of guidance re broad landscape. The 1998 Assessment places the site on the eastern edge of Landscape Character Area D, Coastal Headlands, immediately adjacent to Area I, Lowland River Valley to the east. In terms of broad landscape context, however, more recently the 1998 Assessment has been replaced by Scottish Landscape Character Types (LCT) Maps and Descriptions published by NatureScot in 2019. In the document, the site is allocated to Landscape Character Area Type 68, i.e. Lowland River Valleys – Ayrshire, although the overall ownership of Blairston House could well extend into Landscape Character Area Type 62. Coastal Headlands.

Inevitably, the boundaries drawn between LCT are, to a degree, generalisations and, in several respects, the characteristics of the site do not entirely mirror those of either LCT.

In relation to establishing baseline information, the Council's 'Green Belt Update of the South Ayrshire LDP' was also interrogated. The site falls within Area Reference 67, and this information is also returned to later.

**(ii) Local/Immediate Landscape Context**

In our opinion, the relevant area is shown on Drawing No 1211-02 on page 24.

The key landscape issue is one of visual impact: Where will these proposals be seen from? In our opinion, the photographs to be found on Blairston Images Sheets on pages 17 to 22 confirm that visual impact will be minimal.

**In the final analysis, 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 on page 13 to 15 confirm the wooded 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 this means is that the proposals would be substantially unseen. 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 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.**

There is also the matter of potential impact on residential amenity and this is dealt with on page 43.

**AERIAL IMAGE 1 of 3**

(Courtesy of Google Maps)

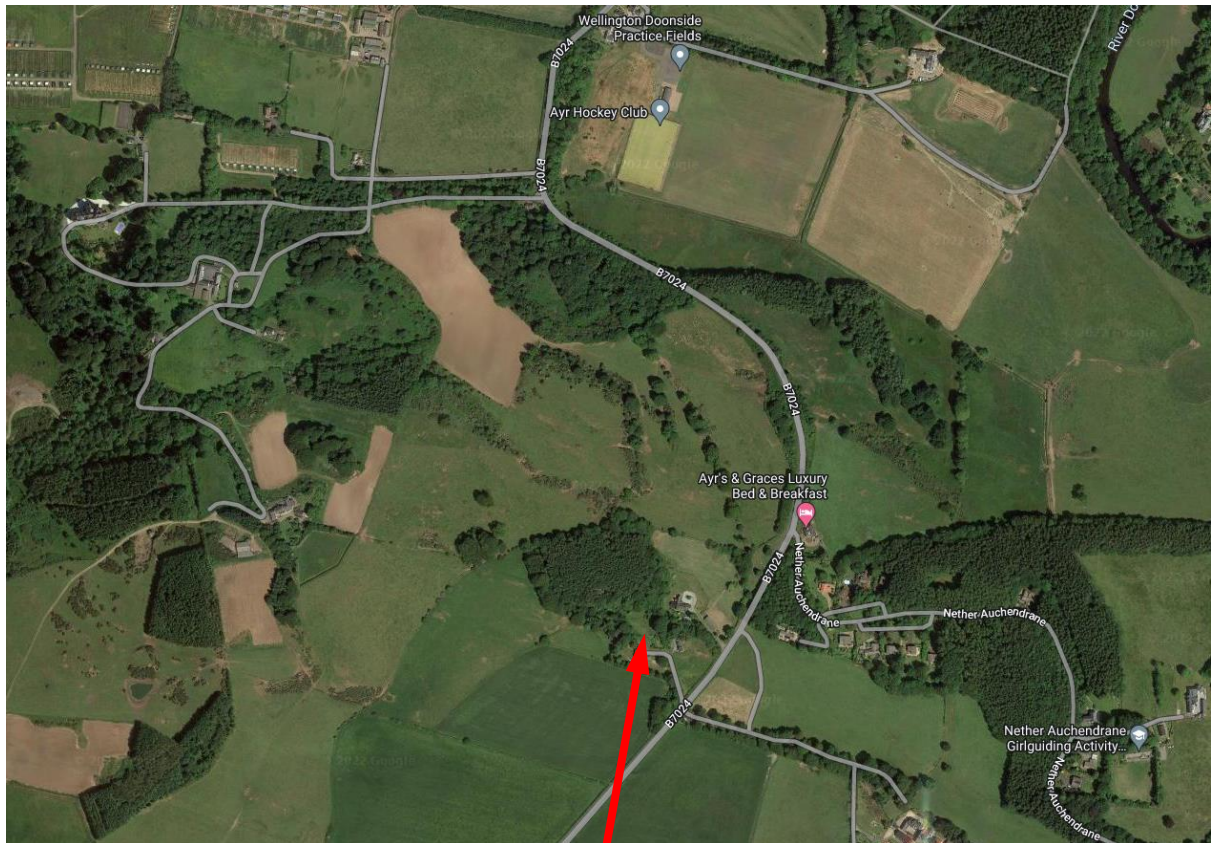


**Locus of Proposed Garage Accommodation**





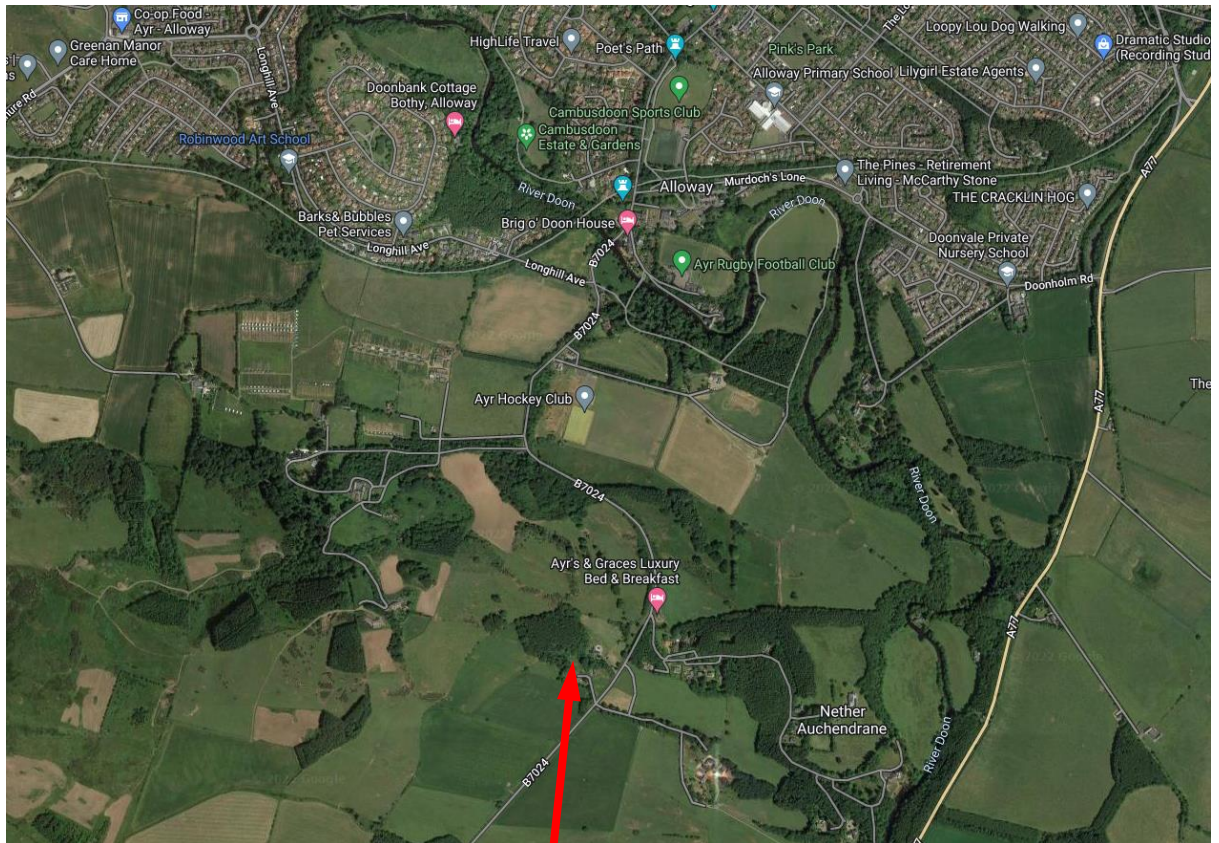
**AERIAL IMAGE 2 of 3**  
(Courtesy of Google Maps)



**Locus of Proposed Garage Accommodation**



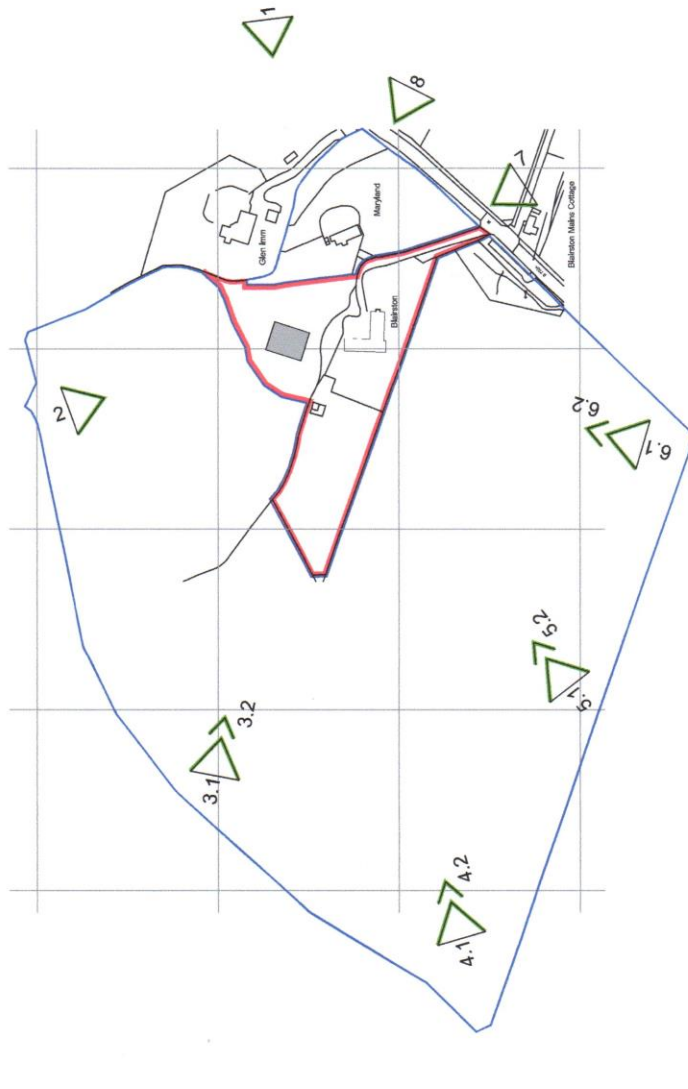
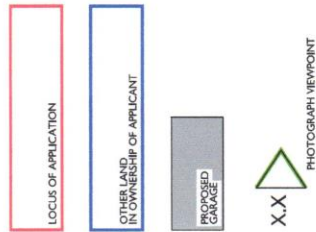
**AERIAL IMAGE 3 of 3**  
(Courtesy of Google Maps)



**Locus of Proposed Garage Accommodation**



# Photograph Viewpoints. Drawing No: 1211-10



Revision	Date
<b>Planning Application</b> 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 sullivan architectural services 19 moor park preswicks, ka7 2nj telf: 01292 471467 mobile: 078 12776826 p.sullivan@outlook.com	
Scale: 1:2000 (A3)	Date: 07/11/2022
Drawing number: 1211-10	Revision:





**PHOTOGRAPH 1**



**PHOTOGRAPH 2**

**Locus of Proposed Garage Accommodation**



**NOTE: The `location arrows' are a general indication of where the proposed Garage Accommodation is located (in all cases being below and behind intervening physical and landscape features)**



**PHOTOGRAPH 3.1**



**PHOTOGRAPH 3.2**

**Locus of Proposed Garage Accommodation**



**NOTE: The `location arrows' are a general indication of where the proposed Garage Accommodation is located (in all cases being below and behind intervening physical and landscape features)**





**PHOTOGRAPH 4.1**



**PHOTOGRAPH 4.2**

**Locus of Proposed Garage Accommodation**



**NOTE: The `location arrows' are a general indication of where the proposed Garage Accommodation is located (in all cases being below and behind intervening physical and landscape features)**



**PHOTOGRAPH 5.1**



**PHOTOGRAPH 5.2**

**Locus of Proposed Garage Accommodation**



**NOTE: The `location arrows` are a general indication of where the proposed Garage Accommodation is located (in all cases being below and behind intervening physical and landscape features)**





**PHOTOGRAPH 6.1**



**PHOTOGRAPH 6.2**

**Locus of Proposed Garage Accommodation**



**NOTE: The `location arrows' are a general indication of where the proposed Garage Accommodation is located (in all cases being below and behind intervening physical and landscape features)**





**PHOTOGRAPH 7**



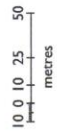
**PHOTOGRAPH 8**

**Locus of Proposed Garage Accommodation**



**NOTE: The 'location arrows' are a general indication of where the proposed Garage Accommodation is located (in all cases being below and behind intervening physical and landscape features)**

**Block Plan showing All Land in Ownership of Applicants. Drawing No 1211-03**



revision	date

**Planning Application**

Applicant: Mr & Mrs John Scott  
 Blairton, High Myrtle Road, Alloway, Ayr KA7 4EP

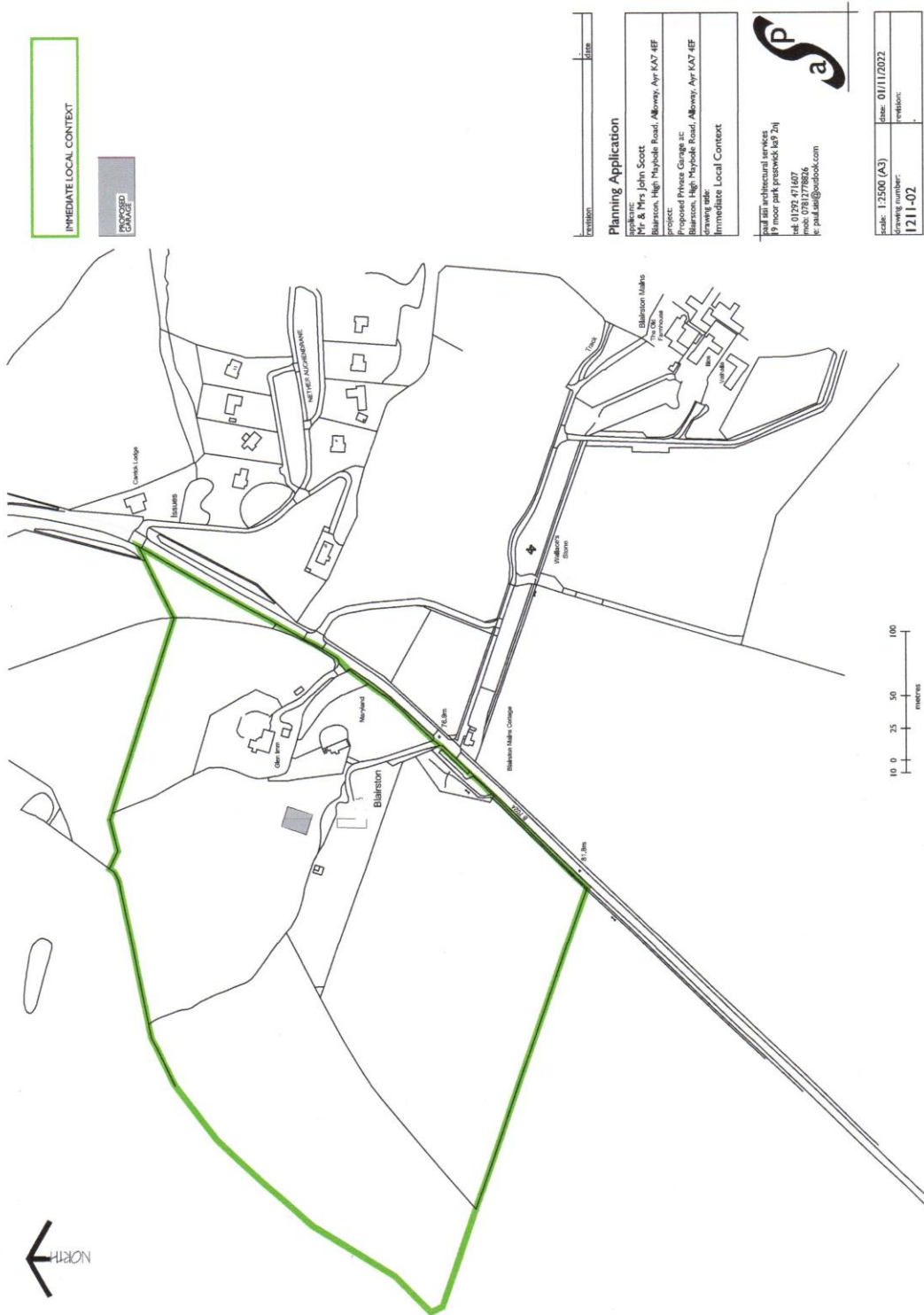
Project: Phoenix Cottage etc  
 Blairton, High Myrtle Road, Alloway, Ayr KA7 4EP

Planning code: Block Plan  
 Showing All Land in Ownership of the Applicant.

Local authority: South Ayr Council  
 19 Moorpark Avenue, Alloway, Ayr KA7 2JH  
 Tel: 01292 311603  
 Fax: 01292 311604  
 E: paul.hill@outlook.com

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

# Immediate Local Context. Drawing No 1211-02



IMMEDIATE LOCAL CONTEXT

PROPOSED GARAGE

Location	Blairston
Scale	1:2500 (A3)
Date	01/11/2022
<p><b>Planning Application</b></p> <p>Mr &amp; Mrs John Scott Blairston, High Maybole Road, Alloway, Ayr KA7 4EF</p> <p><b>Project:</b> Proposed Private Garage at: Blairston, High Maybole Road, Alloway, Ayr KA7 4EF</p> <p><b>Drawing title:</b> Immediate Local Context</p>	
<p>Paul &amp; Mrs architectural services 19 Moorpark, Prestwick, KA7 2JH Tel: 01792 471607 Fax: 0181 778826 E: paul.sai@outlook.com</p>	
<p>Scale: 1:2500 (A3) Date: 01/11/2022</p> <p>Drawing number: <b>1211-02</b> Revision:</p>	



## **Site Analysis**

### - **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. 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 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 1211-04.

### - **Site Boundaries**

The proposals sit within an otherwise undeveloped portion of the Applicants' garden.

### - **Topography**

A copy of the topographical survey carried out by Aspect Surveys can be found on page 27. 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.

Steep slopes are the significant characteristic but, as the details in Drawing No 1211-05 on page 27 confirm, the development site itself is virtually flat and occupies a natural hollow. The steep slopes are mainly to the west and the site is at the foot of these. In terms of concealment, these steep slopes are also heavily wooded. But they are also to the south, making the proposals virtually unseen from Blairston House.

To the north, the relatively more open in by aspect is closed by a band of native species planted along its length.

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

These can be found on the Blairston Images Sheets on pages 17 to 22 and confirm the extent to which the site is not visible from the wider countryside beyond.

- **Its Relationship to Neighbouring Uses**

Currently, the building will be a standalone structure within the garden ground of Blairston House.

- **What Exists within the Site/Current Use**

Not in current use.

- **Services/Drainage**

Electricity and water are both available.

The surface water is dispersed through a large diameter wavy coil drainage pipe which gets dispersed as it goes and ultimately into a field drainage system.

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

LOCUS OF APPLICATION

PROPOSED GARAGE



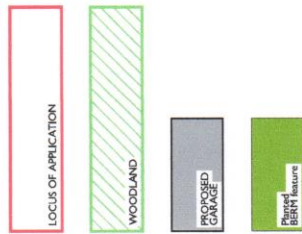
Location	Site
<p><b>Planning Application</b></p> <p>Applicant: Mr &amp; Mrs John Scott                  Blairston, High Myholme Road, Alloway, Ayr KA7 4EF</p> <p>Project: Proposed Private Garage at Blairston, High Myholme Road, Alloway, Ayr KA7 4EF</p> <p>Drawing title: Topographic extract with extent of proposals Superimposed</p>	
<p>Paul Gill Architectural Services                  9 Moorpark Preswick, K17 2JH                  Tel: 01292 471607                  Mob: 07812778826                  E: paul.gill@outlook.com</p>	
Scale: 1:1250 (A3)	Date: 01/11/2022
Drawing number: 1211-05	Revised:



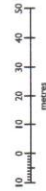




# Site Location/Block Plan. Drawing No 1211-04



Colour & Referenced Boundary tree planting species as follows:  
 Ash, Sycamore, Willow, Birch Lime & Poplar.



revision	date
<b>Planning Application</b> Applicant: Mr & Mrs John Scott Blairson, High Haystack Road, Alloway, Ayr KA7 4EF Project: Proposed Phase Change to: Blairson, High Haystack Road, Alloway, Ayr KA7 4EF Drawing title: Site Location/ Block Plan	
Paul All architectural services 19 Moorpark, Prestwick, KA9 2JH Tel: 01292 471407 Fax: 0181 777626 E: paul.all@outlook.com	
scale: 1:1250 (A3) drawing number: 1211-04	date: 01/11/2022 revision:



### **3.0 PLANNING HISTORY**

- On 21 July 2021, the Council, on a delegated basis, refused an application for a private garage and equipment store, Planning Application Ref No 21/00551/APP
- In response to a Request for Review, the Local Review Body (LRB) on 29 March 2022 decided to uphold the decision of the planning officer to refuse

#### 4.0 ASSESSMENT / DESIGN PRINCIPLES

It is generally agreed that inevitably the eventual outcome regarding any proposal is influenced/underpinned by a range of considerations.

The principal ones in this case are:-

- (i) the characteristics of the site, its location and setting within the broader and immediately surrounding landscape/countryside
- (ii) the characteristics of the settlement pattern in this part of the countryside
- (iii) the requirements of the Development Plan and Supplementary Guidance, and
- (iv) where applicable, Material Considerations

(i) **The characteristics of the site, its location and setting within the broader and immediately surrounding landscape/countryside**

As stated earlier, understanding and interpreting the characteristics of the site within its setting are vitally important to the delivery of a successful outcome. Details of the broader and local contexts, in order to establish a baseline for assessing the capacity of the site in landscape terms to absorb the proposals, are described in Part 2.0.

Among the primary concerns expressed by planning officers in relation to previous proposals were those of scale and a potentially incongruous appearance within the landscape **and therefore a potentially negative visual impact.** The details of the case submitted previously on this matter were not challenged technically and the assessments did not include site visits.

The circumstances of the site, its surroundings and the actual details of the proposals are all important interlinked material considerations. The underlying objective has consistently been to ensure that

proposals would be virtually unseen outwith the immediate surroundings within the red line area.

As previously stated, steep slopes are the significant local characteristic as the details in Drawing No 1211-05 on page 27 confirm. The development site itself is virtually flat and occupies a natural hollow. In terms of concealment, the steep slopes to the west are also heavily wooded. The steep slopes to the south make the proposals virtually unseen from Blairston House, let alone the wider countryside beyond.

To the north, the potentially relatively more open aspect is now closed by a band topped by trees along its length.

The Google extract and drone photographs confirm the fact that it would not be possible for the proposals to be seen from the near or far countryside.

An assessment in relation to the requirements of relevant policies, etc is provided later.

The implication of the details is dealt with further in Part 5.0.

**(ii) Settlement Pattern**

In most circumstances, a key consideration in relation to impact should be the settlement pattern in the immediate area. We have defined the immediate context in Drawing No 1211-02 on page 24. The only significant guidance on the matter of settlement pattern in this part of Ayrshire is to be found in SNH's Landscape Assessment 1998 and EnviroScot's Landscape Character Assessment 2019.

The latter in 'key characteristics' indicates that settlement is comparatively limited. On the basis of the evidence provided in

Drawing No 1211-02, the proposals would not alter this general picture.

The key physical/visual relationships are with Blairston House and Maryland Cottage and its garage. To help 'tie in' the proposals with these two properties, a similar palette of materials has been used.

Detailed commentary is provided later in consideration of LDP policies: landscape quality and protecting the landscape and their equivalent proposed LDP policies.

(iii) **Response to relevant Planning Policy, advice and guidance, source documents at national, regional and local levels has included:-**

Section 25 of the Town and Country Planning (Scotland) Act 1997 (as amended) directs that a planning application should be determinant in accordance with the adopted Development Plan unless there are other material considerations to justify otherwise.

**Development Plan**

- The Development Plan for the site is South Ayrshire Local Development Plan 2, adopted August 2022
- Guidance: Open Space and Designing New Residential Developments, October 2010

**Other Planning Policy Guidance and Advice**

- Scottish Planning Policy (SPP), June 2014
- Plan Advice Note 61: Sustainable Urban Drainage System, July 2001

(iv) **Other Relevant Material Considerations**

- (i) Scottish Natural Heritage, Landscape Assessment, 1998
- (ii) EnviroScot's Landscape Character Assessment, January 2019
- (iii) Decision taken by South Ayrshire Council to refuse Planning Application 20/00753/APP
- (iv) South Ayrshire Council 'Green Belt Update of the South Ayrshire Proposed LDP'
- (v) Scotland's Third National Planning Framework Position Statement, June 2014
- (vi) Planning (Scotland) Act 2019
- (vii) Scotland's Fourth National Planning Framework Position Statement, November 2020

(a) **South Ayrshire Local Development Plan 2**

A range of policies are relevant and our comments are as follows:

**Part 1 – The Strategy**

**The Priorities of LDP2**

**C - Our Environmental Responsibilities:**

***'How we will be mindful of our responsibilities for the protection of our natural ... resources'***

The proposals are located within the Brown Carrick Hills and Coast Local Landscape Area, the Greenbelt and a Transition Area in respect of the Galloway and Southern Ayrshire Biosphere Reserve. As the details of the assessment of environmental impact contained elsewhere in this Report confirm, the proposals would not impact adversely on the requirements of these policies.

In addition, the Council's Environment and Conservation Mapping confirms that the proposals would not implicate any of the categories shown. Among the Core Principles, C - 'Our Environmental Responsibilities' is underpinned by a number of points in relation to 'Rationale' arising out of a range of concerns identified during consultation. Those of relevance to the proposals are:

- **Damage to the environment and ecosystems.** There is no evidence to suggest that the proposals would result in a biodiversity deficit. Indeed, they would be set on the edge of a significant woodland project which is likely to significantly enhance biodiversity in the immediate area.
- **Impacts of development on landscape quality.** Evidence provided elsewhere in this Statement confirms that there would be no measurable impact on landscape quality.

### **Core Principle C1**

The key ones in relation to the proposals are:

- **Ensure Local Landscape Areas, the Coast .....are treated with due respect.** Information provided earlier in this Statement will describe that this has been achieved.
- **Maintain commitment to the current Green Belt.** The question posed here is: Would the proposals undermine the effectiveness and robustness of Green Belt policy either here or elsewhere within the LDP2 area. No clear evidence has been brought forward to support the opinion that previous proposals for the site on a similar scale would have such a consequence. It is maintained, therefore, that the current proposals – on a reduced scale and using different materials – would be even less evident than those previously if that was indeed possible!

## **The Strategic Policies**

None of these would apply directly to the proposals but, conversely, the proposals would not in any shape or form offend or undermine the intentions/aspirations embodied in any of them.

Indirectly, perhaps C1 - 'Promote sustainable principles for use of natural and built heritage resources' might apply. Heritage resources are nowhere defined in LDP2 but it is entirely reasonable to maintain that the collection of vintage vehicles to be housed are effectively part of the heritage of this type of vehicle.

Otherwise, the proposals in relation to supporting natural resources are adjacent to an area where the Applicants have repurposed a neighbouring woodland to significantly increase its biodiversity potential.

### **Strategic Policy 1: Sustainable Development**

States that the Council '*... will support the principles of sustainable development by making sure that development meets the following standards:*

- **Respects, protects and, where possible, enhances natural, built and cultural heritage resources.** The proposals are immediately adjacent to an area of woodland which has been repurposed to enhance biodiversity and to provide a setting for them. The proposed structure will house vehicles that are important to the heritage of that part of the history of a particular type of vehicle.

- **Protects and safeguards the integrity of designated sites.**  
The Council's Environment and Conservation Mapping confirms that there will be no consequences for any of these.
- **Protects peat resources and carbon-rich soils.** No implications.
- **Does not have a negative effect on air or water quality.** No implications.
- **Incorporates sustainable urban drainage and avoids increasing (and, where possible, reduces) risks of, or from, all forms of flooding.** SEPA flood maps confirm that the site is not in an area at risk from river flooding. There are some local surface water issues but these are beyond the area to be occupied by the proposals. In terms of the specific impact of the proposals on drainage/flooding, the existing area of hardstanding drains into an established surface water run-off/field drainage arrangement. The construction of the Garage would not add to this to any material extent.
- **Respects the character of the landscape and setting of settlements**

**Respects the character of the landscape**

The 1998 Ayrshire Landscape Assessment published by SNH places the site on the eastern edge of Landscape Character Area D, Coastal Headlands, immediately adjacent to Area I, Lowland River Valley to the east.

The more recent Scottish Landscape Character Types (LCT) Maps and Descriptions published by NatureScot in 2019 places the proposed site in Landscape Character Area Type 68, i.e. Lowland River Valley – Ayrshire, in the valley of the Doon,



although it would appear from the NatureScot maps that most of the Blairston House ownership remains in Coastal Headlands, i.e. Landscape Character Area Type 62.

Inevitably, the boundaries drawn between LDP are, to a degree, generalisations.

LCT 68 areas are described as having a number of key characteristics. A copy of these can be found in the Appendices.

The overall characteristic is that the seven examples of this LCT in Ayrshire make up a '*series of incised, narrow river valleys bounded by steep slopes which cross the agricultural lowlands of Ayrshire*'.

Blairston House is located on a steep slope leading down to the Doon.

The topographical information provided earlier suggests that the location, as a whole, reflects these characteristics. In terms of potential impact, the other two Key Characteristics are:

- *Intimate small-scale landscapes which often lie hidden within the wider agricultural lowlands*
- *Views tend to be enclosed, short distance and focused along the diverse river valley landscape ...*

As the photographs provided earlier confirm, the proposals would not be visible from the wider area and, indeed, this is true for potential viewpoints in LCT 62, Coastal Headlands, as well as LCT 68.

Although technically superseded, the 1998 Assessment provides more detailed guidance in relation to development, not all of which are relevant, but those that are include:

- **adopt design requirements for new building, possibly incorporating shelterbelt planting and isolated building.** Design is dealt with in Part 5.0, otherwise the proposed building is not isolated, and the proposals include some planting.
- **discourage isolated developments in open countryside.** The site is very enclosed. While LDP policy does not recognise clusters in the greenbelt, and while this is not a proposal for residential development, the proposals do sit close to what is, in effect, a cluster in the countryside formed by Blairston House, Maryland Cottage and Glen Imm.
- **general presumption against large-scale built developments.** This requirement is perfectly understandable but, as the information provided elsewhere in this Statement confirms, while the building is large, the landscape capacity is sufficient to absorb any consequences, for example, in relation to potential visual impact on the surrounding area.
- **Respects and, where possible contributes to the Central Scotland Green Network.** The Council's proposals for this have not been published.
- **Makes efficient use of land and resources.** This was previously a vacant site.
- **Ensures appropriate provisions for waste water treatment, avoids the proliferation of private treatment systems and**

**connects foul drainage to the public sewer system wherever feasible.** The proposed development would not require additional infrastructure investment.

- **Contributes to an efficient use of, or provision for, public services, facilities and infrastructure.** LDP2 does not define public services or facilities but infrastructure is shown to include roads, sewers, schools and suppliers of gas, water, electricity and other services needed to allow a development to take place. The proposed development would not require additional infrastructure investment. Otherwise, the principal access/egress was significantly upgraded during a previous licensed tree felling, etc. exercise, with the access having been subsequently further upgraded by being fully resurfaced.
- **Embraces the principles of 'place making' and the '6 qualities of Place'.** The details are to be found in Part 5.0, Proposals.
- **Wherever possible, is in an accessible location, with opportunities for the use of public transport and other sustainable transport modes, including cycling and walking.** This will be for private use, i.e. the hobby of one of the Applicants.
- **Designed to maximise energy efficiency through building siting, orientation and materials.** The proposed Garage will be an unheated space, fitted with a dehumidifier system. It would be designed to meet the current Building Standards requirements in terms of construction detailing. There currently exists within the site a significant solar panel array installed by the Applicants which contributes to the whole site energy footprint. The building orientation is dictated by the space available and the nature of the development site. The choice of

material finishes is intended to create a harmonious and a unifying appearance to the structure that will reflect the materials used to both Blairston House and Maryland Cottage dwellinghouses and the private garage accommodation pertaining to Maryland Cottage.

- **Helps mitigate and adapt to the effects of climate change.** SEPA maps confirm that the site is not located within a flood risk area. As indicated before, the Applicants have significantly upgraded the existing surface water drainage systems within the development site and it is unclear how the construction of the Garage would create any additional flooding risk.
- **Includes the use of micro-renewables, wherever appropriate.** As noted previously, the Applicants have already installed within the site boundary a large solar panel array designed to minimise the site's energy footprint.
- **Respects the Scottish Government's Zero Waste Objectives.** The Applicants acknowledge the aims and recommendations contained within Scotland's Zero Waste Plan, whilst the building use and the Safety Regulations that will apply in connection with the same will dictate, to a large extent, the type of construction detailing employed. The Applicants will strive to use locally sourced materials supplied from ethical and responsible manufacturers.

There will be no export of waste materials off site (nor will there be any demolition waste created by the construction) and, as indicated previously, the use of renewables has been fully considered and employed in the Applicants' whole site strategy.

All domestic (this is not a commercial construction) waste created by the development will be fully sorted for collection by the Local Authority.

### **Strategic Policy 2: Development Management**

- **Promote and facilitate the ability of LDP2 to deliver and achieve its aim to ‘make the most of sustainable economic growth that is supported by sound social and environmental objectives’.** This is a wide-ranging criterion but it is certain that the proposals would not undermine the aspirations as expressed.
- **Are in accordance with the site’s land use, as defined on the ‘Proposals Maps’.** The proposed site falls within the Green Belt. The Green Belt contains several long-standing examples of residential development, including Blairston. The proposed site is therefore within the curtilage of Blairston House and the proposals will be for domestic use, a location to house the Applicants’ hobby as described elsewhere.
- **Are appropriate in terms of layout, scale, massing, design and materials in relation to their surroundings and surrounding land uses.** That the proposals would be compatible with the requirements of this criterion is confirmed elsewhere in this Statement, in particular, Part 5.0, Proposals. In situations of this kind, it is imperative that proposals should be treated on their individual merits. This must be especially the case, in our opinion, in the absence of any direct policy guidance on non-agricultural buildings in the greenbelt. While the building is relatively large, the details of its siting means that its ‘impact’ would be relatively limited. This is confirmed by the photographs shown previously in relation to the surroundings, both near at hand and at a distance.

Indeed, as stated elsewhere in this Report, guidance has been taken from Supplementary Guidance: Rural Housing; Design Policy 2: Design of New Housing, Table 1 and Design Guidance for Traditional Rural Housing Development in relation to Garages, etc.

As a result and, in particular, in terms of aesthetics and finishes, a similar material palette to that used at Blairston House and Maryland Cottage, together with the newly approved garage in relation to the latter, has been used. This reinforces the domestic nature of the structure and ties it in visually with the two houses.

The outcome would be a rendered wall finish over a stone-effect base course detailing, with the use of a mock tile interlocking roof.

- **Do not have an unacceptable impact on the amenity of nearby land uses or committed development proposals (with Planning Permission or allocated LDP development sites).** Potential amenity impact in this case is at two levels:

- (i) impact on the residential amenity of the nearest residential properties and
- (ii) impact on the setting/wider environment

In relation to (i), given that the sun rises due east and sets due west, this, allied to the proposed structure setting in a natural hollow, suggests strongly that there will be no overshadowing/daylight issues for the three closest dwellings, i.e. Blairston House, Maryland Cottage and Glen Imm. These are no windows in the proposed structure that would lead to overlooking of any of those mentioned.

- **Are appropriate to the local area in terms of road safety, parking provision and effects on the transport network.**  
Ayrshire Roads Alliance did not object to Planning Application No 21/00551/APP. In terms of possible impact on the requirements listed above, the current proposals include no significant material changes. In detail, access to the site is by means of the current established access from the B7024. Site lines have recently been improved.
- **Are designed in a way that helps prevent crime.** Per the requirements of Building Standards, the proposed new Garage will be designed to comply fully with the recommendations of Secured by Design.
- **Are not within Health and Safety Executive safeguarding zones if this would lead to increased risk or danger.** The proposed site is not within a safeguarding zone.
- **Address issues of land instability where they are identified as being present on the site.** There have been/currently no known stability issues with the development site.
- **Make appropriate provision for all infrastructure implications of the development.** Refer to earlier comments on page 40.
- **Are located within a settlement boundary or otherwise justified by LDP subject-specific policies or locational need.**  
The site is in the Countryside/Green Belt within the curtilage of Blairston House. The proposals are for private/domestic use, as described elsewhere.
- **Includes open space and landscaping that is appropriate for the location and use of the proposed development.**



Although not part of the planning application, the managed woodland areas will significantly enhance the backdrop to the development and provide the potential for enhanced biodiversity. There is no specific requirement for open space.

- **Do not result in the loss of an area of maintained amenity or recreational open space unless allocated for development in the Policy and Proposals Maps.** The proposals would have no consequences for areas of maintained amenity or recreational open space.
- **If contrary to specific LDP policies are justified to our satisfaction, on the basis they are (1) of overriding community interest, or (2) will contribute significantly to the implementation of the Ayrshire Growth Deal or the regeneration of Ayr, and will have no significant adverse environment effects.** The proposals will have no adverse implications for any of those details listed above and, indeed, would not, in our opinion, undermine the Council's aspirations with regard to policy delivery.

In summary therefore, the proposals achieve compatibility with the overwhelming majority of relevant criteria of both Strategic Policy 1: Sustainable Development and Strategic Policy 2: Development Management. In the limited number of situations where this is not the case, the details of the proposals ensure that the requirements of policy are not potentially 'offended'.

#### **LDP policy: greenbelt**

The terms of this policy are set out on page 71 of LDP2. The preamble to the policy contains three objectives, namely:

- **direct planned growth to the most appropriate locations and support regeneration.** The question therefore is, do the proposals constitute a major distraction from the Council's ability to deliver an affective response to this issue? We would maintain that there is no evidence to support a view that it might.
- **protect and enhance the quality, character landscape setting and identify of towns.** The evidence contained elsewhere in this Statement confirms that by any measure, including both visual and physical impact, the proposals, located as they are deep within this part of a substantially wooded area of greenbelt, virtually unseen, will have next to zero impact.
- **protect and give access to open space within and around towns.** The proposals are not located adjacent to a town/settlement and would not therefore prevent current or possible future accessibility.

In relation to the specific statements of policy:

- **We will only support development within the greenbelt if it is of a high design quality and a suitable scale and form.** In terms of aesthetics and finishes, a similar material palette to that used at Blairston House and Maryland Cottage, together with a newly approved garage, would be used. This reinforces the domestic nature of the structure and, in our opinion, ties it in visually with the two houses. In addition, the outcome would be a rendered wall finish over a stone-effect base course detailing, with the use of a mock tile interlocking roof. This would not therefore be an isolated structure in the countryside, with all of the negative visual consequences that would have.

In relation to the other requirements:

- **Contributes to the economic and environmental sustainability of existing greenbelt uses.** Housing is, of course, a greenbelt use. Not all houses in the countryside are associated with agriculture. There are three examples of this in the immediate vicinity, namely Blairston House, Maryland Cottage and Glen Imm. A short distance away is Nether Auchendrane. Very recently, a garage was built within the curtilage of Maryland Cottage. The proposals would be within the curtilage of Blairston House and would be entirely for domestic use.
- **Is associated with agriculture, including the reuse of historic buildings.** There is no association with agriculture and, as stated earlier, what might be described as housing with no association with agriculture is a feature of the countryside, including the greenbelt. The proposals are within the curtilage of one such house, namely Blairston House.
- **Has horticultural (or directly related) uses.** The proposals have no links to horticulture but they do fall within the curtilage of Blairston House and housing not associated with agriculture as a greenbelt/countryside use.
- **Is a recreational use that needs a greenbelt setting.** Does not apply.
- **Is required at the proposed location to provide essential infrastructure.** Does not apply.

The policy then goes on to state:

- **Development in the greenbelt should protect, promote and help to develop green network and opportunities for access to the countryside, consistent with LDP policy: green**

**network and LDP policy: rural housing.** While intending to promote green network and access to them, the Council, it is understood, is some way off from bringing forward proposals and it is certain that, by virtue of its location, a relatively small-scale development would not seriously impede aspirations in this regard.

- **We will not support proposals for housing development within the greenbelt except where in compliance with LDP policy: rural housing.** The proposals are not for a house but for a Garage, located within the curtilage of an existing house in the countryside.

- **If a development would not normally be consistent with greenbelt policy, we may still consider it to be appropriate either as a national priority or to meet an established need and no other suitable site is available.** Clearly, the provision of a Garage within the curtilage of an existing house in the countryside and which is otherwise compatible with the requirements of all other relevant policies, is not implicated by this particular criterion.

It is also appropriate to make some reference to the Council's Greenbelt Update which was submitted as Core Document 17 in relation to the Examination of Draft Proposed Local Development Plan 2.

This site falls within Area Ref 67. The Update identified a number of specific roles for greenbelt dependent on location. In relation to the proposed site, the two most relevant were shown to be:

1. **Protecting the landscape setting of settlements.** In this case, the nearest settlement is Ayr and, in relation to

potential visual impact, the proposals would be unsighted from any part of Ayr.

2. **Preventing coalescence.** If, in this case, the two settlements nearest to each other are Ayr and Minishant, this is not therefore likely to be an issue.

### **LDP policy: landscape quality**

The requirements of policy are set out on page 74 of LDP2. Of the six criteria, three are potentially relevant, namely:

- (a) **community settings, including the approaches to settlements and buildings within the landscape.** Information provided elsewhere in this Statement confirms that the proposals are compatible with the requirements of this policy and, in particular, that otherwise the proposals would not affect the character of the locality.
- (b) **patterns of woodland, fields, hedgerow and tree features.** Information provided elsewhere in this Statement confirms that the proposals are compatible with the requirements of this policy.

Outwith, but near the site, there has been a programme of woodland management as described elsewhere. This has involved the retention of a large number of trees near to the site.

- (e) **skylines and hill features, including prominent views.** The LDP does not provide any further guidance about these features but care has been taken to ensure that the proposals would not affect any of them.

In the final analysis, as previously stated, the proposals would occupy an existing geomorphological feature that is a natural bowl-shaped depression that has been slightly enlarged.

Added to this, the fact of significant immediate tree cover and other aspects of topography means that the proposals would have no detrimental visual impact.

The site falls within the Brown Carrick Hills and Coast Local Landscape Area. The proposals are compatible with the relevant management recommendations made by the South Ayrshire Local Landscape Designation Review 2018.

**LDP policy: woodland and forestry**

No trees are implicated by the proposals.

The proposals include landscaping. A bund has been constructed between the proposals and Glen Imm. This will be planted in shrubs and trees.

**LDP policy: preserving trees**

As stated above, no trees are implicated by the proposals. Some details of the Applicants' woodland management project, which lies outwith the red line area, are to be found in Drawing No 1211-04 on page 29. This provides confirmation that a number of the existing trees close to the proposed site will be retained. The Council's Environmental Mapping confirms that the area where trees have been felled were not in the ancient woodland inventory nor the semi-natural woodland inventory.

**LDP policy: air, noise and light pollution**

The site does fall within the Galloway and Southern Ayrshire Biosphere Transition Zone. While the policy implications of this are not clarified in LDP1, it is certain that the proposals will not '*... expose significant numbers of people to unacceptable levels of air, noise or light pollution*'.

**LDP policy: low- and zero-carbon buildings**

The proposals are based on the requirements of all parts 1 – 7 of the Building Standards (Scotland) Technical Handbook – Non-Domestic Regulations.

**LDP policy: natural heritage**

The Council's Environmental and Conservation Mapping confirms that the proposed site does not fall within a wildlife site of National Significance or at the Local Level; an SWT reserve; special area of conservation; special protection area or an RSPB Important Bird Area.

**LDP policy: water environment**

To avoid potential impact on water courses, surface water is dispersed through a large diameter wavy coil drainage pipe. Water therefore dispersed and ultimately enters the field drainage system.

**LDP policy: land use and transport**

The proposals are for private use, resulting in a small addition to vehicle movement in and out of Blairston House. Visibility re existing access on to the B7024, which had been enhanced earlier to facilitate



the movement of vehicles associated with the temporary logging project, is therefore considered adequate.

### **Supplementary Guidance: Rural Housing**

**Design Policy 2: Design of New Housing Table 1: Design Guidance for Traditional Rural Housing Development**, in relation to Garages, Outbuildings and other structures states:

- (i) *garages should generally be designed as an integral part of the house but distinguished by differing ridge heights*
  - (ii) *Where this is not possible, detached garages should reflect the design and character of the house*
  - (iii) *detached garages should be sited to the side or rear of the house*
  - (iv) *garage doors should be timber lined or panelled*
  - (v) *the use of 'up and over' doors is to be avoided*
  - (vi) *ancillary buildings .... should be used to create a sense of enclosure, define spaces and be built in a style with materials similar to the house*
  - (vii) *outbuildings should have a dual pitched roof*
- (i) The proposals quite clearly are not 'an integral part of the house', i.e. Blairston House.

No disagreement in principle with the objectives but it seems that Design Policy 2 is intended to provide guidance in relation to the relatively narrow requirements of accommodating a 'typical domestic garage'.

The proposals are not for a 'typical domestic garage'. The word 'garage' has a number of definitions but it is generally agreed that it is a building for housing a motor vehicle or vehicles.

The use of the word 'garage' in relation to the proposals is therefore entirely appropriate.

The use of the proposed garage falls within the scope of the definition of 'domestic'.

While, because of its scale and the local topography, adjacency is not achievable, as will be expanded on later, it can be seen to form an integral part of a group of buildings.

- (ii) The key physical/visual relationships are with Blairston House and Maryland Cottage and its eventual Garage. To assist in tying in the proposals with these two properties, a similar palette of materials has been used.

In detail, the proposals are for a rendered wall finish over a stone-effect base course detailing, with the use of a mock tile interlocking roof.

These materials will reinforce the domestic nature of the structure and, as previously stated, tie the proposals visually in with Blairston House and Maryland Cottage.

- (iii) The use of the word 'should' implies recognition of the fact that a 'one size fits all' approach is not entirely practical. If the aim of this criterion is to ensure that a garage does not appear like an incongruous intrusion in terms of its physical relationship with a house, then this requirement is entirely satisfied here because of topography.

- (iv) Timber lined or panelled. Because of their size, the main garage doors will need to be roller-type doors. These can have a timber-effect finish (e.g. a PVC-effect foil finish). The personnel doors would be 'traditional ledged' and broad timber doors.

- (v) 'Up and over' roller doors are not being used.
- (vi) As explained earlier, the key physical relationship with Blairston House and Maryland Cottage has been recognised in the positioning of the proposals and materials to be used.
- (vii) Any new vehicular access should be designed to have minimal impact. The proposals would be accessed via already approved arrangements.

## 5.0 PROPOSALS

The Proposals take the form of the form of a basic Portal Frame; the external finishes comprise a rendered external wall finish over a stone base course detail with a tile profiled roof sheet finish. Given their size, the garage doors are proposed to be roller-type doors with a timber-effect finish, with the personnel access doors being traditional ledged and braced timber doors with a boarded finish. The physical dimensions of the building are dictated by its proposed use and the nature of the Applicants' personal vehicles (principally by their historic vehicle collection). These are further discussed and detailed elsewhere but include a number of historically significant commercial and private vehicles.

The external material finishes have been chosen to reflect the finishes of both the associated dwellinghouse (and other nearby properties) and this will assist in creating a cohesive sense of relationship between the proposed garage and its associated dwelling.

The siting of the building looks to take advantage of the existing local topography, with the proposals being located within a natural depression, this area having been previously used as the principal extraction point and marshalling area for a logging exercise (Note: suitable engineering works were carried out to the depression at this time to ensure the stability and safety of the working area). The development area is in close proximity to its associated private dwellinghouse (which, it is proposed, will be linked to the new garage structure via a stair and walkway). This will also help to reinforce the security of the site which, given the value of the vehicles and equipment that are to be stored within the new structure, is of obvious importance to the Applicants.

The use of renewables has been fully considered and noted previously, with the Applicants having already installed a large solar panel array which will significantly reduce the carbon footprint associated with the red line site. The array installation is remote to the proposed Garage structure having been


properly erected to another part of the red line site that was deemed most suitable to ensure the best efficiency of the installation.

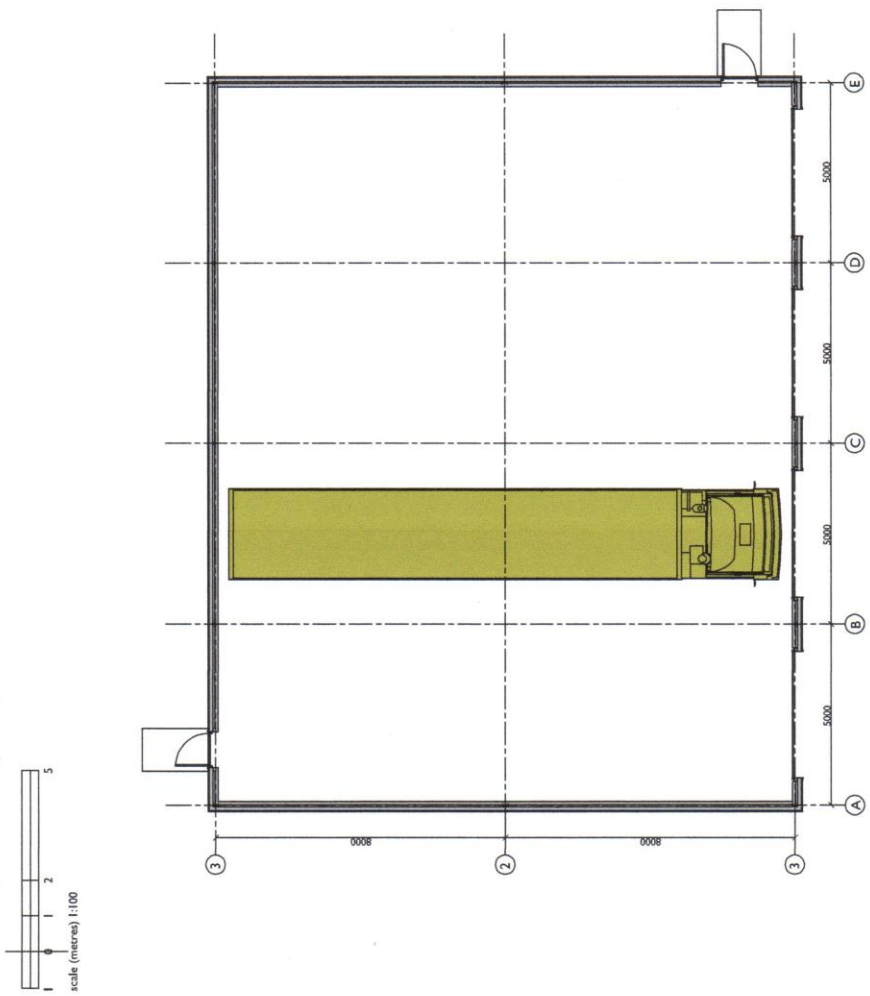
Additional measures that are proposed to ensure the new structure, which will not be visible from the neighbouring property at Glen Imm, include the planting of the downslope to Glen Imm with dense shrubs. This, added to a reinforced tree planting regime and the planting of laurel adjacent to the Glen Imm boundary, will block any view towards the proposed new structure.

The relative position of the proposed new structure in relation to surrounding properties in terms of overshadowing – given that the sun rises due east and sets due west – this, allied to the proposed structure's siting within a natural depression, means that this is not anticipated to be an issue.

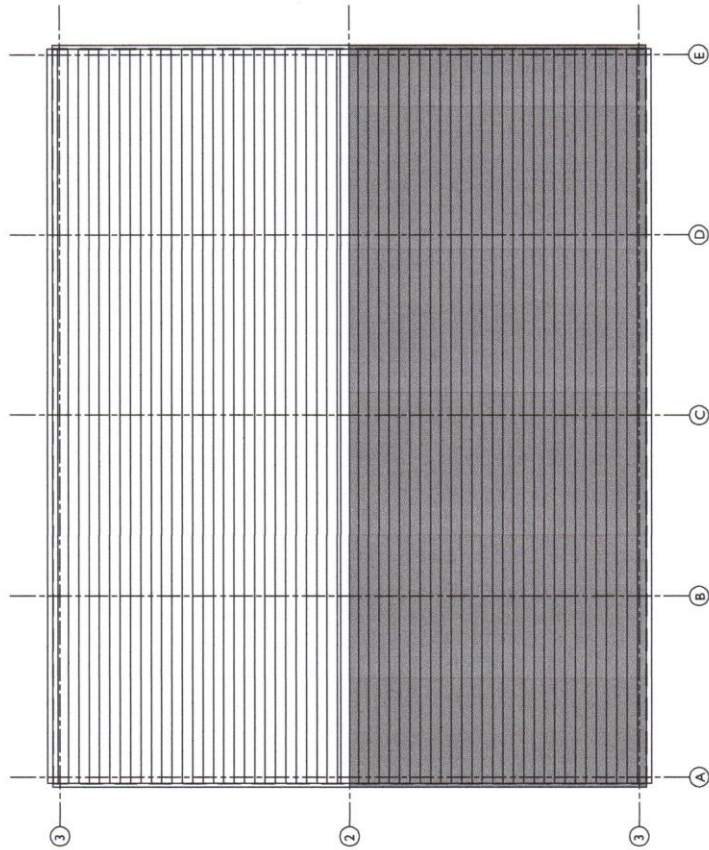
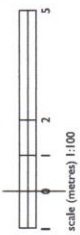
# As Proposed: Garage Floor Plan. Drawing No 1211-06

- GROUND FLOOR:**  
New Ground bearing concrete floor slab.
- EXTERNAL WALLS:**  
External render finish, to match both the dwelling house and adjoining property, on all external walls, including the wall, and the adjoining property.
- PITCHED ROOF:**  
In-situ concrete profile roof slabs (colour slate grey), incl. associated fascia, soffit, verge and ridge detailing/finishing.
- GUTTERS & DOWNPIPES:**  
External gutters & downpipes, colour black.
- DOORS:**  
Roller doors to Storage accommodation to have amber effect foil finish, colour to be agreed with Planning Authority.  
Personnel access/egress doors to identified locations to be traditional ledged and braced amber doors.

Revision	Date
<b>Planning Application</b>	
By: Mr & Mrs John Scott	
Blairson, High Maybole Road, Alloway, Ayr KA7 4EF	
Project: Proposed Private Garage 1C	
Blairson, High Maybole Road, Alloway, Ayr KA7 4EF	
Drawing title: As Proposed Garage Floor Plan	
	
Paul & Jill architectural services 19 moor park, prestwick, ka2 2jz tel: 01292 471607 fax: 0781 778826 p: paul.jill@outlook.com	
Scale: 1:100 (A3)	Date: 01/11/2022
Drawing number: 1211-06	Revision:

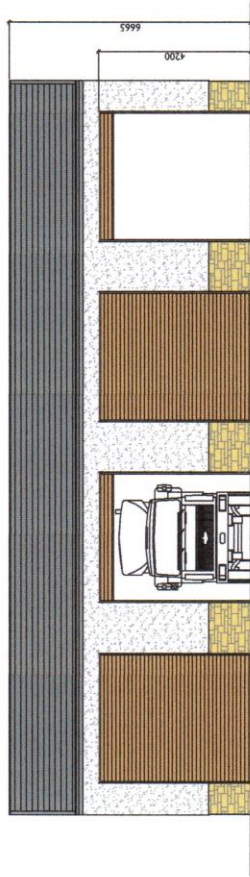
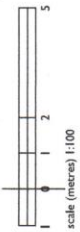


**As Proposed: Roof Plan. Drawing No 1211-07**

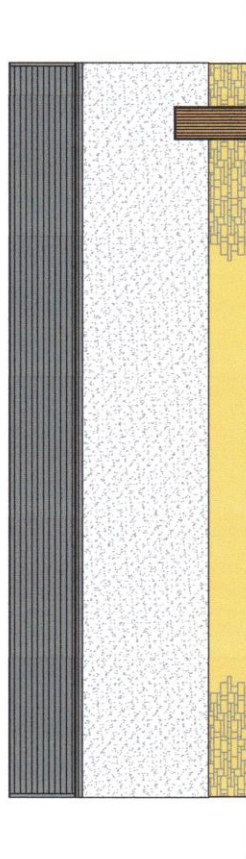


revision	date
<b>Planning Application</b>	
<b>Client:</b> Mr & Mrs John Scott Blairston, High Maybole Road, Alloway, Ayr KA7 4EF	
<b>Project:</b> Proposed Private Garage at: Blairston, High Maybole Road, Alloway, Ayr KA7 4EF	
<b>Drawing title:</b> As Proposed Roof Plan	
paul sill architectural services 19 moor park preswick, ka7 2nj tel: 01292 471607 mob: 0781277626 e: paul.sill@outlook.com	
<b>Scale:</b> 1:100 (A3)	<b>Date:</b> 01/11/2022
<b>Drawing number:</b> 1211-07	<b>Revision:</b>

**As Proposed: Elevations (sheet 1 of 2). Drawing No 1211-08**



SOUTH EAST ELEVATION

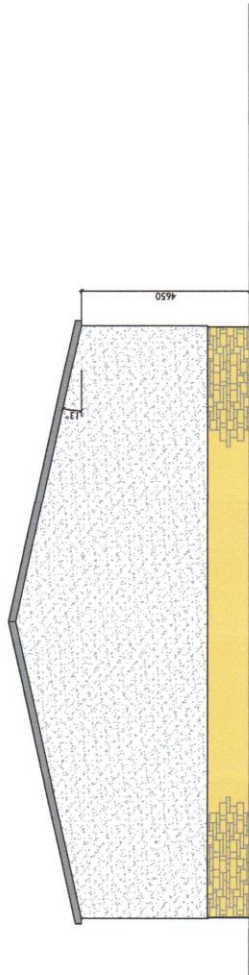
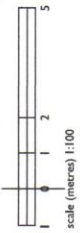


NORTH WEST ELEVATION

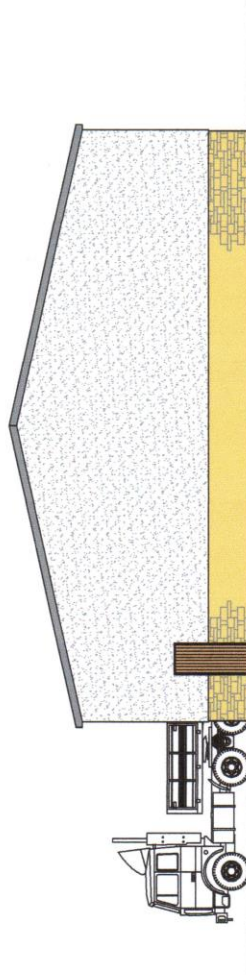
revision	date
<b>Planning Application</b> Mr & Mrs John Scott Blairston, High Maybode Road, Alloway, Ayr KA7 4EF project: Proposed Private Garage etc. Blairston, High Maybode Road, Alloway, Ayr KA7 4EF drawing title: As Proposed Elevations (Sheet 1 of 2)	
Paul Satt Architectural Services 19 Moorpark Greenwick, K8 2JH tel: 01392 471607 mob: 0781 277826 e: paul.satt@outlook.com	
scale: 1:100 (A3)	date: 01/11/2022
drawing number:	revision:
<b>1211-08</b>	



**As Proposed: Elevations (sheet 2 of 2). Drawing No 1211-09**



NORTH EAST ELEVATION



SOUTH WEST ELEVATION

Location:	Date:
<b>Planning Application</b>	
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: As Proposed Elevations (Sheet 2 of 2)	
Paul Bell Architectural Services 19 Moorpark Preswick, KA2 2HJ Tel: 01292 471467 Mob: 07812776826 E: paul.bell@outlook.com	
Scale: 1:100 (A3)	Date: 01/11/2022
Drawing number: <b>1211-09</b>	Revision:

## 6.0 SUMMARY / CONCLUSIONS

- Planning permission is being sought to construct a Private Garage on ground shown on Planning Application Drawing No 1211-01, i.e. within the garden of Blairston House

The Garage will be used for the storage of vintage vehicles, the primary hobby of one of the Applicants – a long-standing member of the Historic Commercial Vehicle Society and, as there is no other garage associated with the property, the garaging of the Applicants' private cars

- The proposed site is within the greenbelt. Housing is, however, recognised as an established use within the greenbelt. The proposed Garage is within the area of the garden of Blairston House and would be for entirely domestic use
- The precise details of the location mean, as confirmed elsewhere in this Statement, that, including both visual and physical impact, the proposals would have no discernible impact on the character of that part of the greenbelt within which it would be situated. Effectively, it would only be seen from the air
- In summary, the proposals would not:
  - impact on the landscape setting of settlements
  - encourage coalescence, located as this would be well away from the margin of the greenbelt
  - disrupt patterns of woodland, fields, hedgerows, etc, or
  - impact on skylines, hill features, including prominent views
  - be isolated
- While not typical of the garages described in Supplementary Guidance: Rural Housing, Design Policy 2, it is generally agreed that, while the word 'garage' has several connotations, it is generally agreed that it

means a building for housing a motor vehicle or vehicles. The use of the proposed Garage falls within the scope of the definition of 'domestic'

- The proposals would form an integral part of a group of buildings
- The key physical/visual relationships are with Blairston House and Maryland Cottage and its eventual Garage
- To assist with tying in the proposals with these two properties, a similar palette of materials would be used. In detail, the proposals are for a rendered wall finish over a stone-effect base course detailing, with the use of a mock tile interlocking roof
- These details reinforce the domestic nature of the structure, tying it in visually with the two houses
- At a detailed level, the proposals would not offend the requirements of residential amenity relative to its nearer neighbours
- In the final analysis, the question therefore is, would the proposals undermine the effectiveness and robustness of Green Belt Policy here or elsewhere within the LDP2 area? No clear evidence has been brought forward to support the opinion that previous proposals for the site of a similar scale would have such a consequence.
- It is maintained, therefore, that the current proposals – on a reduced scale and using different materials – would be even less evident if that was indeed possible

**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

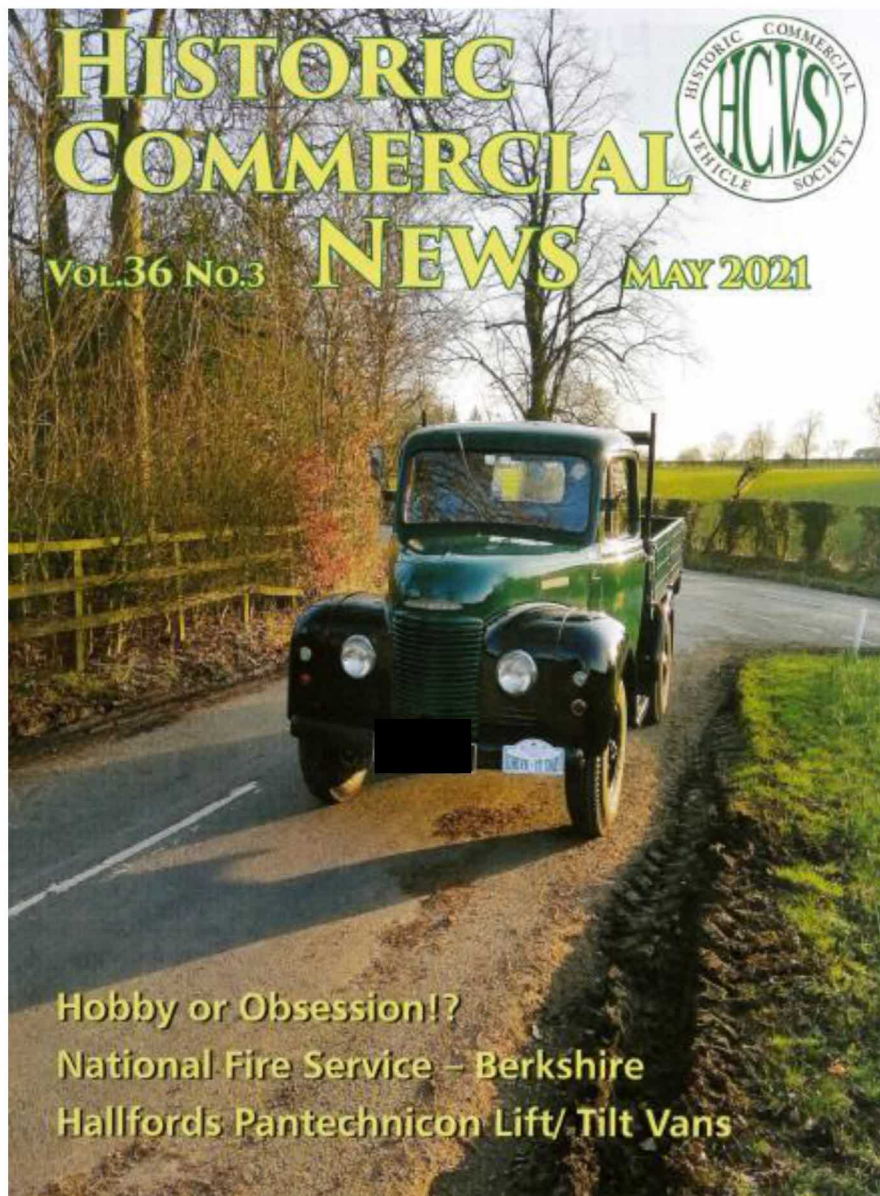
To promote the study and preservation of  
**Historic Commercial Vehicles**

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**

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*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

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**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**

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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.

**SOUTH AYRSHIRE COUNCIL**

**LOCAL REVIEW BODY**

**NOTE OF CURRENT POSITION**

<b>Site Address:</b>	PROPOSED RESIDENTIAL DEVELOPMENT KILMARNOCK ROAD MONKTON SOUTH AYRSHIRE
<b>Application:</b>	22/00634/APP ERECTION OF RESIDENTIAL DEVELOPMENT

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

<b>Current Position:</b>	Continued Case for Review
<b>Documentation:</b>	The following documents in relation to the review are attached: Pages 1 to 8 – Report of Handling Pages 9 to 19 – Notice of Review and Supporting Information Pages 20 to 63 – Planning Application and Supporting Information Pages 64 to 65 – Decision Notice Pages 66 to 68 – Case Officer Photos Pages 69 to 83 – Interested Parties Correspondence Pages 84 to 86 – Draft Conditions
<b>New Material:</b>	No
<b>Additional Material Any other Comments:</b>	Page 87 - Procedure Notice Pages 88 to 94 - All responses to Procedure Notice Page 95 - Procedure Notice Letter to Agent
<b>Dated:</b>	15 August 2023



## Report of Handling of Planning Application

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

Reference No:	22/00634/APP
Site Address:	Proposed Residential Development Kilmarnock Road Monkton South Ayrshire
Proposal:	Erection of residential development
Recommendation:	Refusal

### REASON FOR REPORT

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

#### 1. Site Description:

The proposed development site is located on land north-east of Brieryside Farm, Monkton and outwith the settlement boundary of Monkton, as defined in the adopted South Ayrshire Local Development Plan 2. The size of the site extends to 1.86ha

#### 2. Planning History:

There is no recent planning history which directly relates to the application site. The Planning Justification, submitted by the applicant agent, makes reference to applications approved within the vicinity of the application site and this is summarised, below.

#### 3. Description of Proposal:

Planning permission is sought for the erection of a residential development on land adjacent to Brieryside Farm, north of Baird Road (B739), Monkton by Prestwick. The application is for the erection of 14 detached dwellings of 3, 4 or 5 bedrooms in a mixed and varied layout and orientation. The proposed dwellings are all 1.5 storey in height and set within plots in an 'H' formation around a new village green. Plots range from 280 sqm to 753 sqm. The new house site will be served by a new direct access from Baird Road (B739). Full details of the proposals are set out within the plans/ information which accompany the planning application submission.

#### 4. Consultations:

**Ayrshire Roads Alliance** offer no response.

**Prestwick Airport** offer no objection.

**NatureScot** offer no comment.

**Transport Scotland (Trunk Roads)** no objection subject to conditions.

**Environmental Health** no objection subject to condition.

**The Coal Authority** offer no objection.

**West Of Scotland Archaeology Service** offer no objection subject to conditions.

**Scottish Environment Protection Agency** offer a holding objection.

#### 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.

A Planning justification statement dated July 2022 states that the site was a former Corn Mill, and as such, the proposal is seeking to develop on a brownfield site. A map from 1858 has been submitted with the Planning Statement which states that the application site was occupied by Adamton Corn Mill at that time.

From the information submitted, it is noted that the site is overgrown, unmanaged and inaccessible with poorly maintained drainage. No details have been submitted to advise as to when the mill ceased use. The statement goes on to say that there are multiple mill structures still in situ which are below 1.5 metres in height or have been blocked up.

The statement refers to a number of recent planning permissions for areas at Woodend and Low Road within Adamton Estate which are similar to this proposal. Reference is also made to the housing allocation site MON1 within SALDP2 where planning permission has been granted for 300 units (19/00457/APP) and that this sets the residential tone and a precedent for the provision of residential development in the area.

The statement also refers to the precedent of the applications listed below albeit the sites are not adjacent to the current application site.

21/00569/APP - Erection of 4 dwellinghouses -Woodend NE of Prestwick Monkton - Approved - 19th July 2021 (4 Houses)

17/00701/APP - Erection of residential development and associated infrastructure - Land adjacent to Walled Garden Adamton Estate Monkton - Approved - 25th August, 2017 (11 Houses).

The application submission is also accompanied by a Tree Report and Habitat Survey which consider arboricultural and natural heritage matters, respectively.

**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:**

1 representation has been received from the Monkton Community Council which objects to the proposed development. All representations can be viewed online at [www.south-ayrshire.gov.uk/planning](http://www.south-ayrshire.gov.uk/planning)

The representation objects to the application on the following grounds; that the proposed development site is not an allocated development site identified in the Local Development Plan, there is no shortfall in housing supply, potential flood risk.

These matters are considered elsewhere in this report.

## 9. Development Plan:

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

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

- o Core Principles and Strategic Policies (Kyle Investment Area)
- o Maintaining and protection land for housing
- o Rural Housing
- o Affordable (including specialist) housing
- o Flood and development

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

Principle of Residential Development: LDP Core Principles and Strategic Policies (Kyle Investment Area), Maintaining and protection of land for housing and LDP Policy: Rural Housing.

The application site is located to the east of the settlement of Monkton, beyond the settlement boundary as defined in the adopted Local Development Plan 2.

The Core Principles of LDP2 provide a framework for considering development proposals in general terms and provide an insight into how the more detailed policies will be interpreted and implemented. Core Principle B1 supports the principles of sustainable economic development and one of the criterion states that the development of brownfield land over greenfield land will be prioritised and that development will be directed to settlements in preference to countryside areas, unless an alternative location can be justified through LDP2 policy, economic benefit or site-specific need.

Core Principle B3 states that LDP2 prioritises development of existing residential development sites. The key principle is that a 5-year effective housing land supply is maintained by prioritising the development of existing residential sites. The Housing Land Audit 2022 has recently been agreed and published and indicates that there is no shortfall in the 5-year effective housing land supply.

Core Principle B6 seeks to prioritise the development of affordable housing. The proposed residential triggers the requirement for affordable housing on the site due to the site area. No details have been submitted as part of the planning application under consideration.

Core Principle B7 supports flexible growth within the Kyle Investment Area but will not support proposals to building on unallocated sites on the edges of other towns or village within the Kyle area where no specific need has been highlighted or justified through LDP2 policy. No justification has been provided to support the development and the application site is not an allocated site within LDP2.

Core Principle B8 supports the development of new housing in the countryside that accord with LDP policy: rural housing and non-statutory guidance: Rural Housing, however, the Council will not support housing outwith defined settlement boundaries which do not accord with the LDP policies. The proposal does not align with Core Principle B8 as there is no alignment with the criterion of LDP policy: rural housing.

It is considered the proposal has not been adequately justified in terms of its benefit to the economy, the need for it in that particular location or that it is in line with the LDP Core Principles. The text within the core investment area policy reads 'We will not support proposals to build on unallocated sites on the edges of other towns, or villages within 'Kyle', unless justified through LDP2 policy, or a site specific need'.

It is further considered that it has not been demonstrated that there is a need for residential development

in the area of the application site, and it is considered that the proposal does not align with the spatial strategy as the application site is not an allocated housing site. The LDP Core Principles and Strategic Policies (Kyle Investment Area) is the operative spatial component of the spatial strategy policy for this site, and is of particular relevance in regard to this proposal as the policy seeks to encourage development which results in new housing on allocated sites. Therefore, it is clear that proposals on unallocated sites, particularly those beyond settlement boundaries, would not be supported. In light of this, it is considered that the proposals are fundamentally contrary to the spatial strategy.

#### Strategic Policy 1: Sustainable Development

STRATEGIC POLICY1: Sustainable development actually provides the overarching policy for the Plan's subject specific policies and as stated in the preamble, it should be used in the consideration of all planning applications. The criteria of this policy are therefore pertinent and include, inter alia:

- o Protects natural heritage resources,
- o Avoids increasing the risk of flooding,
- o Respects the character of the landscape,
- o Wherever possible is in inaccessible location with opportunities for the use of public transport and other sustainable means of transport, and
- o When considering development proposals, due weight will be given to the consideration of economic benefit.

Supports the principles of sustainable development by ensuring that development meets a list of standards. There is little evidence submitted to support the relevant criterion including the principles of "place-making" and "6 qualities of Place" have been met .

The supporting statement accompanying the application states that the proposed development is fundamentally about delivering sustainable development through the improvement of a disused site. Furthermore, the supporting statement states that the proposal respects the character and the landscape through careful siting and use of existing natural and built features.

It is clear from the submission that the land has not been in use for a considerable time and as such the character of the landscape has evolved into a natural state with overgrown vegetation. Therefore, it is considered that the erection of a residential development would not respect the character of the landscape which is defined by overgrown vegetation.

#### Strategic Policy 2: Development Management

STRATEGIC POLICY 2 state that we will ensure that development meets a range of criteria, including (inter alia);

- o Being appropriate in terms of scale, massing, design and materials used in relation to their surroundings and surrounding land uses'
  - o Are appropriate in terms of road safety and effects on the transport network,
  - o Include open n space and landscaping that is appropriate for the location and the use of the proposed development and of particular importance;
  - o If contrary to specific LDP policies are justified to our satisfaction, on the basis that are (1) of overriding community interest, or (2) will contribute significantly to the implementation of the Ayrshire Growth Deal or and regeneration of Ayr; and will have no significant adverse environmental effects.
- Ensure that development proposals meet a list of criteria which includes, amongst other criteria, that development proposals are located within a settlement boundary or otherwise justified by LDP2 subject policy specific policy or location need.

The supporting information refers to a number of other sites that have been granted planning permission, however, the proposals as submitted are located outwith the settlement boundary. The statement also notes that the site is outwith the settlement but goes on to state that it is not in the Greenbelt or a Protection Area and as such the proposal does not contravene the polices of LDP2. The statement also advises that the application site is adjacent to a strategic housing allocation at MON1 which is zoned for 300 houses and that this demonstrates that housing is considered acceptable for this area.

MON1 is a strategic housing allocation site within LDP2 and is located wholly within the settlement boundary of Monkton. The proposal site is not located within the settlement boundary and does sit adjacent to the MON1 housing site.

LDP Policy: Maintaining and Protecting Land for Housing states that the Council 'will ensure the maintenance of an effective five-year supply of land for housing to meet demand. Where the supply is not maintained, we will seek an early review of the local development plan, and will assess any housing proposals on unallocated sites against relevant development plan policies and the criteria to be set out in supplementary guidance'.

The supplementary guidance "Maintaining an Effective Housing Land Supply" adopted in 2016, provides guidance in circumstances where there is a shortfall position with respect to a five-year housing land supply. The applicant's supporting documentation suggests that the Council has not maintained an effective housing land supply and consequently asserts that such a shortfall requires to be addressed.

In circumstances where the principle of a development is being suggested to be acceptable on the basis of a shortfall in maintaining a 5-year effective land supply, LDP policy: maintaining and protecting land for housing, and the Council's Maintaining an Effective Housing Land Supply Supplementary Guidance are relevant. It is important to note that the latter Supplementary Guidance (SG) was subject to statutory consultation procedures and approved by Scottish Ministers, as such comprising formal supplementary guidance which enjoys equivalent material weight and status to the LDP itself, forming part of the development plan. The statutory Supplementary Guidance explicitly sets out the method for calculating the 5-year effective housing land supply. It is crucial to note that this method of calculating housing land effectiveness is established in adopted policy and is therefore the Council's formal, definitive method and will continue to be used. The most recent Housing Land Audit for South Ayrshire (HLA 2018), using the Council's adopted method of calculation asserts that there is not a deficit in supply.

The Supplementary Guidance: Maintaining an Effective Housing Land Supply sets out a two-stage process for assessing proposals on sites not allocated in the development plan. Notwithstanding, the Council asserts, through its published 2018 Housing Land Audit, and adopted methodology of calculating housing land requirement that there is not a deficit in effective housing land supply.

As the proposed development relates to housing outwith a settlement boundary, LDP Policy: Rural Housing must also be considered. This policy states that in countryside areas, including green belt, we may accept proposals for new housing comprising a replacement house, extension to existing house, conversion of redundant building or a home that is essential to a rural business. Clearly, the application does not propose any of these forms of development. The policy also states that 'in countryside areas, outwith the greenbelt we may accept proposals for new housing that are a limited extension to: an existing clearly defined and nucleated housing cluster, group of four or more houses, or small settlement subject to an acceptable impact on the existing form and character of the cluster. The development proposal is for 14 houses and as such, could not be regarded as comprising of a 'small number of houses'. Furthermore, Monkton has residual areas of undeveloped housing land allocated as a housing site in the LDP. It therefore follows that the proposal would not be in compliance with the LDP policy on Rural Housing, nor the Council's SG, entitled 'Rural Housing'.

The Affordable Housing policy sets out a target contribution of 25% affordable housing from all new housing developments of 15 units or more, or a site size equal to or more than 0.6 hectares. The proposal is for 14 units, however, the site area is approximately 1.87 hectares and as such the policy is relevant to the consideration of the proposed development under consideration. There is no reference to the policy within the submission and therefore does not meet the criterion of this policy. The proposal at hand appears to have neglected this requirement entirely, and no case has been argued in favour of resorting to a commuted sum. The development proposals are therefore considered to be contrary to LDP policy: affordable housing.

LDP policy: flood and development states that development should avoid areas which are likely to be affected by flooding or if the development would increase the likelihood of flooding elsewhere. SEPA has submitted a 'holding objection' to this planning application as the proposed development may be at flood risk and as such, would be contrary to Scottish Planning Policy. There are water features present within or near the site and the nature of these water features is uncertain from the supporting application documents. As a result SEPA submits a 'holding objection' due to there being insufficient information provided to demonstrate the development is not at flood risk. The development proposals are therefore considered to be contrary to LDP policy: flood and development.

The foregoing assessment against the relevant local development plan policies indicates that the proposals are not fully consistent with the Development Plan, therefore it is recommended that the application be refused.

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.

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

##### Scottish Planning Policy

The SPP forms the statement of the Scottish Government's policy on nationally important land use planning matters and is considered to be relevant in the consideration of this application. In general, the SPP highlights the role of planning authorities in delivering sustainable economic growth in rural areas. SPP states that the aim should be to enable development in all rural areas which supports prosperous and sustainable communities whilst protecting and enhancing environmental quality. The SPP expects development plans to respond to specific circumstances, and with regards to rural developments, the SPP advises support should be given to new housing which is linked to rural businesses.

Scottish Planning Policy (SPP) notes that the planning service should be plan led, with plans being up to date and relevant. In this instance the development plan consists of the South Ayrshire Local Development Plan 2 which was adopted in August, 2022.

SPP defines brownfield land as land which has previously been developed. The term may cover vacant or derelict land, land occupied by redundant or unused building and developed land within the settlement boundary where further intensification of use is considered acceptable.

In terms of the context of giving weight to the 'presumption' as a material consideration, it must be borne in mind the presumption is "in favour of development that contributes to sustainable development"; a preference clarified and elaborated in SPP para. 28 wherein "the aim is to achieve the right development in the right place; it is not to allow development at any cost". A key element in the assessment of the application is its alignment with the overarching core principles and strategic policies of LDP2. and, for the reasons already outlined, it is considered that the proposals fundamentally do not accord with the LDP2. It is crucial to note that the basis of the elements of the core principles and strategic policies this proposal is considered to contravene - the non-support for development beyond settlement boundaries, and the criteria under which development within the Kyle Investment Area is encouraged

SPP statements concerning the aims of planning being to facilitate and encourage the right development in the right place. Para 75 of SPP is particularly relevant in this respect (promote a pattern of development that is appropriate to the character of the area and the challenges it face, and to encourage development...whilst protecting and enhancing environmental quality...')

Accordingly, it is considered that the proposal is unsupportable in terms of affording due weight to SPP's presumption in favour of development which contributes to sustainable development. The application site is located within a rural area and proposes a development 14 residential units.

In terms of the proposed development, it is considered that the supporting information does not provide sufficient information in order to justify whether the development is required in order to benefit the economy or that there is a need at that particular area.

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

The application is required to be determined in accordance with the development plan, unless material considerations indicate otherwise. Having regard to the provisions of the development plan, the main issue in this application is whether the principle of residential development on this site is acceptable.

The application site is located outwith the settlement boundary (as defined within SALDP2). Core Principle B1 states that development would not be supported outwith the boundaries of settlements, except where justified. The proposal does not provide suitable justification in support of the proposal in terms of benefits to the economy and that there is a need for it in that particular location, and that it is in line with the principles of the Kyle Investment Area. The text relevance within the Core Principle B7 refers to the Kyle Investment Area policy reads 'we will not support proposals to build on unallocated sites on the edges of other towns, or villages within the Kyle Investment Area unless justified or site specific need. The proposed development appears contrary to the provisions of LDP2 strategic polices associated core principles.

The application site is located outwith the settlement boundary (as defined within SALDP2). The defined core principles of LDP2 state that development would not be supported outwith the boundaries of settlements, except where justified, or for a site specific need.. The proposal does not provide suitable justification in support of the proposal in terms of benefits to the economy and that there is a need for it in that particular location, and that it is in line with the LPD2 core policies.

In this case, the development site is located outwith the settlement of Monkton and does not form part of a housing cluster.

It is considered that the application should be considered in the context of a plan led system, as advocated in Scottish Planning Policy, and in line with the policies which form part of the adopted local development plan. The principle of development of this land for residential purposes has not been justified.

The proposed development is contrary to both the South Ayrshire Local Development Plan (LDP2) and Scottish Planning Policy. Given the above assessment of the proposal and having balanced the applicant's right against the general interest, the application is recommended for refusal.

## **12. Recommendation:**

It is recommended that the application is refused for the reasons, below.

### **Reasons:**

1. The proposed development is contrary to the South Ayrshire Local Development Plan 2 Core Principles & Strategic policies, LDP2 policy: Rural Housing and Scottish Planning Policy in that the proposed development site is not an allocated development site identified in the South Ayrshire Local Development Plan 2, there is no agreed shortfall in the 5-year effective housing land supply and it has not been demonstrated that there is a need for residential development in the area concerned. There are no over-riding reasons to depart from the policies as detailed in the South Ayrshire Local Development Plan 2 or the associated Supplementary Guidance.
2. That the proposed development is contrary to South Ayrshire Local Development Plan 2 policy 'Rural Housing' and Supplementary Guidance 'Rural Housing' by reason that the proposed development does not constitute a limited extension to an existing clearly defined and nucleated housing cluster to a group of four or more houses or small settlement.
3. That the proposed development is contrary to South Ayrshire Local Development Plan 2 policy 'Affordable Housing' as no provision for affordable housing is proposed by the application proposals, and no case has been argued in favour of resorting to a commuted sum.
4. That the proposed development is contrary to South Ayrshire Local Development Plan 2 policy 'Flood and development' and Scottish Planning Policy in that insufficient information has been provided to demonstrate the development is not at flood risk.

### **List of Plans Determined:**

Drawing - Reference No (or Description): **Refused** 21-0564-BP-01

Drawing - Reference No (or Description): **Refused** 21-0564-LOC-01

Drawing - Reference No (or Description): **Refused** 21-0564-LOC-01

Drawing - Reference No (or Description): **Refused** 21-0564-SK(--)-02

Drawing - Reference No (or Description): **Refused** 21-0564-SK(--)  
03  
Drawing - Reference No (or Description): **Refused** 21-0564-SK(--)  
04  
Drawing - Reference No (or Description): **Refused** 21-0564-SK(--)  
05  
Drawing - Reference No (or Description): **Refused** 21-0564-SK(--)  
06  
Drawing - Reference No (or Description): **Refused** 21-0564-SK(--)  
07  
Drawing - Reference No (or Description): **Refused** 21-0564-SK(--)  
08  
Drawing - Reference No (or Description): **Refused** 21-0564-SK(--)  
09  
Drawing - Reference No (or Description): **Refused** Topographical Survey

**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>14 November 2022</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            100589922-003

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:	Edesign Architecture & Planning Scotland Ltd		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Gareth	Building Name:	Wellington Chambers
Last Name: *	Bryden-Reid	Building Number:	64
Telephone Number: *	01292263799	Address 1 (Street): *	Fort Street
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	Ayr
Fax Number:		Country: *	United Kingdom
		Postcode: *	KA7 1EH
Email Address: *	gareth@edesignarchitecture.co.uk		

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

Individual  Organisation/Corporate entity

## Applicant Details

Please enter Applicant details

Title:	Mr	You must enter a Building Name or Number, or both: *	
Other Title:		Building Name:	
First Name: *	Stuart	Building Number:	26
Last Name: *	Leith	Address 1 (Street): *	Arran Crescent
Company/Organisation		Address 2:	
Telephone Number: *	01292 263 799	Town/City: *	Beith
Extension Number:		Country: *	Scotland
Mobile Number:		Postcode: *	KA15 2DU
Fax Number:			
Email Address: *	enquiry@edesignarchitecture.co.uk		

## Site Address Details

Planning Authority:

South Ayrshire Council

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

Address 1:

Address 2:

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

Post Code:

Please identify/describe the location of the site or sites

Northing

627725

Easting

237326

## 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)

Attached statement, we wish a review of the process and decision.

## 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.

Supporting documents explain response and reasons for appeal, we believe our original planning statements and details of the site were not fully considered when delivering the decision and suggest site visit by LRB.

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)

Completed a written response to the Planning Officers Decision Notice

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)

All original planning documents and additional response to Refusal notice.

## Application Details

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

22/00634/APP

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

24/08/2022

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

14/11/2022

## Review Procedure

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

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

Yes  No

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

Please select a further procedure \*

Holding one or more hearing sessions on specific matters

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)

Hearing to raise potential benefits of the application in view of its situation is unique

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)

Site inspection would be beneficial to establish site situation prior to hearing

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 site can be accessed from an existing opening in the wall but is heavily overgrown and welly boots and hard hats and hi viz should be worn. It also opens onto busy road so care must be taken when attending site. It is bounded by stone walls but is not otherwise closed off to general access. Members of the client and design team would be happy to attend to guide if necessary.

## 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 Gareth Bryden-Reid

Declaration Date: 02/02/2023

**Application to Local Review Board**  
**Application Number: 22/00634/APP**  
**Response to Refusal**  
**Site off Baird Road former Adamton Corn Mill**

**Foreword**

It should be noted that below is not intended to provide additional information but clarify points which were already addressed in the original Planning Application but not suitably addressed in the decision notice. It should be noted that the Supporting Planning Statement which accompanied the original application seems to have been removed from the South Ayrshire Planning website and we request that confirmation of this is reinstated and taken into consideration for this review as it is pertinent to the application.

It should be noted that the application was advertised to the local newspaper however no objections from the community were lodged.

**Point of refusal 1:**

*(1) The proposed development is contrary to the South Ayrshire Local Development Plan 2 Core Principles & Strategic policies, LDP2 policy: Rural Housing and Scottish Planning Policy in that the proposed development site is not an allocated development site identified in the South Ayrshire Local Development Plan 2, there is no agreed shortfall in the 5-year effective housing land supply and it has not been demonstrated that there is a need for residential development in the area concerned. There are no over-riding reasons to depart from the policies as detailed in the South Ayrshire Local Development Plan 2 or the associated Supplementary Guidance.*

**Response to Point 1:**

The original Planning Justification statement issued with the Planning Consent 22/00634/APP responds to this point in some detail. (Please refer to document dated July 2022)

The current site is a brownfield site with existing structures both partially exposed and larger areas of structure concealed by heavy overgrowth, the development is therefore rehabilitating a brownfield former working site. The site sits between an existing residential development and an active working farm, Brierside Dairy Farm with its associated rural industries sits on the south side of. The site also benefits from proximity to existing recent successful planning consents on the Woodend sites on the north side of the A77 notably which are also not within a development boundary but received positive response at Planning stage. The recent announcement that Magenta Networks is to invest over £87M developing the Prestwick Business Park creating further 600 new jobs in skilled and technical engineering positions which are in high demand in the area would further support the need for more high-quality housing within commutable distance of the Airport and Business Parks. The proximity of the development to such development and sources of employment would encourage shorter commutes, greener transport initiative and better work life balance for prospective homeowners/workers.

The site also sits immediately adjacent to an existing housing allocated zone and inevitably the allocation of such site would logically expect the coalescence of Monkton with Monk1 with the natural boundary for development to be the A77 bypass rather than the current arbitrary boundary. The fact that this is a brownfield site bounded on 2 sides by existing development, future airport and aerospace, defence and digital infrastructure development and proximity to Monk1 would suggest that the current development boundary is unsustainable and indefensible in the long to medium term. The application should be reviewed based on policy that redevelopment of brownfield land should be prioritised over extension into greenfield sites.

The proposed development should be seen therefore as complimenting the existing MONK1 in providing a different product, larger spacious properties with good plot sizes as opposed to large volume housing of smaller plots; both of which are necessary to the housing market demands.

It should be noted that the application received no adverse objections to the application.

**Point of refusal 2:**

*(2) That the proposed development is contrary to South Ayrshire Local Development Plan 2 policy 'Rural Housing' and Supplementary Guidance 'Rural Housing' by reason that the proposed development does not constitute a limited extension to an existing clearly defined and nucleated housing cluster to a group of four or more houses or small settlement.*

**Response to Point 2:**

The design of the development was in part addressing its semi-rural location and proximity to existing approved schemes of which the designs presented were intended to take inspiration from and be in-keeping with the scale and qualities of the approved schemes. The existing Adamton Estate residential sites to the North include existing Social Housing of approximately 20+ houses with Planning Approved for a further 4 dwellings and 11 dwellings on the site taking the Adamton Site to approximately 35 dwellings. An extension to this development of approximately 71%. The designs of the properties utilising red sandstone to tie in with the old Mill stone and stone walls was a way of making the design tailored to the site. The properties are designed to meet the rural housing design guide offering 1.5 storey housing in large plots with excellent space for gardens and public green space between further tying it in with the existing landscape. This also responded to the need to create buffering zones to the A77 bypass and improve biodiversity onsite.

To the West of the site recent approval for erection of 286 dwellings at the Fairfield site now under construction. The fact these developments are nearly all being constructed and many of the plots have already been sold or reserved for values ranging from £200K to £300K clearly demonstrates the demand for these properties in this area. The Planning Policy decisions were made at a time pre-pandemic and the demand in housing outside of the main Scottish cities has since accelerated and continues despite the rise in costs and inflation.

It should be noted that planning application 17/00701/APP was approved. The design of this development was intended to be complimentary but different and bespoke to the site and took inspiration from the existing site stonework for choice of materials.



**Point of refusal 3:**

*(3) That the proposed development is contrary to South Ayrshire Local Development Plan 2 policy 'Affordable Housing' as no provision for affordable housing is proposed by the application proposals, and no case has been argued in favour of resorting to a commuted sum.*

**Response to Point 3:**

The site being that of a small-scale development of less than 14 units low density out of town semi-rural setting would not make it an ideal location or settlement for the provision of social and or affordable housing. The site does not meet the threshold for social and affordable housing under the Supplemental Planning guidance and as such a commuted sum would be more appropriate to allow funding to be better allocated for affordable housing closer to the main part of the town.

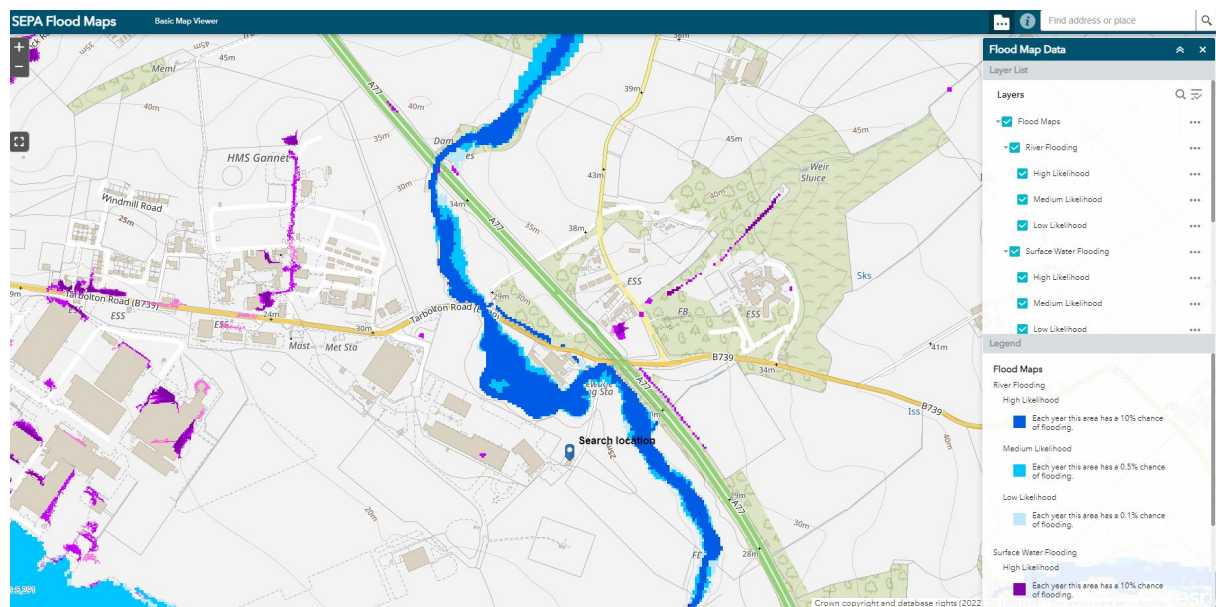
The applications 17/00701/APP previously approved of similar nature, density, palette of materials and landscaping quality. No requirement for affordable housing was required at this application due to the size of the development.

The applicant would encourage discussions of possibility of a commuted sum or introducing an element of affordable housing to the scheme.

The application received no adverse objections from the community.

(4) That the proposed development is contrary to South Ayrshire Local Development Plan 2 policy 'Flood and development' and Scottish Planning Policy in that insufficient information has been provided to demonstrate the development is not at flood risk.

The original application statement included current SEPA flood maps of the site which indicated that flooding was not a concern for the site and all properties were sighted out with any suspected flood zone. A Topographical Study was undertaken that revealed the man-made structures to form a channel to siphon off water from the adjacent Pow Burn. This culvert has been blocked up historically and Pow Burn no longer flows into the man-made channel and is several meters below the site.



The man-made channel historically fed the Adamton Mill now in ruins and overgrown. The culvert has been blocked up historically and the burn bypasses the site providing no risk of flooding to the site. Furthermore, the site Topographic survey clearly indicates that the site level at the man-made ditch between 26.06 and 26.5; while the proposed houses sit at the top of the bank at a minimum ground level of 27.3 rising to 31.3 at the highest point of the site. The existing road sits at 24.7 - 26.2 and Brieryside farm lower still at 23.79.

The proposed new housing development was deliberately located well above the bank of the existing man-made water channel to allow for site drainage and SUDS free draining to the existing burn. The development being low-density and large areas of retained greenspace would effectively mean that there would be no net increase in surface water run-off. The development of the site would have allowed water channels to be cleared to aid better drainage of the site and include areas for attenuation which would be subject of engineered design.

No objections were made from SEPA or from Ayrshire Roads Alliance. We suggest a site visit by the LRB is required to establish the facts that flooding does not represent a risk to this site.

## **Conclusion**

No cognizance has been taken of the contribution this site development could potentially deliver to the community in developing an unproductive brownfield site adjacent to A77 bypass close to local employment, retaining a large proportion of green space and woodland. The opportunity to provide sustainable modern high-quality homes and consolidate existing development in the area.

The current pattern of development suggests that the current development boundary is unsustainable in the long term and allocation of new sites on existing brownfield sites would be the next logical step.

The commercial developments close to the site will create a new demand for new housing which will not currently be met by the current development plan and result in greater commuting traffic.

We believe a review by the LRB taking a more holistic view of the site would be worthwhile to assess the potential of the site and its inclusion in development.





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 100589922-001

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

## Type of Application

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

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

## Description of Proposal

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

Proposed residential development to provide 14nr dwellinghouses, landscaping and associated infrastructure

Is this a temporary permission? \*

Yes  No

If a change of use is to be included in the proposal has it already taken place?

Yes  No

(Answer 'No' if there is no change of use.) \*

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:	Edesign Architecture & Planning Scotland Ltd		
Ref. Number:	<input type="text"/>	You must enter a Building Name or Number, or both: *	
First Name: *	Gareth	Building Name:	Wellington Chambers
Last Name: *	Bryden-Reid	Building Number:	64
Telephone Number: *	01292263799	Address 1 (Street): *	Fort Street
Extension Number:	<input type="text"/>	Address 2:	<input type="text"/>
Mobile Number:	<input type="text"/>	Town/City: *	Ayr
Fax Number:	<input type="text"/>	Country: *	United Kingdom
		Postcode: *	KA7 1EH
Email Address: *	gareth@edesignarchitecture.co.uk		

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

Individual  Organisation/Corporate entity

## Applicant Details

Please enter Applicant details

Title:	Mr	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text"/>	Building Name:	<input type="text"/>
First Name: *	Stuart	Building Number:	26
Last Name: *	Leith	Address 1 (Street): *	Arran Crescent
Company/Organisation	<input type="text"/>	Address 2:	<input type="text"/>
Telephone Number: *	<input type="text"/>	Town/City: *	Beith
Extension Number:	<input type="text"/>	Country: *	Scotland
Mobile Number:	<input type="text"/>	Postcode: *	KA15 2DU
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:

LAND TO NORTH-EAST OF BRIERYSIDE FARM AND GLASGOW PRESTWICK AIRPORT

Address 2:

TO NORTH-EAST OF BAIRD ROAD (B739) AT FLYOVER FROM A77, BETWEEN MONKTON

Address 3:

AND TARBOLTON

Address 4:

Address 5:

Town/City/Settlement:

MONKTON, PRESTWICK

Post Code:

KA9 2SB

Please identify/describe the location of the site or sites

SITE SITS TO WEST SIDE OF THE A77, NORTH-EAST OF PRESTWICK AIRPORT ON THE B739 BETWEEN MONKTON AND TARBOLTON, BAIRD ROAD.

Northing

627725

Easting

237326

## Pre-Application Discussion

Have you discussed your proposal with the planning authority? \*

Yes  No

## Site Area

Please state the site area:

18685.00

Please state the measurement type used:

Hectares (ha)  Square Metres (sq.m)

## Existing Use

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

Vacant site that once housed Adamton Mill, mill buildings and culvert for mill, now disused brownfield site un-managed and overgrown. Stone structures, retaining structures and foundations evident

## Access and Parking

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

Yes  No

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



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

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

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

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

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

## Water Supply and Drainage Arrangements

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

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

Yes – connecting to public drainage network

No – proposing to make private drainage arrangements

Not Applicable – only arrangements for water supply required

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

Note:-

Please include details of SUDS arrangements on your plans

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

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

Yes

No, using a private water supply

No connection required

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

## Assessment of Flood Risk

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

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

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

## Trees

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

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

## Waste Storage and Collection

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

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

In curtilage of each individual house plot is an allowance for collection and storage of refuse and recycling of waste adjacent house and garages

## Residential Units Including Conversion

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

Yes  No

How many units do you propose in total? \*

14

Please provide full details of the number and types of units on the plans. Additional information may be provided in a supporting statement.

## All Types of Non Housing Development – Proposed New Floorspace

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

Yes  No

## Schedule 3 Development

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

Yes  No  Don't Know

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

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

## Planning Service Employee/Elected Member Interest

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

Yes  No

## Certificates and Notices

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

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

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

Yes  No

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

Yes  No

## Certificate Required

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

Certificate A



# Land Ownership Certificate

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

Certificate A

I hereby certify that –

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

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

Signed: Gareth Bryden-Reid

On behalf of: Mr Stuart Leith

Date: 01/08/2022

Please tick here to certify this Certificate. \*

## Checklist – Application for Planning Permission

Town and Country Planning (Scotland) Act 1997

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

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

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

Yes  No  Not applicable to this application

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

Yes  No  Not applicable to this application

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

Yes  No  Not applicable to this application

Town and Country Planning (Scotland) Act 1997

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

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

Yes  No  Not applicable to this application

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

Yes  No  Not applicable to this application

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

Yes  No  Not applicable to this application

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

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

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

Planning supporting statement, Tree Report, Habitat Study, Street Elevation

Provide copies of the following documents if applicable:

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

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

Planning Supporting statement and Design Statement, Tree report, Habitat Survey and study.

## Declare – For Application to Planning Authority

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

Declaration Name: Mr Gareth Bryden-Reid

Declaration Date: 01/08/2022

## Payment Details

Pay Direct

Created: 04/08/2022 12:36

Planning justification statement  
New residential development of 14 homes

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LAND NORTH OF BAIRD ROAD / TARBOLTON  
ROAD (B739) ADAMTON MILL  
MONKTON, PRESTWICK



Prepared on behalf of Stuart Leith

July 2022

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## 1 Executive Summary

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- 1.1 This Planning Justification Statement ('statement') has been prepared by Edesign Architecture and Planning ('Edesign') on behalf of our clients Stuart Leith ('client'), in respect of a planning application submitted to South Ayrshire Council ('Council') for a proposed new residential development on former Mill Site on land north of Baird Road (B739) at the Adamton Mill, Monkton by Prestwick.
- 1.2 The statement relates to a full planning application seeking consent for 14 new residential dwellings on brownfield land which is part of the former Adamton Mill just south of the A77 and north of Baird Road/Tarbolton Road. The site was a former Corn Mill which originally formed part of the Adamton Estate Farm and now is overgrown, unmanaged, and largely inaccessible due to self-seeded trees and poorly maintained drainage. The 14 new dwellings are proposed to be 1.5 storey in height and of a sustainable rural design with the incorporation of renewable technologies. Such a development is considered to be consistent with other residential developments permitted in the immediate area and would complement the National Aerospace and Space Strategy Plan at Prestwick Airport by providing high quality and mixed local housing in close proximity to this important employment / innovation centre.
- 1.3 Edesign has been engaged by our client to prepare the planning submission, provide this statement, and to act as agent for the planning application submission.
- 1.4 We have undertaken a thorough review of applicable National and Local Development Planning Policy and council documents.
- 1.5 The documents which are 'material' to the determination of the planning application are: -
  - Scottish Planning Policy ('SPP') as Revised December 2020;
  - South Ayrshire Local Development Plan ('SALDP2') – approved by Council March 2022;

- South Ayrshire Supplementary Planning Guidance and Non Statutory Guidance.
- 1.6 A review of these documents and the assessment set out within chapter 6 of this statement details the reasons why we consider that the application is in accordance with the Council approved South Ayrshire Local Development Plan (SALDP2).
- 1.7 Of equal weight and relevance in the determination of this planning application submitted to East Ayrshire Council is the House of Lord's Judgement; City of Edinburgh Council v Secretary of State 1998 SLT120.
- 1.9 For the reasons set out herein; namely that the application supports sustainable development in overall terms by re-using an uneconomic brownfield site, will create high quality homes for the local residential housing market, and rounds off or infills the pattern of development creating a defensible boundary with the A77 it therefore accords with both National and Local Planning Policy, as detailed within the SALDP and the relevant material considerations indicate support for the proposal.

## 2 Introduction, site, and surroundings

---

- 2.1 This statement has been prepared on behalf of our client in respect of a full planning application for a new residential development north of Baird Road (B739) adjacent to the Adamton Mill, Monkton by Prestwick.

### *The Site*

- 2.2 The site is triangular in shape and lies immediately south of the A77 and north of Baird Road / Tarbolton Road (B739) which form strong boundaries. It is currently unused self-seeded woodland of uniform age with young plantation and a mixture of self-seeded native and non-native woodland has grown to mature (or in some cases over mature) state. there is no active management of trees and non-native invasive rhododendron ponticum is well established. or drainage systems have failed drainage, so ground has become waterlogged and impassable in places. The ecological assessment determines the site to be of low to moderate biological value and small in size such that the loss of these habitats following potential development at Adamton estate are unlikely to affect local bird populations. It is an easy site to drive past without notice due to dense boundary wooded conditions and 2m distinctive ashlar stone wall that bounds the site to the south. The surroundings are a mix of residential,

agricultural, airport related and core transport infrastructure as part of the A77 and its underpass. The site was previously owned by Prestwick Airport and disposed of by them.

- 2.3 This is a brownfield site, having formerly been used as Corn Mill as part of the Adamton Estate. There are multiple Mill structures still visible on the site most of which are below 1.5m in height or have been blocked up. The water driven mill will have used flow from the adjacent Pow Burn and created lades and mill ponds across the site as well as several buildings. These water flow structures and engineered drainage systems have been abandoned and the land is no longer used for any purposes and had become unmanaged and derelict in recent years. Vegetation has taken over and has created an almost inaccessible site due to waterlogging of the mill systems, lack of land management and self-seeding trees and non-native species. The site, in its current condition, is a poor use of well positioned land on the edge of the settlement and economic growth area of the National Aerospace and Space zone around Prestwick Airport.
- 2.4 The application site is within the ownership of the applicant and other similar sites on the Adamton Estate have been approved for residential development within the past 5 years.
- 2.5 The site benefits from a number of mature trees – some of which can be retained- in particular large mature trees on the southeast corner are of higher quality and this woodland compartment is planned for retention. The site topography is flat in nature allowing the building of the new dwellings here to sit nicely within the site and surrounding rural area, with no underbuilding necessary. The size of the site extends to 1.86ha

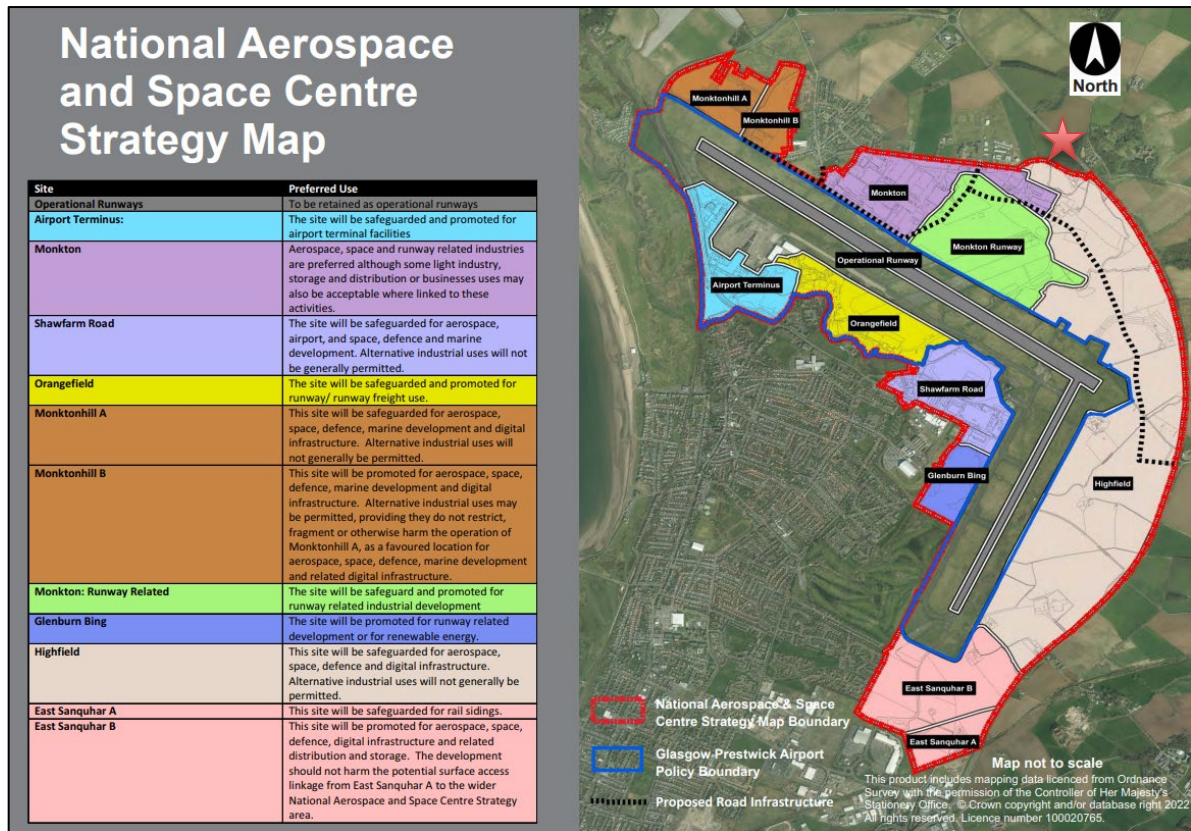


**Map From 1858 confirms site occupied by Adamton Corn Mill with associated buildings, mill ponds and lades.**

### *The Surroundings*

- 2.6 The immediate surroundings of the site have varying and diverse functions that range in scale and intensification. The site is located immediately adjacent to Brieryside Farm which is an operational dairy farm. Other agricultural land can be found to the west and east however much of this is also dissected or enclosed by the strategic transport infrastructure of the A77 which lies to the north of the site at a high level. An underpass below the A77 is located immediately to the east of the site taking the B739 north to south. The agricultural uses are characterised by traditional field layouts and mix of large-scale farm buildings like barns, steadings, slurry pits and sheds. The Adamton Estate which this site historically formed part of is predominately located to the north of the A77 and is now a hotel and mix of residential properties.
- 2.7 Whilst much of the immediate surroundings are dominated by agriculture and A77 road infrastructure the site is also on the periphery of a substantial economic zone dominated by aviation related commerce, operations, and business around Prestwick Airport. This is a key strategic growth area for South Ayrshire Council and the creation of high-quality housing close to new employment opportunities can complement each other. Much of the area (including farmland) to the south and east of the application site is zone as Highfield in the SALDP.





## Site shown in context of National Aerospace & Space Strategy as shown in South Ayrshire Council LDP2

★ Denotes Application Site

- 2.8 The immediate surroundings are also typified by single houses and small scale residential developments. The Adamton House immediately to the north of the site & A77 is a hotel and with much of its historic grounds already having been divided and developed for a mix of housing over several decades. This has included a number of consents within the last 5 years including at Woodend and Low Road within the Adamton Estate. Some of this low density and high-quality housing is similar to the proposal of this application.
- 2.9 Immediately to the west of the application site but accessed further down the B739 at Monkton is a large-scale housing allocation (MONK1). This is a strategic extension of the Monkton settlement and wraps from the village around some existing commercial / aviation uses and stops just west of the application site. Consent is already in place for around 300 units and is being built out by Persimmon Homes called 'Fairfields' and is a mix of 3, 4

and 5 bedroom homes. The housing is typical volume housebuilder high density brick and render 2 storey variations.

2.10 This statement should be read in conjunction with the documentation submitted in support of this application: -

- Completed planning application form;
- Proposed site layout;
- Proposed elevations and sections;
- Proposed plans;

### 3 Planning History

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3.1 A review of the South Ayrshire Council planning portal shows that there is no planning history for this specific site.

3.2 However, in the immediate surrounding areas of the site, the principle of creating new residential dwellings has been established by the approval of three applications:-

1. **19/00457/APP** | *Erection of 286 residential dwellings, formation of access roads, associated landscaping and infrastructure. / Proposed Residential Development Kilmarnock Road Monkton South Ayrshire (Persimmon Homes Fairfield)*

This approval is immediately to the west of the application site and sets a residential tone and precedent for the area on the periphery of the National Airspace and Space Strategy zone. Similar to the application site a strong boundary of settlement is provided to the north by the A77. From the A77 the application site – once developed – would be viewed in context as housing in this much larger housing site. The style and nature of this proposed development would provide much lower density in an executive setting in comparison to this volume housebuilder consent thereby creating choice and range in the local housing market.

2. **21/00569/APP** | *Erection of 4 dwellinghouses / Woodend C106 From B739 Junction Near Adamton House To C138 Junction South Of Langlands North East Of Prestwick Monkton Prestwick South Ayrshire KA9 2S*

This is a very recent application on ground within the former Adamton Estate – similar to the application site. The proposed

density, pallet of materials, scale and mass is similar within a woodland setting similar to this application.

3. **17/00701/APP** | *Erection of 11 residential dwellings and associated infrastructure / Land At C106 Junction Of B739 - C138 Junction South Of Langlands North East Of Prestwick Monkton South Ayrshire*

This development on ground within the former Adamton Estate was also designed by E-Design. The proposed density, pallet of materials, scale and mass is similar within a woodland setting similar to this application.

#### 4 Proposed development

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- 4.1 The statement relates to a full planning application seeking consent to provide a new residential development on brownfield land adjacent to Brieryside Farm, north of Baird Road (B739), Monkton by Prestwick as per the submitted drawings. The application is for the erection of 14 quality detached executive homes of 3, 4 or 5 bedrooms in a mixed and varied layout and orientation.
- 4.2 We have taken inspiration from other buildings in the surrounding area – particularly those within recently consented schemes at Adamton Estate – and chosen a simple palette of materials as well as off-white pale colours and natural slate roof to tie in with the surrounding area. Notably some of the former Mill’s character is sought to be respected and reimaged through the use of ashlar feature stone (to match the distinctive historic boundary wall) and timber window treatments on some of the elevations.
- 4.3 The proposed homes are all 1.5 storey in height and set within generous plots in an ‘H’ formation around a new village green. Plots range from 280 sqm (Plot 14 3-bedroom House Type 1) to 753 sqm (Plot 7 5 bedroom House Type 2). The proposal is what we consider to be an appropriate and well-designed new residential development on what certainly appears to be a well-defined brownfield ‘plot’. We do not consider that this proposal will have any detrimental impact upon the countryside zone or development pattern due to its enclosed location and strong boundary of the B739 to the south and A77 to the north.
- 4.4 The new house site will be served by a new direct access from Baird Road (B739). This road is in good condition and already used for a variety of

traffic movements including residential. It is noteworthy this is the same stretch of road being used by the much larger Persimmon Homes development further to the west. There are no perceived visibility splay issues with this proposed new vehicular access to the development. The internal road layout includes a shared surface for traffic calming and prioritising pedestrians.

- 4.5 The aim of this development is to create a high-quality residential setting that is accessible to the transport network and employment areas as well as bringing a historically used site back into productive use. The development therefore includes substantial public and recreational space to retain certain tree clusters and environmental features. Notably it is proposed to create a meadow area to the east and sustainable drainage systems to the south and east.
- 4.6 There are a number of existing mature trees on the site which we propose to retain. Screening from these trees as well as new and existing hedgerows and substantial ashlar boundary wall will provide natural screening and backdropping to the new development that will further integrate the new dwellings into its setting. New tree belts will be planted of native species around all boundaries. Enhanced structural planting with more robust trees will be planted to the north to screen and act as a buffer between the new homes and the A77. To the A77 side an acoustic timber fence is proposed will be constructed to provide initial acoustic and screening protection for planting and trees to become established and eventually naturally take over the boundary to the A77.
- 4.7 The proposed dwellings will incorporate high specification energy efficient credentials and environmentally sustainable renewable technologies including solar panels, heat pumps or potentially combined heat and power or centralised power and heat systems. Each house will have efficient lighting and heating as well as being of high insulation value. Natural planting will be utilised to control solar gain. Rainwater harvesting and efficient flushing dual flush toilets and aerated taps to reduce water usage. High-quality long-lasting materials sourced locally from renewable sources.

- 5.1 The Town and Country Planning (Scotland) Act 1997 requires decisions to be made in accordance with Development Plan unless material considerations indicate otherwise.
- 5.2 Of equal importance to any decision made by the Local Planning Authority is the House of Lord’s Judgement, City of Edinburgh Council v Secretary for State 1998 SLT120.
- 5.3 The former SPP1 summarised at Paragraphs 46 – 48 the above judgement regarding the steps to be taken to determine a planning application. The House of Lords ruled that if a proposal accords with the development plan and no material considerations indicate that it should be refused, planning consent should be granted. It ruled that *“although priority must be given to the development plan in determining planning applications, there is a built-in flexibility depending on the facts and circumstances of each case.”* The judgement set out the following approach to determining a planning application:
- Identify any provisions of the development plan that are relevant to the decision.
  - Interpret them carefully looking at the aims and objectives of the plan as well as the detailed wording of the policies.
  - Consider whether or not the proposals accord with the development plan.
  - Identify and consider relevant material considerations for and against the proposal.
  - Assess whether these considerations warrant a departure from the development plan.

The policy context for the determination of this application is set by national as well as regional and local planning policy.

### ***Scottish Planning Policy (SPP)***

- 5.4 A revised version of the document Scottish Planning Policy (SPP) was published in 2020.

### ***Presumption in favour of Sustainable Development***

- 5.5 Paragraph 28 of SPP introduces a presumption in favour of approving proposals that are considered sustainable development. It notes that the

planning system should support economically, environmentally and socially sustainable places by enabling development that balances the costs and benefits of a proposal over the longer term. The aim is to achieve the right development in the right place; it is not to allow development at any cost.

5.6 Amongst other things the SPP at Paragraph 29 also states that decisions should be guided by the following principles:

- giving due weight to net economic benefit;
- responding to economic issues, challenges and opportunities, as outlined in local economic strategies;
- supporting good design and the six qualities of successful places;
- making efficient use of existing capacities of land, buildings and infrastructure;
- supporting delivery of accessible housing, business, retailing and leisure development;

5.7 Paragraph 33 of the SPP confirms that where relevant policies in a development plan are out-of-date or the plan does not contain policies relevant to the proposal, then the presumption in favour of development that contributes to sustainable development will be a significant material consideration. Decision-makers should also take into account any adverse impacts which would significantly and demonstrably outweigh the benefits when assessed against the wider policies in this SPP.

### *Requiring Good Design*

5.9 SPP (paragraph 36) states that planning's purpose is to create better places. Placemaking is a creative, collaborative process that includes design, development, renewal, or regeneration of our urban or rural built environments. It is recognised that planning should take every opportunity to create high quality places by taking a design-led approach.

5.10 Paragraph 37 of SPP states that high-quality design can deliver positive outcomes for Scotland's communities and the important role that good buildings and places play in promoting healthy, sustainable lifestyles.

5.11 SPP and associated guidance in respect of design sets out the following:

- The importance of good design;
- The planning objectives good design can help achieve;
- Guidance on well-designed places;



- Guidance on how buildings and the spaces between them should be considered;
  - The planning process and tools which can be utilised to achieve good design; and
  - Design issues which relate to particular types of development.
- 5.12 SPP also states that development proposals should reflect the requirement for good design set out in national and local policy. Local planning authorities should give great weight to outstanding or innovative designs which help to raise the standard of design more generally in the area.
- 5.13 Design is only part of the planning process, but it can affect a range of economic, social, and environmental objectives beyond the requirement for good design in its own right. Planning decisions should seek to ensure the physical environment supports these objectives.

### *Local Planning Policy*

- 5.14 A review of the recently approved South Ayrshire Local Development Plan (SALDP2) details the relevant planning policy applicable to the determination of this application.
- 5.15 **Core Principle A1** outlines that the Council will support the aims of the Ayrshire Growth Deal and amongst other priorities will support projects like the Airport/Spaceport Masterplan.

*Comment:* This new residential development outside but adjacent to the Airport / Spaceport Masterplan zone will support creating a vibrant and varied housing market for those looking to live close to new employment opportunities similar to the recently approved Fairfield development but catering to more executive market.

- 5.16 **Core Principle B1** outlines that the Council will support the principles of sustainable economic development amongst other matters the prioritisation of development of brownfield land over greenfield land.

*Comment:* The historic maps show this site is previously developed land that through many decades of negligible management has become overgrown and contributes little to the local surroundings. This proposal will bring this brownfield site back to economic purpose and remove risk of further environmental degradation.

## 5.17 STRATEGIC POLICY1: Sustainable Development

Confirms that the Council will support the principles of sustainable development by making sure that development meets the following standards:-

- Respects, protects and where possible, enhances natural, built and cultural heritage resources.
- Protects and safeguards the integrity of designated sites.
- Protects peat resources and carbon rich soils.
- Does not have a negative effect on air or water quality
- Incorporates sustainable urban drainage and avoids increasing (and where possible reduces) risks of, or from all forms of flooding.
- Respects the character of the landscape and the setting of settlements.
- Respects, and where possible contributes to the Central Scotland Green Network.
- Makes efficient use of land and resources.
- Ensures appropriate provision for waste water treatment, avoids the proliferation of private treatment systems and connects foul drainage to the public sewerage system wherever feasible.
- Contributes to an efficient use of, or provision for public services, facilities and infrastructure.
- Embraces the principles of 'place-making' and the '6 qualities of Place'
- Wherever possible, is in an accessible location, with opportunities for the use of public transport, and other sustainable transport modes including cycling and walking.
- Designed to maximise energy efficiency through building siting, orientation and materials, Helps mitigate and adapt to the effects of climate change.
- Includes the use of micro-renewables, wherever appropriate
- Wherever possible, Incorporates or facilitates the development of District heating / heat networks.
- Respects the Scottish government's Zero waste Objectives.
- When considering development proposals, due weight will be given to the consideration of net economic benefit.

**Comment:** This proposed development is fundamentally about delivering sustainable development through the improvement of a



historic but now disused site so directly making efficient use of land and resources. It also respects the character and the landscape through careful siting and use of existing natural and built features to assimilate the development into its setting.

#### 5.18 STRATEGIC POLICY2: Development Management

The Council will ensure that development proposals are in accordance with the site's land use, as defined on the on the 'Proposals Maps' and:-

- Are appropriate in terms of layout, scale, massing, design and materials in relation to their surroundings and surrounding land uses.
- Do not have an unacceptable impact on the amenity of nearby land uses, or committed development proposals (with Planning Permission or allocated LDP development sites).
- Are appropriate to the local area in terms of road safety, parking provision and effects on the transport network.
- Are designed in a way that helps prevent crime.
- Are not within Health and Safety Executive safeguarding zones if this would lead to increased risk or danger.
- Address issues of land instability where they are identified as being present on the site.
- Make appropriate provision for all infrastructure implications of the development.
- Are located within a settlement boundary or otherwise justified by LDP subject specific policies or locational need.
- Include open space and landscaping that is appropriate for the location and use of the proposed development.
- Do not result in the loss of an area of maintained amenity or recreational open space unless allocated for development in the Policy and Proposals Maps.
- If contrary to specific LDP policies are justified to our satisfaction, on the basis they are (1) of over-riding community interest, or (2) will contribute significantly to the implementation of the Ayrshire Growth Deal or the regeneration of Ayr; and will have no significant, adverse environmental effects

**Comment:** Whilst not within a core settlement zone the site is not located in a protected zone such as Greenbelt or Protection Area. The site is brownfield and is on the periphery of the National

Aerospace and Space centre where development of commercial ventures is supported. The application site is adjacent to strategic housing allocation MONK1 which is zoned for around 300 homes which demonstrates housing is considered acceptable for this area – between Prestwick Airport and the A77.

- 5.19 LDP policy: National Aerospace & Space Centre** To protect the current operation of the airport, and any associated industrial or office use, and ensure the airport's future economic stability and growth, the Council expects development proposals within the National Aerospace & Space Centre Strategy Area to be compatible with the preferred uses shown in the National Aerospace & Space Centre Strategy Map. Low carbon technology manufacturing, operation or servicing within the National Aerospace & Space Centre area will also be supported. When assessing any development proposals within the Strategy Area we will consider the potential impact they may have on the service and access arrangements of the airport and seek assurance that they will not compromise the operational functionality of the Airport, or runway related aerospace/ space uses surrounding the airport. A masterplan will be developed to provide further guidance to manage development within the wider area at Prestwick and Monkton, also including the Glasgow Prestwick Airport estate and National Aerospace and Space Centre Strategy area.

**Comment:** As highlighted in the Masterplan extract at section 2 the application site lies to the northern periphery of the Airport Masterplan Zone – just outside area designated as 'Highfiled'. Given the commercial expansion of the area a mix and choice of housing would be of benefit to the local workforce and improve appeal for those relocating or investing in the area.

- 5.20 LDP policy: development opportunities** We will actively encourage development on brownfield ,vacant and derelict sites instead of greenfield sites. To strengthen the vitality and vibrancy of all town centres, we will encourage the redevelopment of town-centre brownfield sites over other potential sites outside of town centres, where the proposed use is in keeping with town centre uses. A Development Opportunities Schedule is provided as Appendix E to this Plan. Additional guidance will be prepared to provide plans of the sites, together with information on potential uses.

**Comment:** As shown from the historic plan extracts dating back to the 1800's the application site formed part of the Adamton Estate. The specific site contained a Corn Mill with numerous buildings,

ponds and other associated infrastructure. Many of these structures and engineering can still be seen at the site today at a low level or presence understood where vegetation has overgrown. Notably the 2m ashlar stone wall is a prominent feature of the site and indication of the sites former developed nature. The intention is to reuse much of this wall as a feature creating distinction and providing a heritage context to this new development. This is consistent with the principles of successful place making and this policy through the re-use of uneconomic brownfield sites.

- 5.21 LDP policy: maintaining and protecting land for housing** We will ensure the maintenance of an effective five-year supply of land for housing to meet demand. Where the supply is not maintained we may seek an early review of the local development plan, and will assess any housing proposals on unallocated sites against relevant development plan policies and the criteria set out in supplementary guidance 'Maintaining an Effective Land Supply'. We will encourage housing development on appropriate brownfield sites, rather than greenfield sites. To meet current housing need and demand, residential development on sites identified in the local development plan settlement maps will be acceptable. Proposals for development other than housing on land identified in the housing land supply or identified for housing development in the settlement maps will have to show they will have environmental, economic or social benefits or encourage regeneration. The proposal must also have an acceptable effect on the amenity of surrounding uses, especially residential uses, in line with LDP policy: residential policy within settlements, release sites and windfall sites.

**Comment:** This application is proposing to erect a new sustainable residential development on brownfield land therefore consistent with the fundamental requirements of this policy. Furthermore, the construction will provide social, economic and environmental enhancements through the re-creation of this unmanaged and overgrown site with new opportunities for housing and native planting.

- 5.22 LDP policy: residential policy within settlements, release sites and windfall sites** We will aim to protect the character and amenity of areas that are mainly residential, particularly from non-residential development which could have negative effects on the local amenity. Within settlements, we will normally allow residential development, housing extensions, replacement houses and residential property

conversions as long as: a. the site has adequate access for vehicles, which is separate from other property and which directly connects to the public road network; b. the layout, density, plot ratio, scale, form and materials of any proposed development do not detract from the character of the surrounding buildings and the local area; c. it does not affect the privacy and amenity of existing and proposed properties; d. the site does not form an area of maintained amenity or recreational open space unless it is already part of the established housing land supply, or identified for residential development on the Proposals Map; e. the site provides a suitable residential environment; and f. it provides appropriate private and public open space in accordance with the requirements of LDP policy: open space, and our open space guidelines. On windfall sites outwith settlement boundaries we will also need to consider the effect on the landscape. You can find more advice on the design, amenity and open-space standards we expect in the Councils planning guidance and supplementary guidance documents.

**Comment:** This proposal is a brownfield redevelopment on a windfall site outwith a settlement boundary – a category explicitly within this policy. Such developments require to give cognisance to effect on wider landscape. It is considered the landscape and visual impacts of this proposed development is one of its strongest attributes as the site is a rounding off or infilling of existing development wedged between the Airport masterplan zone and the A77. Furthermore, visual and landscape impacts are significantly reduced by the existing treebelt and substantial stone wall the bounds the site. All other design, open space and amenity are complied with as outlined in the below assessment of the Council’s Supplementary Guidance.

### ***South Ayrshire Council Supplementary Guidance and Planning Guidance:***

- 5.21 Supplementary Guidance and Planning Guidance documents are also a material consideration that can be taken into account when determining a planning application.
- 5.22 **South Ayrshire – Open Space & Designing new Residential Developments: Planning Guidance 2010**

The Design Guide sets out key design principles which should be taken into account when planning new housing development in many different locations including outwith settlements. The purpose is to encourage high

quality design of housing which respects South Ayrshire's landscapes and building traditions – and creating meaningful design solutions that respect place principles. Guidance is provided regarding how relevant policy relates to landscape, siting & layout, and design & character considerations.

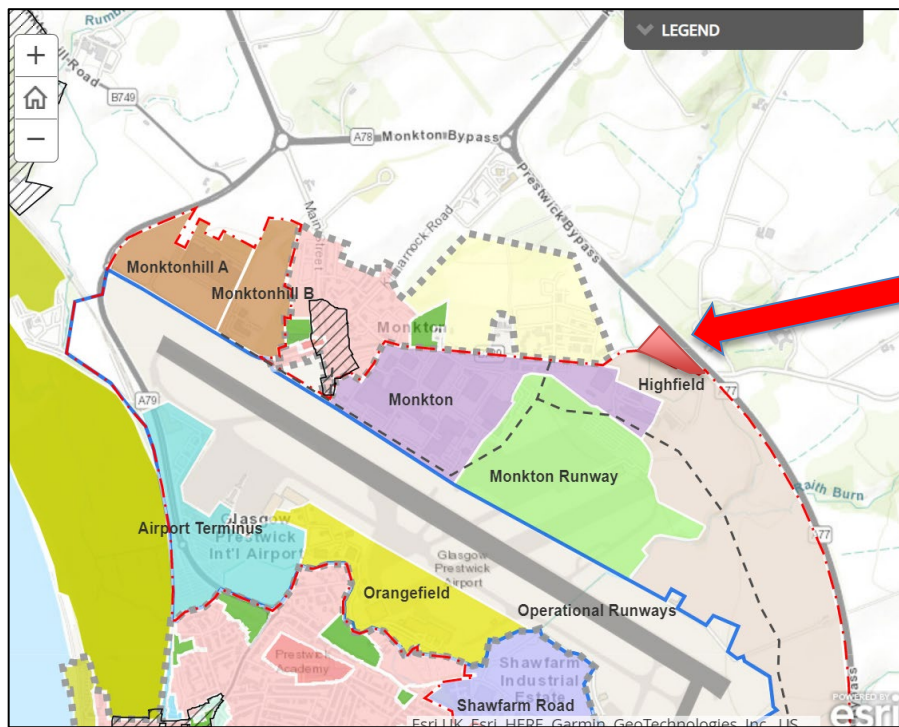
- 5.23 Page 14 of the Guidance specifically refers to the benefits of infill development and developments which is consistent with our proposal – given the application site is previously developed land wedged between the Airport Masterplan Zone, Housing allocations and A77 to the north. The term infill developments may cover vacant or derelict land, land occupied by redundant or unused buildings and developed land within the settlement boundary where further intensification of use is considered acceptable.
- 5.24 The guidance also provides suggestions towards site layout, massing, ratio's accessibility, planting, safe and welcoming features, treatments all relating to open space.
- 5.25 Having undertaken a review of what is considered to be the most relevant National and SALDP policies and Supplementary Guidance for this application, the next section of this report will analyse the key planning issues associated with the application; as per the House of Lords judgement and then detail how the proposed new house as detailed in the application is either in keeping, or not with the planning policy as detailed within this section of the statement.

- 6.1 Within Chapter 5 of this statement the most relevant LDP, as well as National Planning Policy Statements, and SG, against which this planning application will be determined were detailed.
- 6.2 Taking into consideration the House of Lord's Judgement which set out an approach to determining planning applications, this chapter of the statement will work through the following:
- Interpret the provisions of the development plan and other relevant planning policy statements and guidance as well as the detailed wording of the policies;
  - Consider whether or not the proposals accord with the development plan;
  - Identify and consider relevant material considerations for and against the proposal; and
  - Assess whether these considerations warrant a departure from the development plan.

#### **Development Strategy, Infill & Rounding Off of Settlement Pattern**

- 6.3 National and local policy contained within the SPP and LDP plus its supplementary guidance support 'sustainable development' and encourage new development in locations where there is existing infrastructure, services and amenities to support thereby making best use of resources. This application site is ideally located on the periphery of Prestwick and Monkton to provide executive housing that is close to businesses and existing transport networks. It can be assimilated discreetly into the landscape due to its unique location within a historic landscape and existing features such as the substantial tree belt and substantial ashlar wall. The proposal seeks to use as much of the existing wall and boundary trees as possible to integrate the new development into its surroundings.
- 6.4 The proposed development can be considered as **infilling and rounding off** development in terms of the settlement strategy as it can be shown from **below plan extract**. Its location on the northern perimeter of the safeguarding zone for Highfields (part of the National Areospace & Space Zone) is ideally located to provide high quality, low density housing for the high value jobs and employment opportunities that will be created by the expansion of Prestwick Airport. Furthermore, there is no opportunity for

wider coalescence as the site is well defined and restricted to the A77 to the north. The site is therefore well contained and identified within existing built form in terms of the established settlement pattern.



PLAN EXTRACT FROM LDP2

Highlighting application site as Infill / Rounding Off in context of Areospace and Space Masterplan Zone, A77 and other housing allocations.

### Established Residential Use Area

- 6.5 Development such as this, where there is also well-established and expanding residential development (notably housing allocation Monk1 which is being built out by Persimmon) confirms there is existing services, utilities, access arrangements and activity supports the integration of the new build into the most appropriate location. This is not a standalone newbuild development in isolated countryside – rather it is a catalyst for achieving environmental gains through the redevelopment of brownfield land that will be viewed as a cluster within southern A77 boundary in context of the other residential and commercial development in the immediate area. This is consistent with **LDP policy: maintaining and protecting land for housing**.
- 6.6 The previous residential approvals at Adamton Estate and large scale strategic housing site at Fairfield (referred to in Chapter 3, above) which are immediately adjacent to the application site reinforce the location as a residential site. Moreover, this application site has been specifically selected to utilise and redevelop a brownfield site which has been unmanaged and currently provides no benefits to the locale.

The regeneration and investment is therefore making a contribution to this policy as it is making the best use of land which would otherwise remain uneconomic or unviable. It is therefore supporting sustainable development.

### **Redevelopment of Brownfield Sites for environmental & economic benefits**

- 6.7 Both national and SALDP refer to the importance of making the best use of land and having the 'right development at the right place'. By upgrading the brownfield site, the approach to Adamton Mill will be improved in visual and setting terms in contrast to its current use as waste ground that currently detracts from the locale. The siting and design of the residential development aims to retain as much of the existing Mill wall and mature trees as possible and use a pallet of materials that will integrate to its surroundings. The design and materials are consistent with other approvals at Adamton Estate consented within the past 3 years. Environmental and biodiversity enhancements will also be achieved through the retention of existing trees and planting of new native hedgerows.
- 6.8 The principle of development, in high level terms, at this location is therefore consistent with national and local policies relating to development strategy due to presumption in favour of sustainable development and economic reuse of this abandoned brownfield site. Therefore the development should be considered consistent with policy ensuring that it complies with other technical and site specific criteria that is laid out and is referenced below.

### **Design**

- 6.9 'Placemaking' and quality of design is specifically referenced within SPP, LDP and specific Design Guides on Open Space. The evolution of this residential development to create 14 high quality executive homes has taken cues in terms of massing, finishing materials, roof pitches and vernacular to assimilate the recently consented other residential developments at Adamton Estate (referred to in Section 3). The character of the dwellings is consistent with both form and function of this established mixed use cluster.
- 6.10 When developing the design, we have given cognisance to the South Ayrshire – Open Space & Designing new Residential Developments:



Planning Guidance 2010. As the plans accompanying the application show, the proposal is to create a 'village green' which will create communal recreation space close to the centre of the development and a larger open space to the southeast. Both will be landscaped with native trees to improve biodiversity. This open space will create environmental benefits for wildlife and biodiversity plus open up the site for access where there currently none exists. All of the housing plots exceed the minimum requirement of open space required by this guidance.

### **Enhancements to biodiversity**

- 6.11 The landscaping proposal is bespoke sympathetically designed to create strong tree belts to the north and east screening and backdropping the A77. This boundary treatment will include native species.

### **Use of existing infrastructure**

- 6.12 The shared surface internal road is also specifically chosen to create a distinctive community and exclusive experience – as well as naturally manage traffic speeds and prioritise pedestrians. The feeder road from the B739 Baird Road is already a key route for accessing other residential developments in this vicinity and visibility splays plus road conditions are considered good to accommodate this development.

### **Providing a mix of housing for local market area**

- 6.13 The residential development will have an external finish as shown on the submitted planning drawings. Careful consideration has been given to the choice of materials and finishes, which include Pitched Roof, simple palette of materials, feature stone elevations to match existing historic wall, natural slate roofing, low profile rooflights, smooth off white cement render, pale colours and timber windows. The massing of the proposed dwellinghouses is sympathetic to the generous executive plot size and the existing nearby properties. It is a different product from the adjacent Fairfield development which is stereotypical volume housebuilder and much denser than what is proposed as part of this application. The creation of a varied housing market is a benefit to the sustainable growth of Prestwick / Monkton.
- 6.14 The site has been specifically chosen to redevelop an unmanaged and neglected piece of brownfield land that currently has no productive value. The site is low lying and flat in nature, therefore not requiring substantial groundworks or underbuilding. This will also ensure that the skyline is not

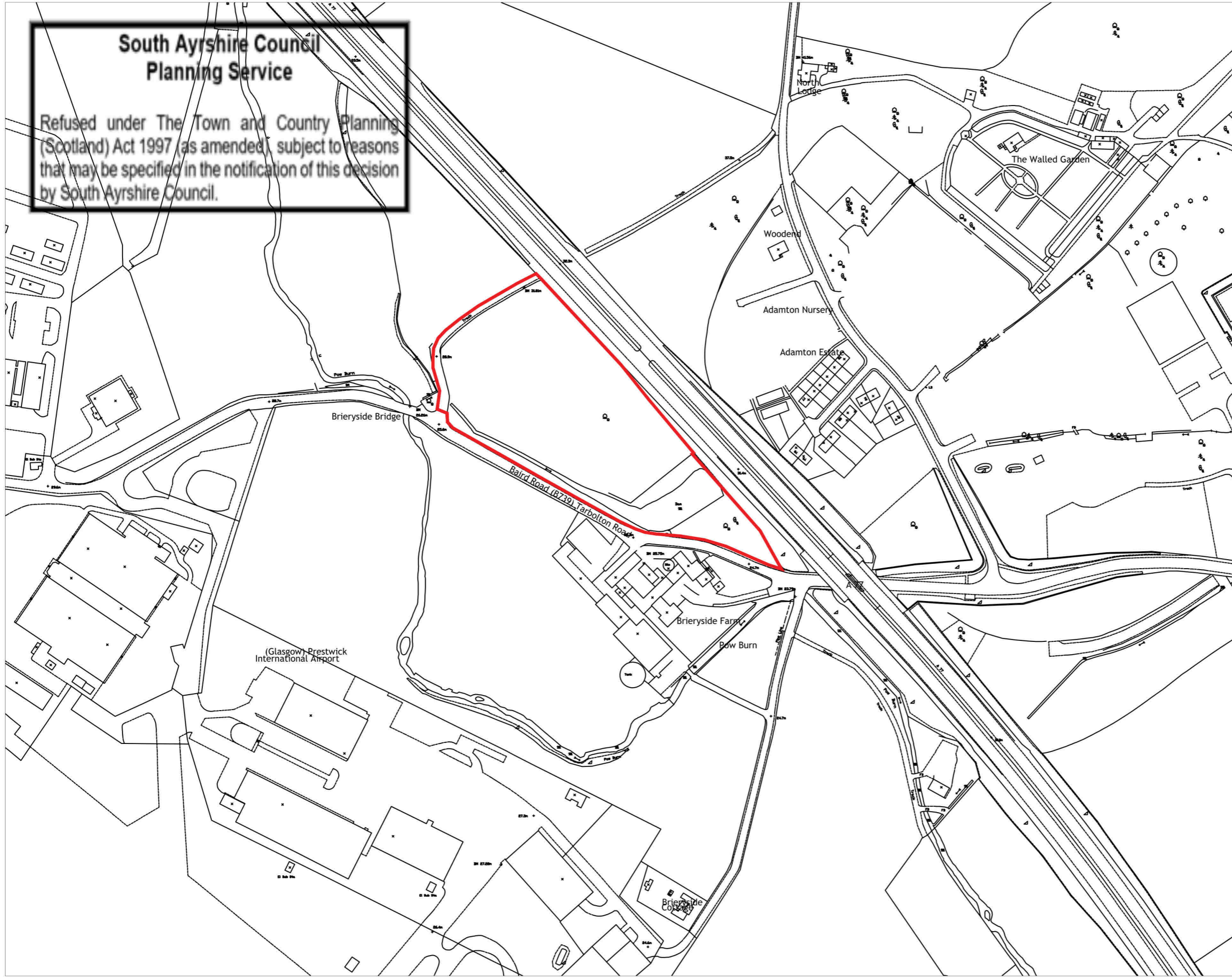
broken from surrounding viewpoints. It will be viewed in the context, screened and backdropped by the existing substantial ashlar wall, A77 and tree belt. The proposal would enhance the visual appearance of infill development and improve the environmental quality of this part of the Adamton Estate.

- 6.14 Having reviewed all the material matters applicable to this application before the Council: National Planning Policy, Local Planning Policy; Supplementary Guidance, Planning Guidance all set in the context of the Scottish Government's SPP 1, which introduces a presumption in favour of development that contributes to sustainable development, we consider that this application is in compliance with these and therefore should be approved.

## 7 Conclusions

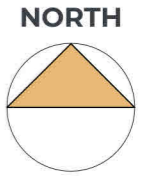
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- 7.1 This statement has been prepared to accompany the planning application submitted on behalf of our clients and forms part of the suite of supporting documents.
- 7.2 We have undertaken a comprehensive review of the relevant National, Local and SG which will be relevant to the determination of this application.
- 7.3 When reviewed against the House of Lord's judgement which set out an approach to determining a planning application, it is considered that the proposal submitted accord with the development plan and identified relevant other material considerations for and against the proposal, and, therefore the application should be supported and approved by South Ayrshire Council.
- 7.4 We therefore trust that the planning authority will approve this application, as it is in accordance with the Local Development Plan, and we consider it to be a sustainable development and we do not consider that there are any material considerations against it.



**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.



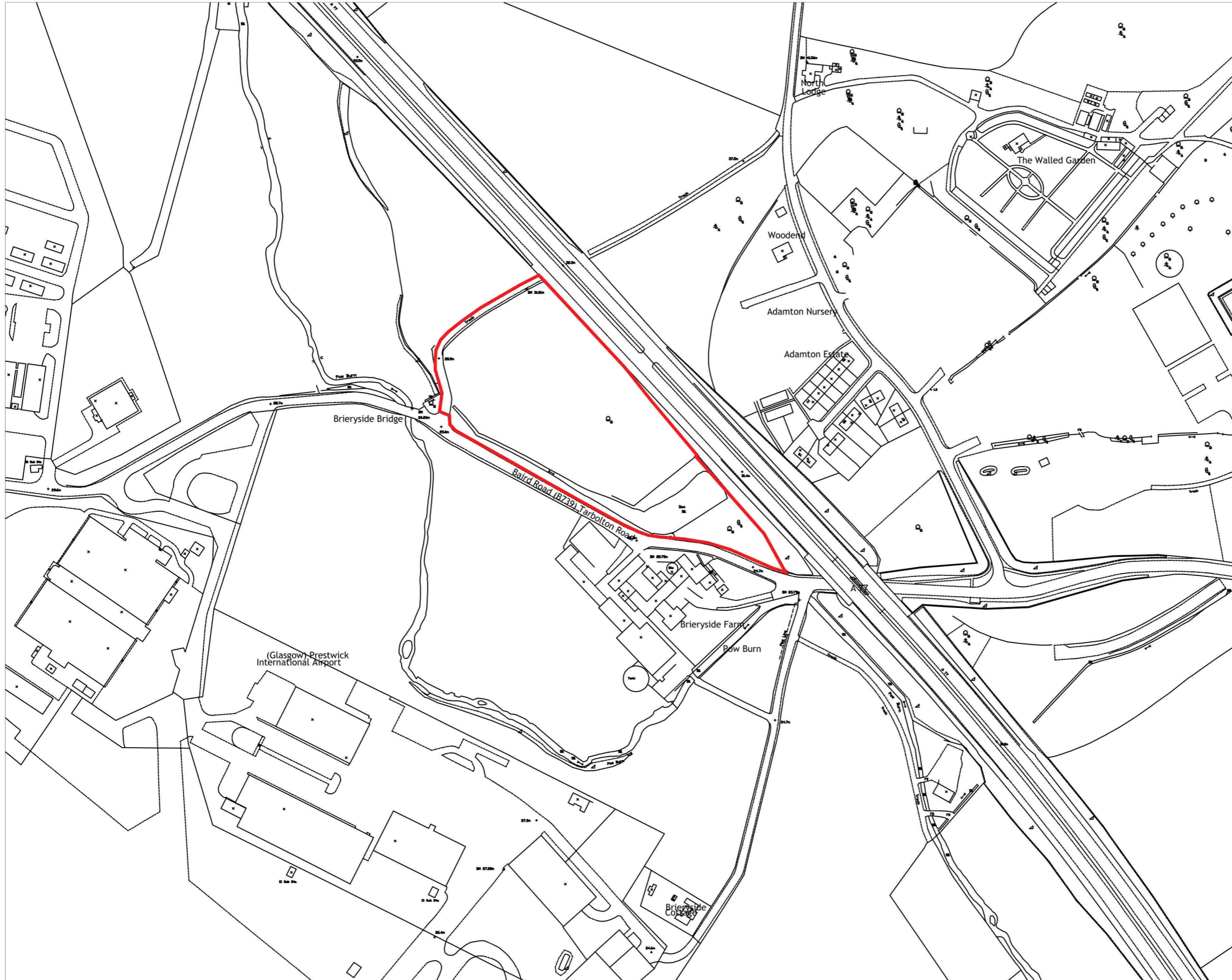
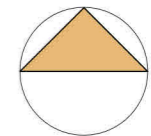
Rev	Description	Date
<b>Status</b>		
<b>PLANNING</b>		
<b>Project</b>		
RESIDENTIAL DEVELOPMENT		
<b>Client</b>		
STUART LEITH		
<b>Site</b>		
ADAMTON MILL, NR PRESTWICK AIRPORT		
<b>Drawing Title</b>		
SITE LOCATION PLANS		
<b>Drawing No.</b>		<b>Revision</b>
<b>21-0564-LOC-01</b>		-
<b>Scale</b>	<b>Drawn</b>	<b>Date</b>
1:2500 @ A3	JMcC	28/07/2022



**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**

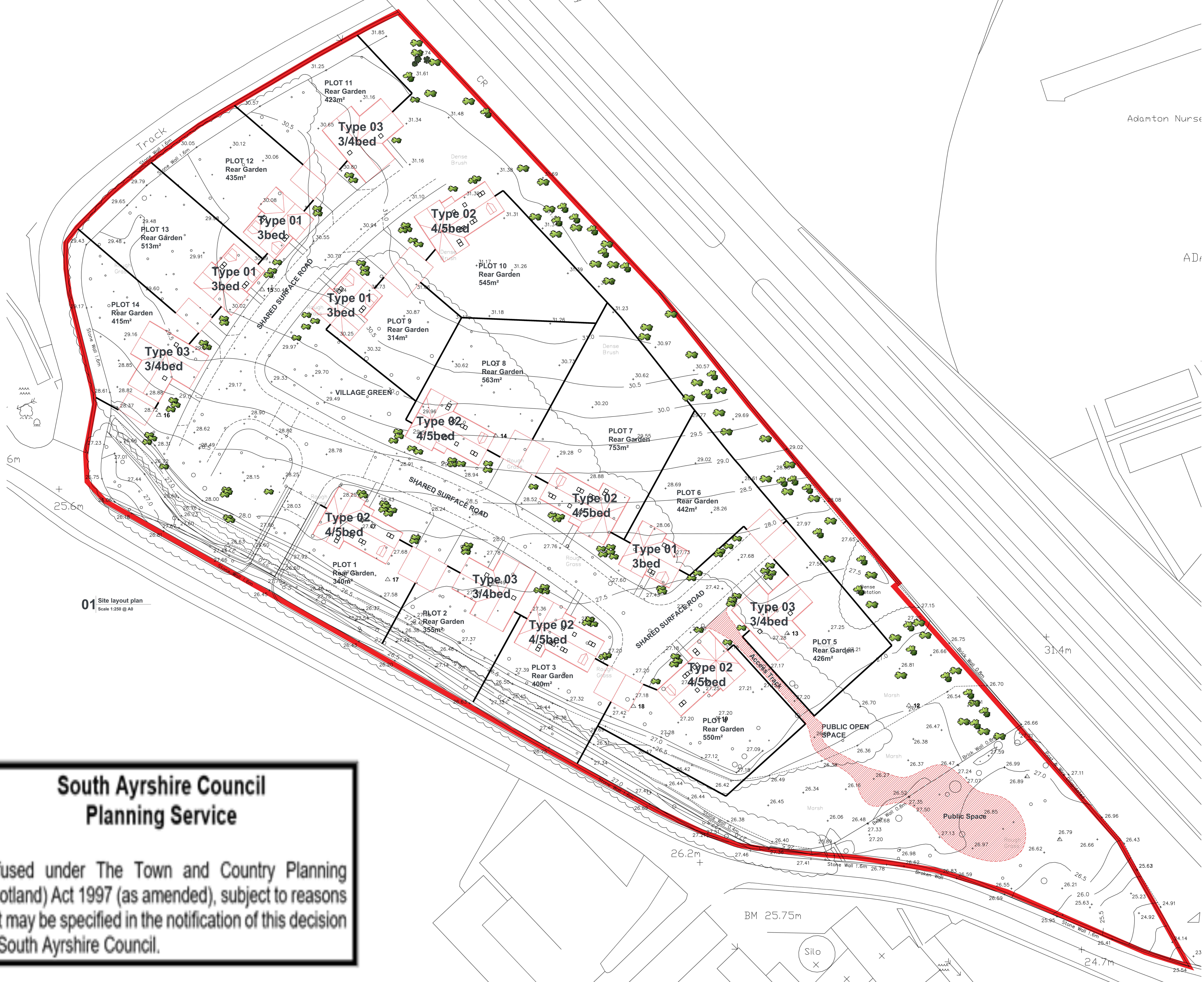


SCALE 1:2500 in metres



Rev	Description	Date
<b>Status</b>		
<b>PLANNING</b>		
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STUART LEITH		
<b>Site</b>		
ADAMTON MILL, NR PRESTWICK AIRPORT		
<b>Drawing Title</b>		
SITE LOCATION PLANS		
<b>Drawing No.</b>		<b>Revision</b>
<b>21-0564-LOC-01</b>		-
<b>Scale</b>	<b>Drawn</b>	<b>Date</b>
1:2500 @ A3	JMcC	28/07/2022

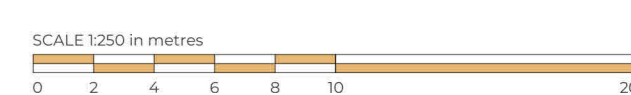
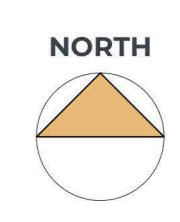




01 Site layout plan  
Scale 1:250 @ A0

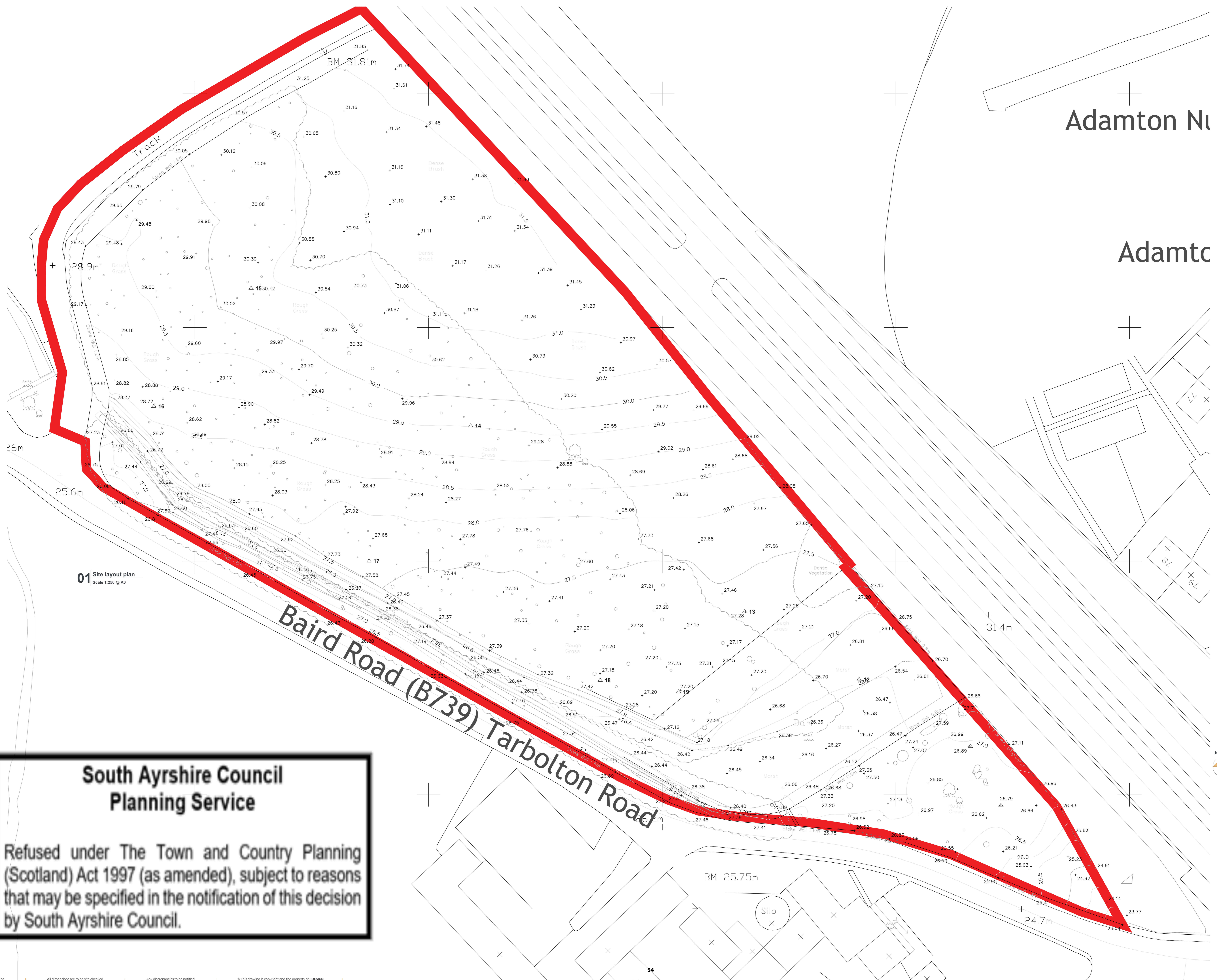
**South Ayrshire Council  
Planning Service**

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.



Rev	Description	Date
01	PLANNING	
02	RESIDENTIAL DEVELOPMENT	
03	STUART LEITH	
04	ADAMTON MILL, NR PRESTWICK AIRPORT	
05	SITE LAYOUT PLAN SHOWING EXISTING SITE LEVELS TO BE RETAINED	
06	21-0564-SK (-)10	
07	Scale 1:250 @ A0	19/05/22





Adamton N

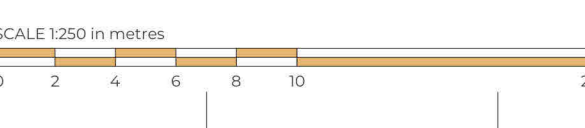
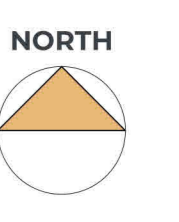
Adamtc

01 Site layout plan  
Scale 1:250 @ A0

Baird Road (B739) Tarbolton Road

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.

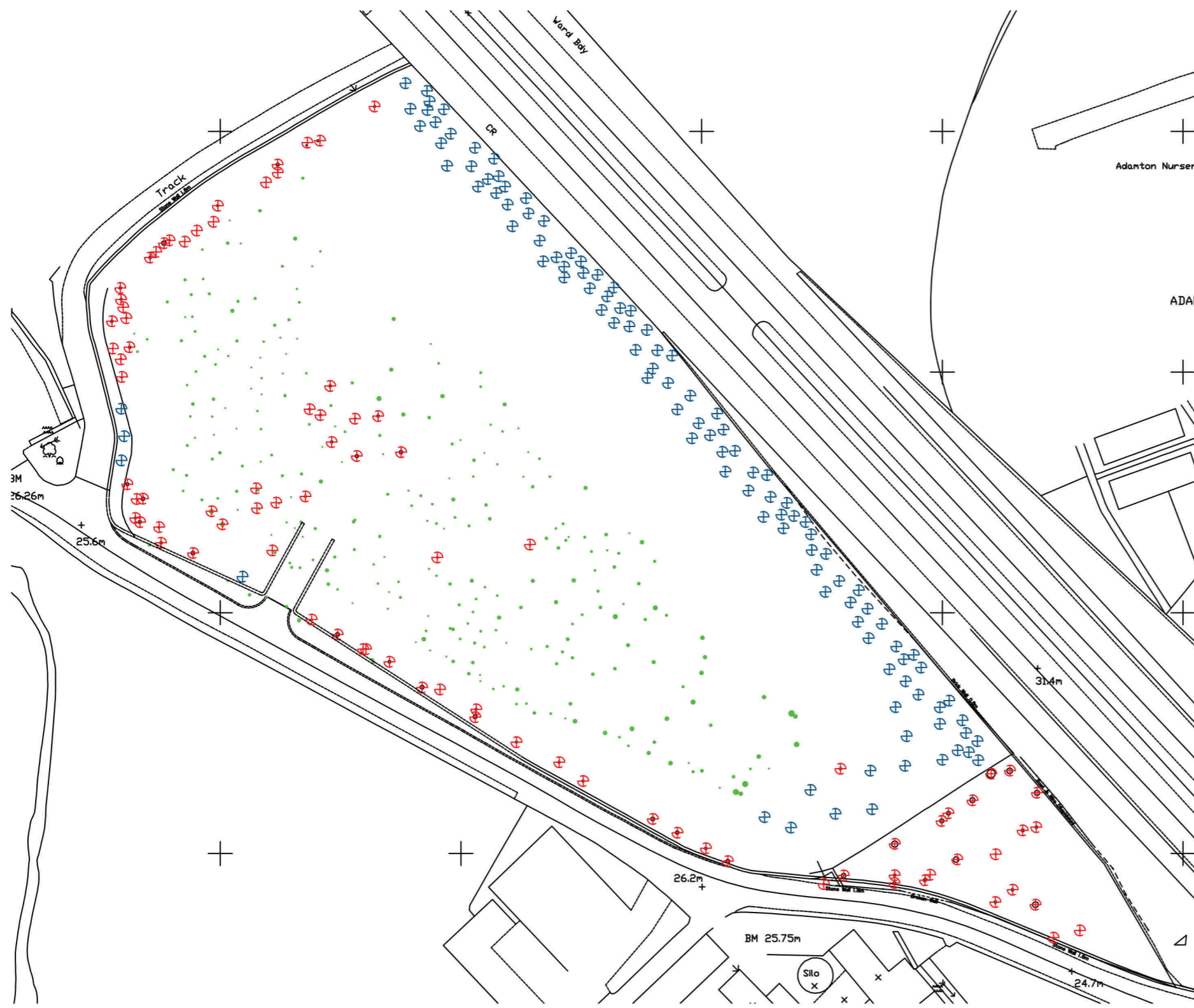


Rev	Description	Date
1	As existing Block plan	
2	21-0564-BP-01	

Scale	Drawn	Date
1:250 @ A0	JM/C	28/07/2022





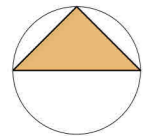
- ⊕ Trees to be retained if healthy
- ⊕ Trees to be added
- Trees to be removed

**Trees to be retained if healthy**  
**Trees to be added**  
**Trees to be removed**

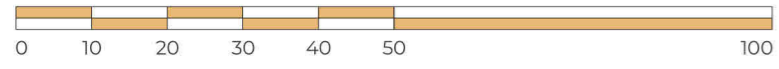
**South Ayrshire Council  
Planning Service**

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**NORTH**

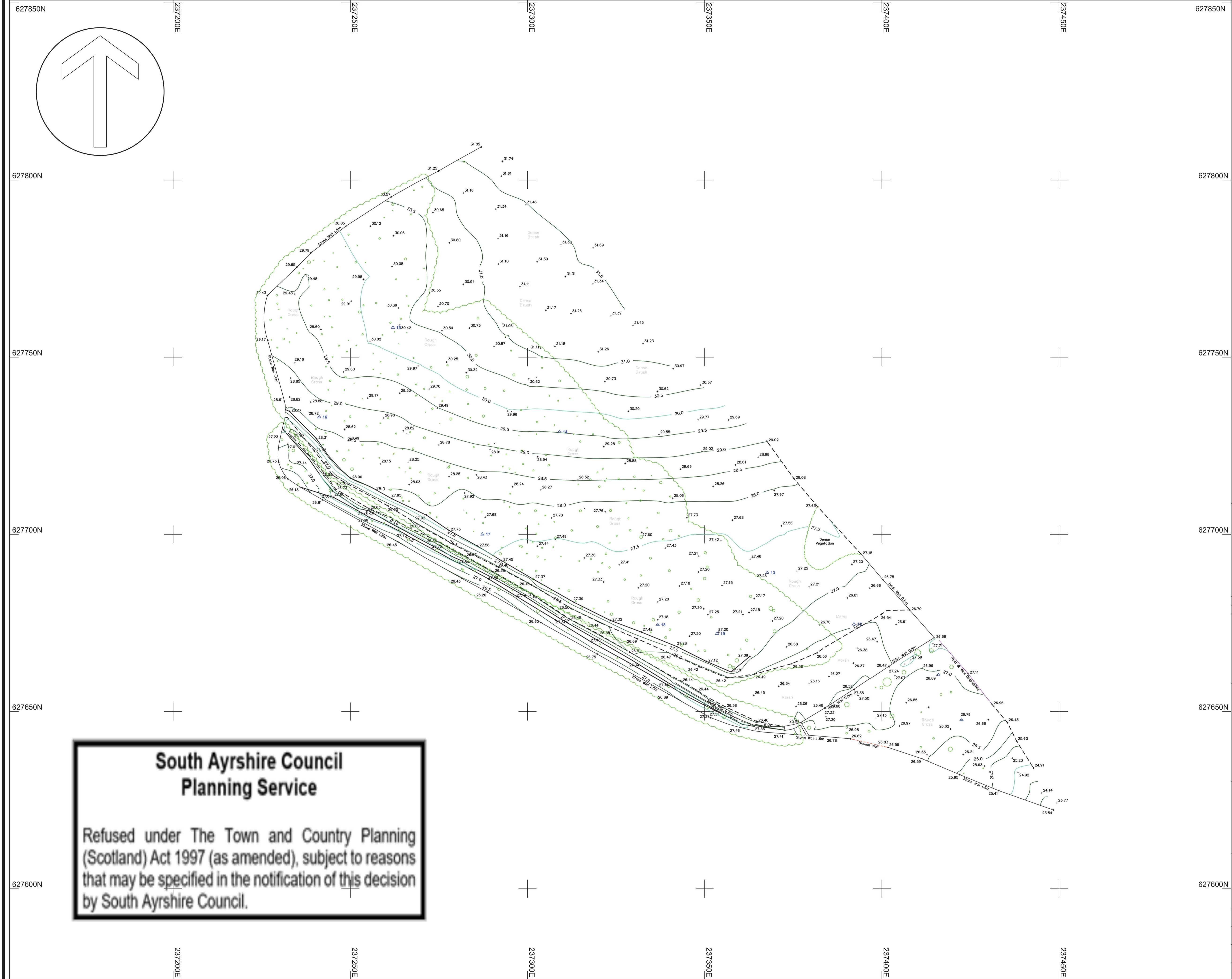
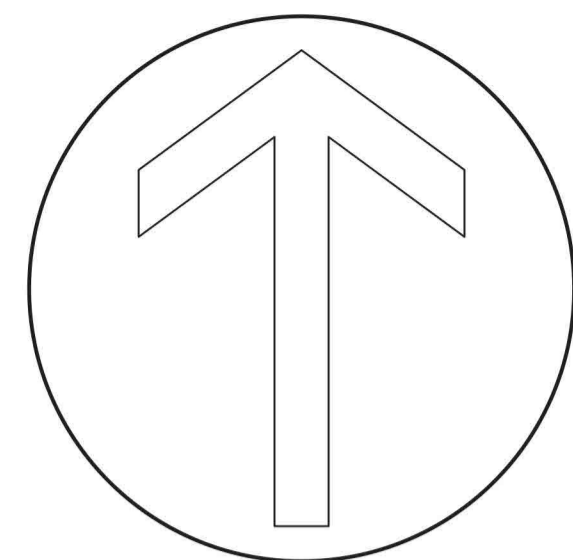


SCALE 1:1000 in metres



Rev	Description	Date
-	-	-
<b>Status</b>		
<b>PLANNING</b>		
<b>Project</b>		
RESIDENTIAL DEVELOPMENT		
<b>Client</b>		
STUART LEITH		
<b>Site</b>		
ADAMTON MILL, NR PRESTWICK AIRPORT		
<b>Drawing Title</b>		
TREE REPLACEMENT PLAN		
<b>Drawing No.</b>		<b>Revision</b>
<b>21-0564-SK(-)07</b>		-
<b>Scale</b>	<b>Drawn</b>	<b>Date</b>
1:1000 @ A3	JMcC	19/05/22





**Link Feature Legend**

Bottom of bank	---
Building	—
Building Overhang	- - -
Ditch	- · - · -
Fence	- · - · -
Foliage	~ ~ ~
Hedge	~ ~ ~
Kerb	— · — · —
Low Kerb	- · - · -
Pipeline	— · — · —
Stream	— · — · —
Top of bank	---
Verge	- · - · -
Wall	— · — · —
Water Line	— · — · —

**Point Feature Legend**

Air Valve	AV	Spot level	+
O.S. Benchmark	BM	Stop Cock	SC
Bollard	Bo	Stop Valve	SV
Borehole	BH	Telegraph Pole	TP
Bus Stop	Bus	Threshold Level	TL
British Telecom	BT	Traffic Signal	TS
Cable T.V.	CTV	Trial Pit	TP
Culvert	Culv	Ridge Level	Ridge HT
Drain	Dr	Eaves Level	Eaves HT
Electricity Pole	EP		
Earth Rod	ERod		
Fire Hydrant	FH		
Gas Valve	GV		
Gully	G		
Inspection Cover	IC		
Invert Level	IL		
Kerb Outlet	KO		
Lamp Post	LP		
Manhole	MH		
Meter	M		
Marker Post	MP		
Post	P		
Rodding Eye	RE		
Road Sign	RS		
		Tree (To scale)	

Notes:  
 Horizontal Control points are relative to the NATIONAL GRID.  
 All levels are relative to ORDNANCE DATUM.

RTK corrections were obtained using the Trimble VRS Active Network.

CONTROL STATION COORDINATES			
STN	EASTING	NORTHING	LEVEL
12	237392.131	627674.650	26.600
13	237367.657	627689.171	27.460
14	237309.008	627728.928	29.819
15	237262.021	627758.351	30.575
16	237241.219	627733.098	28.889
17	237287.270	627700.013	27.610
18	237336.717	627674.497	27.335
19	237353.504	627672.003	27.376

**Aspect**  
 Land + Hydrographic Surveys  
 CHARTERED SURVEYORS  
 Thornhouse Business Centre  
 Ballot Road  
 Irvine Fax : 01294 313389  
 KA12 OHW  
 E-mail: mail@aspect-surveys.com  
 Web: www.aspect-surveys.com

Client :  
**EDESIGN ARCHITECTURE & PLANNING SCOTLAND**  
 WELLINGTON CHAMBERS  
 64 FORT STREET  
 AYR  
 KA7 1EH

Project Title :  
 TOPOGRAPHIC SURVEY  
 PLOT 1 & 2  
 ADAMTON ESTATE  
 MONKTON

Project No:	A8073	Scale:	1:500
Surveyed date:	15th February 2022	Issued date:	24th February 2022
Surveyed by:	DM	Checked by:	SJS
Sheet No.:	1 of 3	Plot Scale:	1:1 @ A1

**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.





01 Site layout plan  
Scale 1:250 @ A0

02 Street Elevations to Baird Road  
Scale 1:250 @ A0



**South Ayrshire Council  
Planning Service**

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**EDESIGN**  
ARCHITECTURE & PLANNING

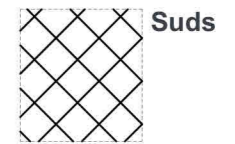
- Suds
- Public Space

NORTH

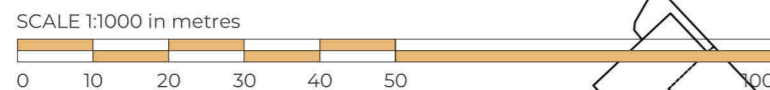
SCALE 1:250 in meters

Rev	Description	Date
1	PLANNING	
2	RESIDENTIAL DEVELOPMENT	
3	Client: STUART LEITH	
4	Site: ADAMTON MILL NR PRESTWICK AIRPORT	
5	Drawing Title: SITE LAYOUT PLAN PROPOSED - STREET ELEVATIONS	
6	Project No: 21-0564-SK (-)JOB	
7	Scale: 1:250 @ A0	
8	Drawn: JMKC	
9	Date: 19/05/22	





**01** Site Layout  
Scale 1:1000 @ A3



**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.

Rev	Description	Date
-	-	-

**Status**  
**PLANNING**

**Project**  
RESIDENTIAL DEVELOPMENT

**Client**  
STUART LEITH

**Site**  
ADAMTON MILL, NR PRESTWICK AIRPORT

**Drawing Title**  
PROPOSED SITE LAYOUT + STREET ELEVATION

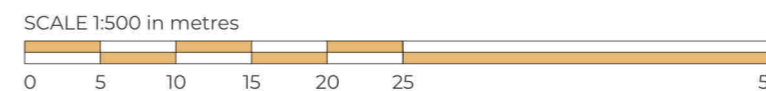
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**21-0564-SK(--)-02**

**Scale** 1:1000 @ A3  
**Drawn** JMcC  
**Date** 19/05/22

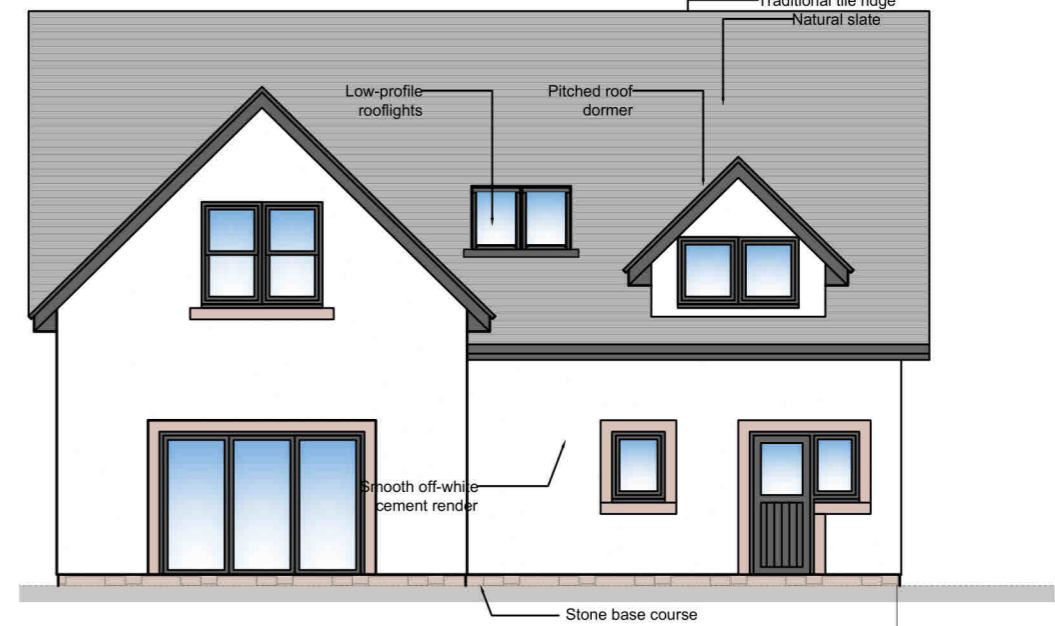
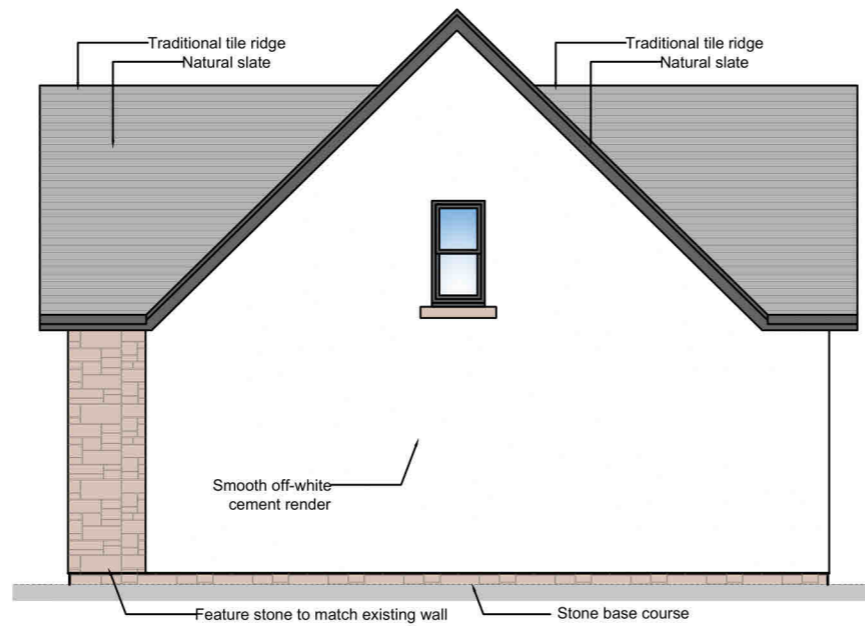
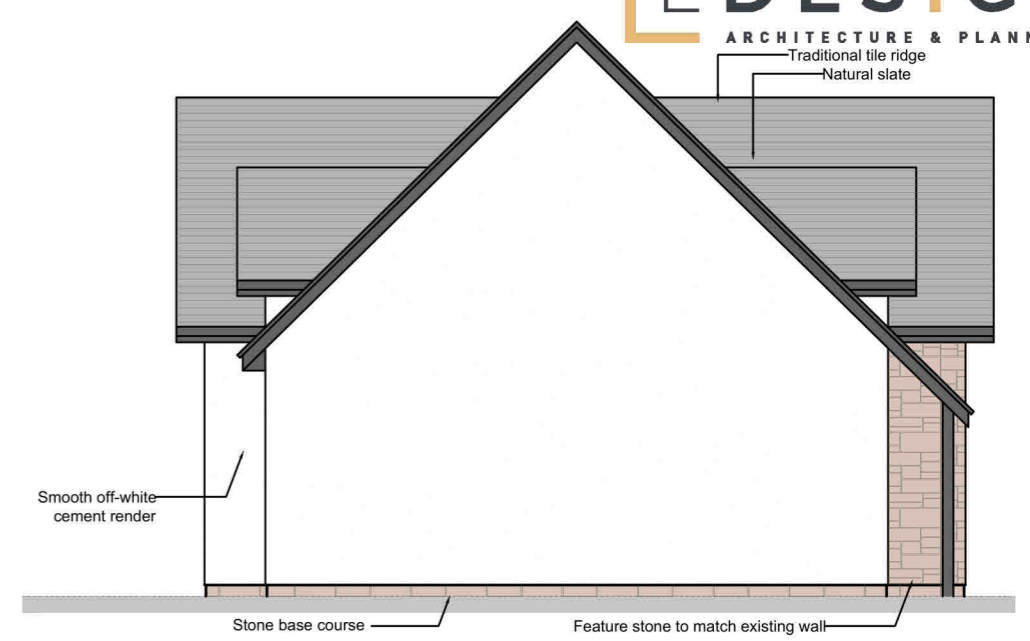
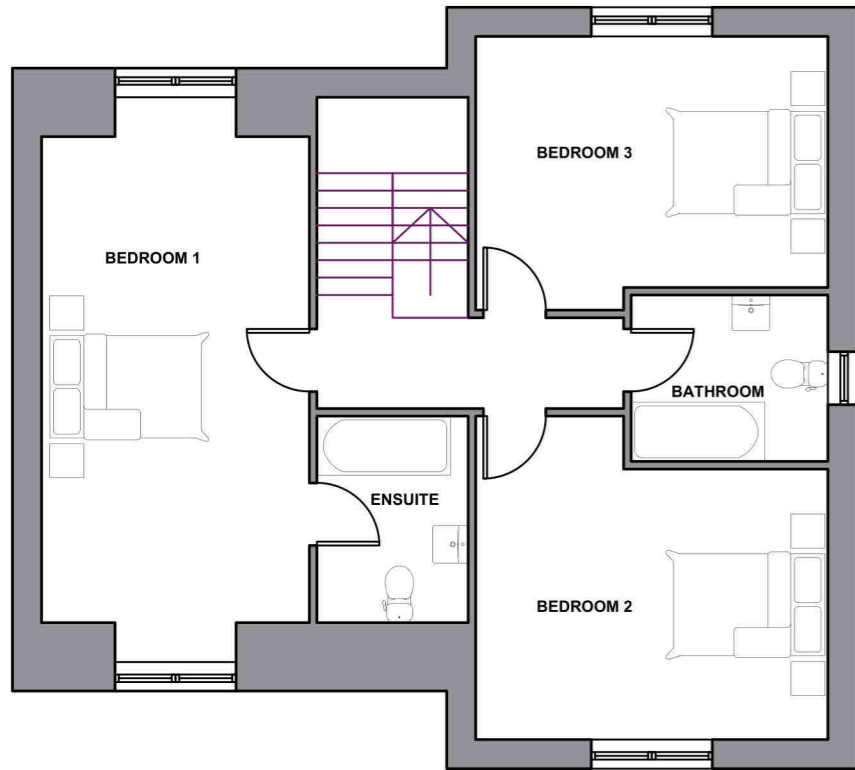
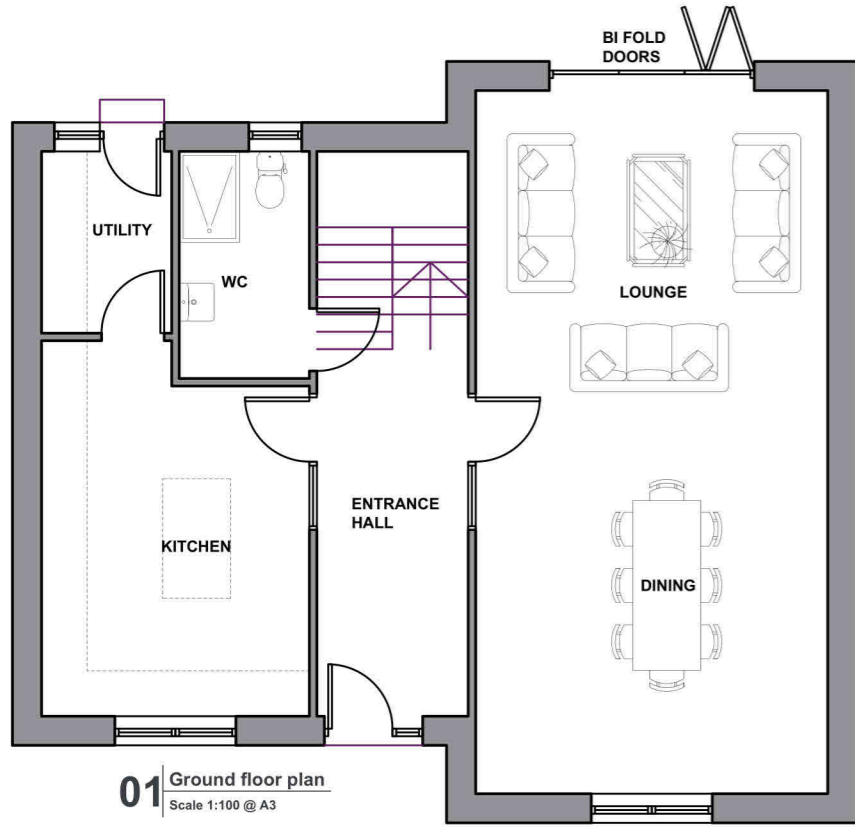
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E: ENQUIRY@EDESIGNARCHITECTURE.COM  
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**02** Street elevation to Baird Road  
Scale 1:500 @ A3



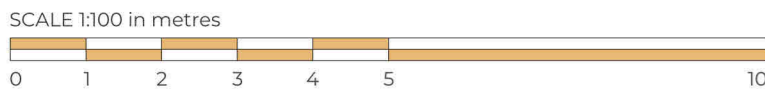


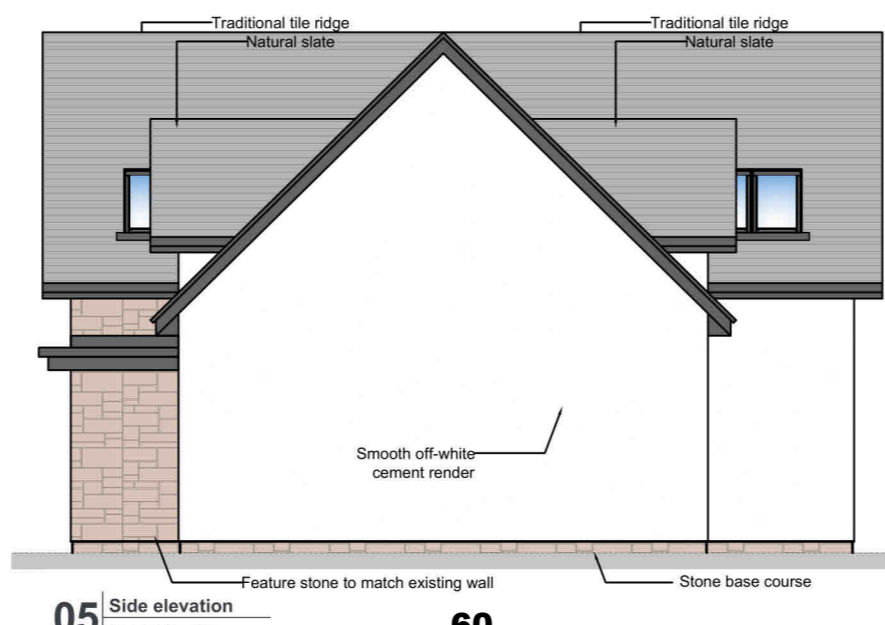
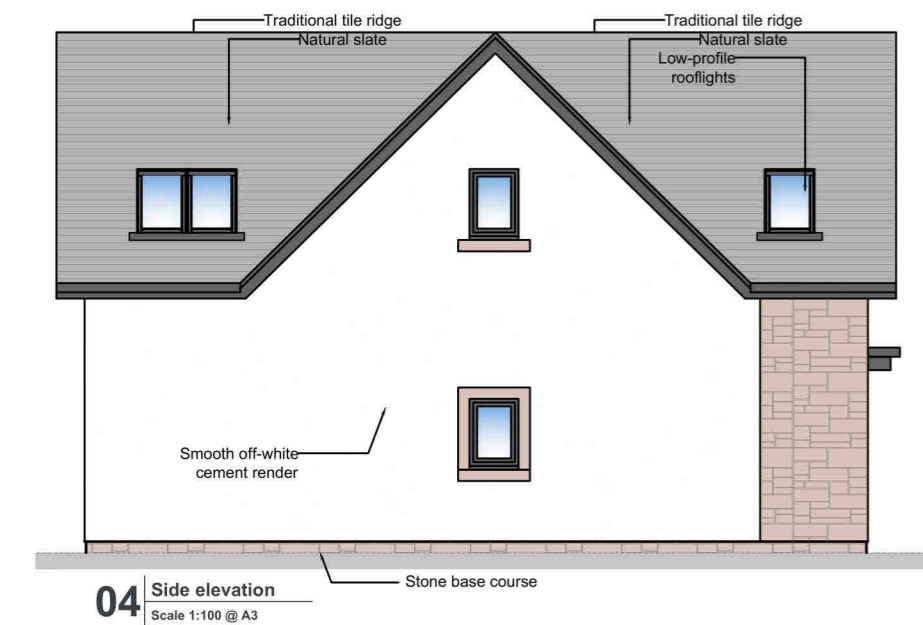
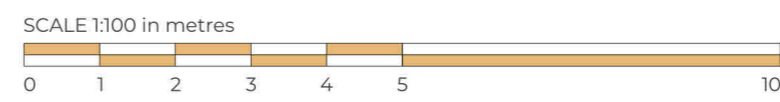
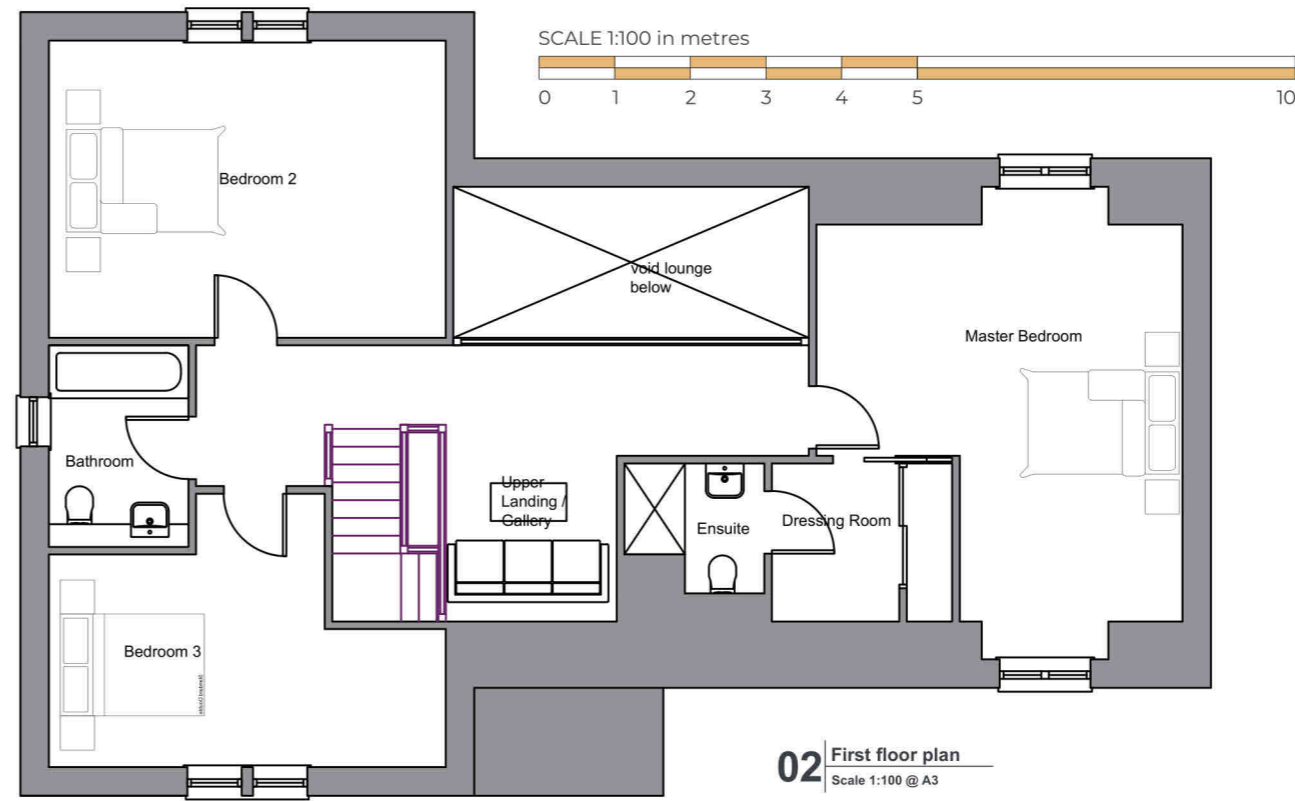
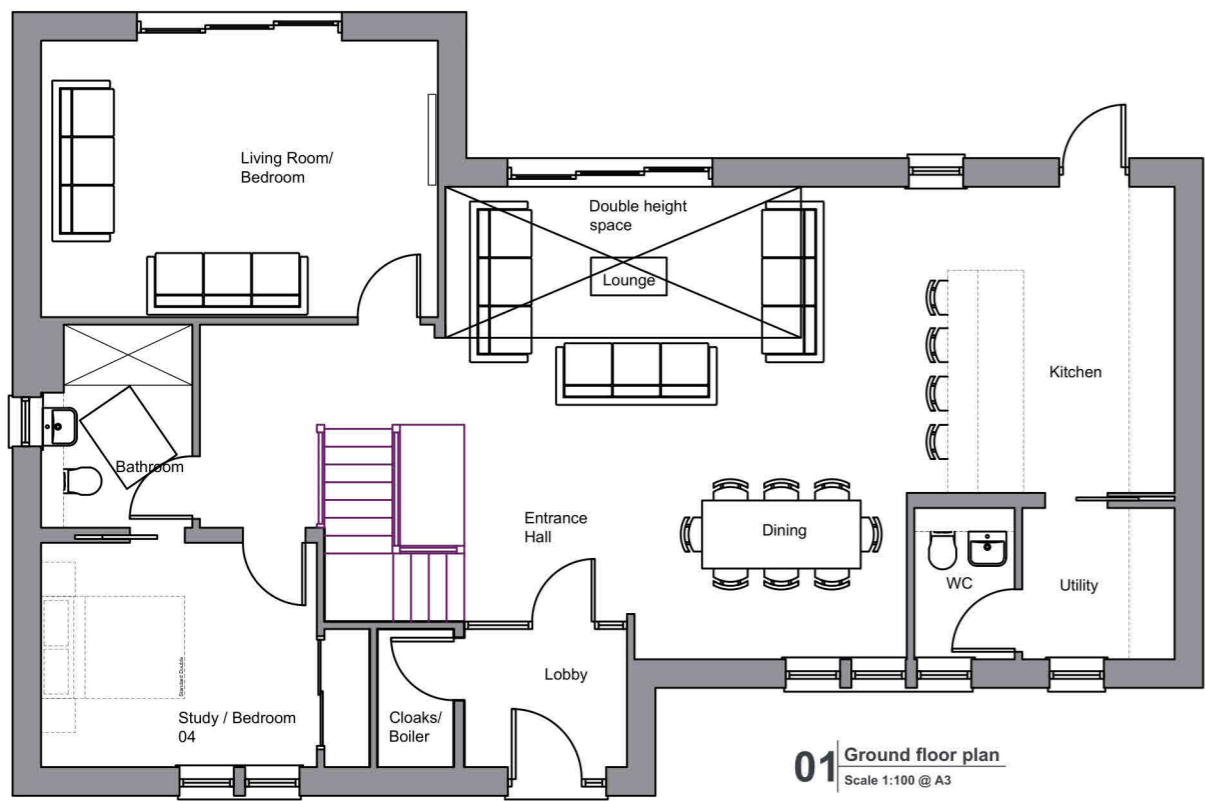


**South Ayrshire Council  
Planning Service**

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Rev	Description	Date
-	-	-
<b>Status</b>		
<b>PLANNING</b>		
<b>Project</b>		
RESIDENTIAL DEVELOPMENT		
<b>Client</b>		
STUART LEITH		
<b>Site</b>		
ADAMTON MILL, NR PRESTWICK AIRPORT		
<b>Drawing Title</b>		
House Type 01 LAYOUTS		
<b>Drawing No.</b>		<b>Revision</b>
<b>21-0564-SK(-)-03</b>		-
<b>Scale</b>	<b>Drawn</b>	<b>Date</b>
1:100@ A3	JMcC	19/05/22



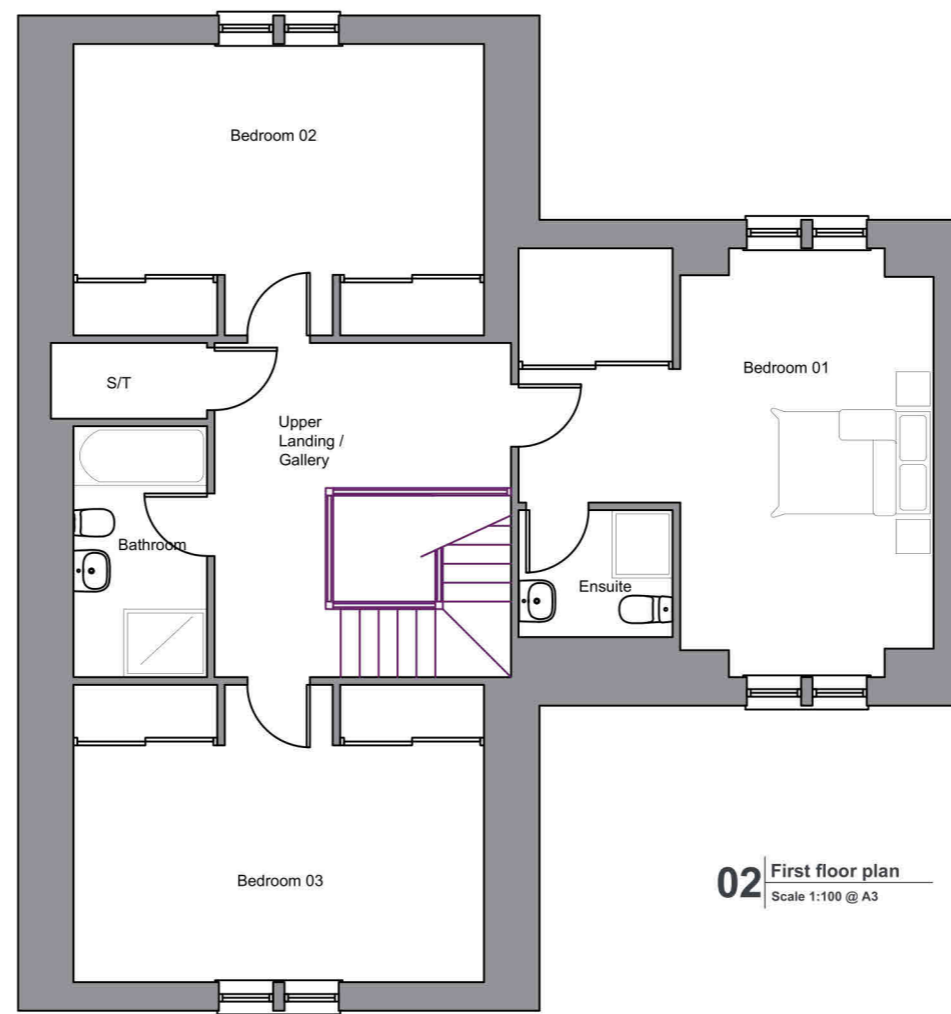
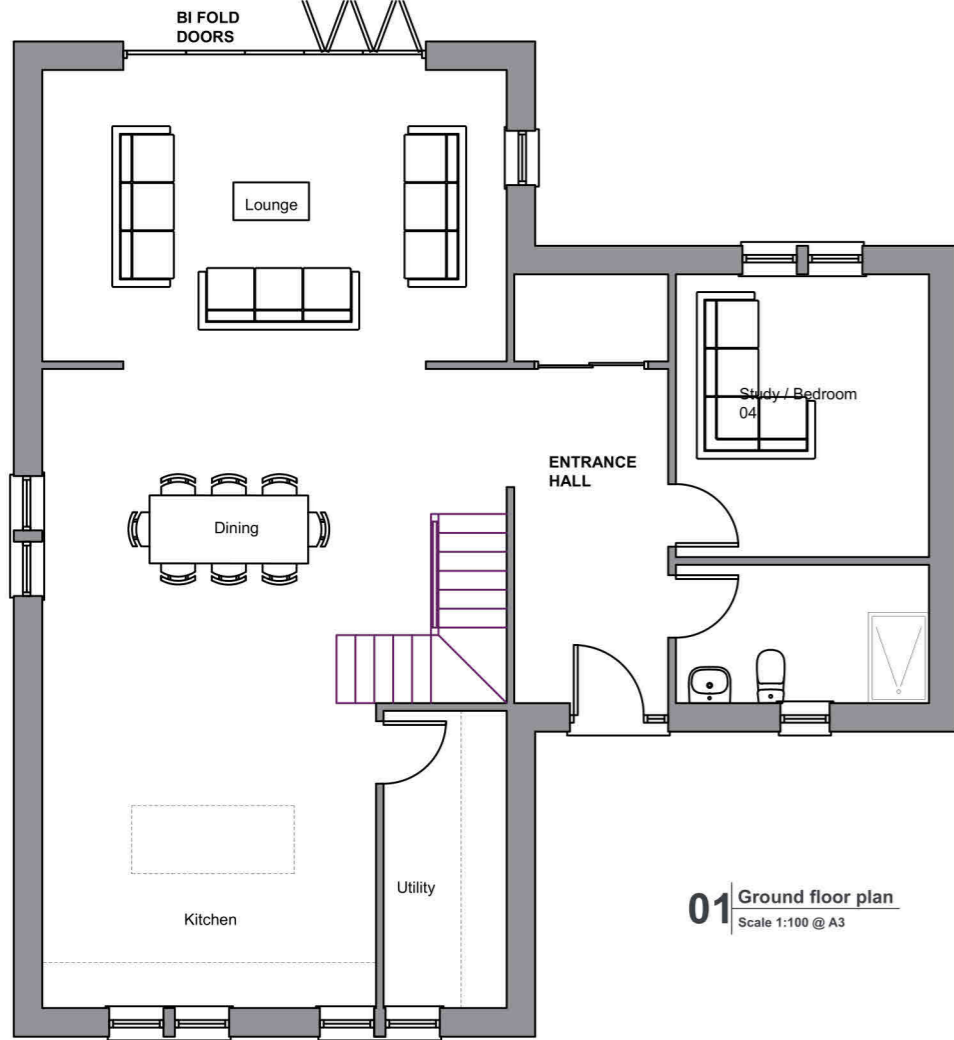


**South Ayrshire Council  
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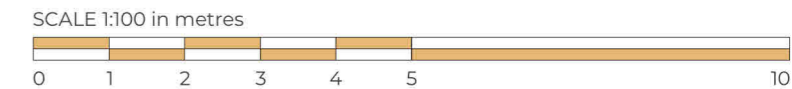
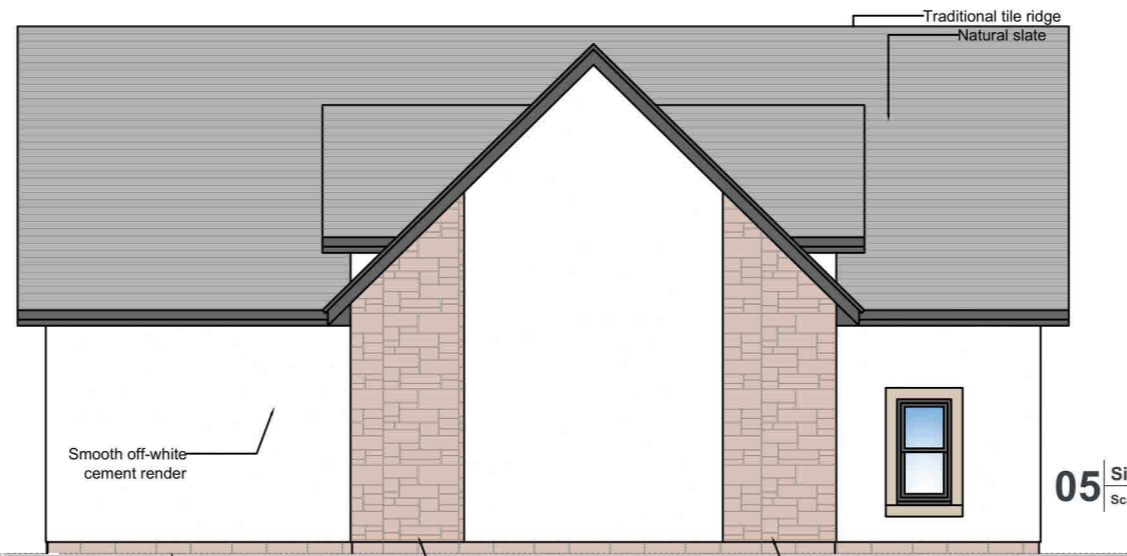
Rev	Description	Date
-	-	-
<b>Status</b>		
<b>PLANNING</b>		
<b>Project</b>		
RESIDENTIAL DEVELOPMENT		
<b>Client</b>		
STUART LEITH		
<b>Site</b>		
ADAMTON MILL, NR PRESTWICK AIRPORT		
<b>Drawing Title</b>		
House Type 02 layouts		
<b>Drawing No.</b>		<b>Revision</b>
<b>21-0564-SK(--)-04</b>		-
<b>Scale</b>	<b>Drawn</b>	<b>Date</b>
1:100@ A3	JMcC	19/05/22





**South Ayrshire Council  
Planning Service**

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Rev	Description	Date
-	-	-

**Status**  
**PLANNING**

**Project**  
RESIDENTIAL DEVELOPMENT

**Client**  
STUART LEITH

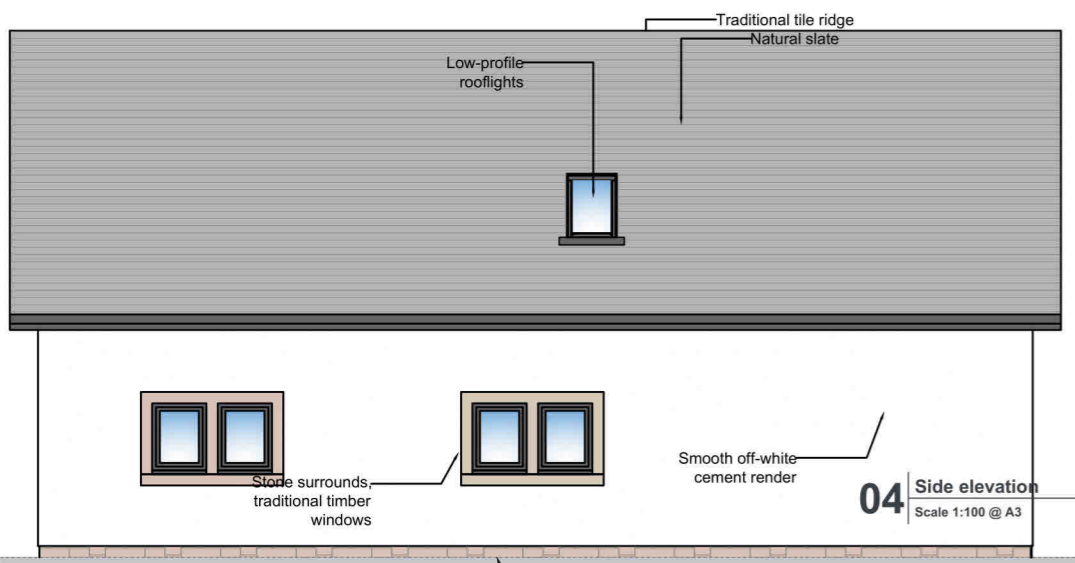
**Site**  
ADAMTON MILL, NR PRESTWICK AIRPORT

**Drawing Title**  
House Type 03A LAYOUTS

**Drawing No.** 21-0564-SK(--)-05 **Revision** -

**Scale** 1:100@ A3 **Drawn** JMCC **Date** 19/05/22

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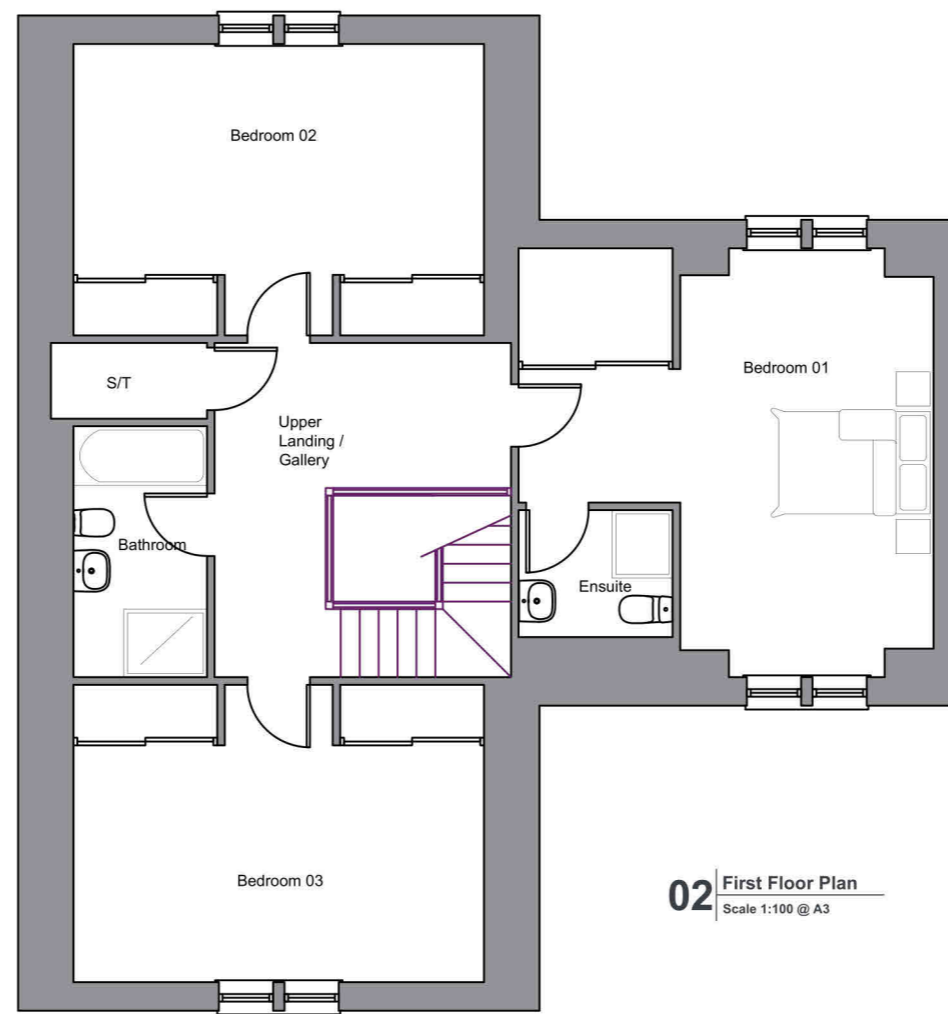
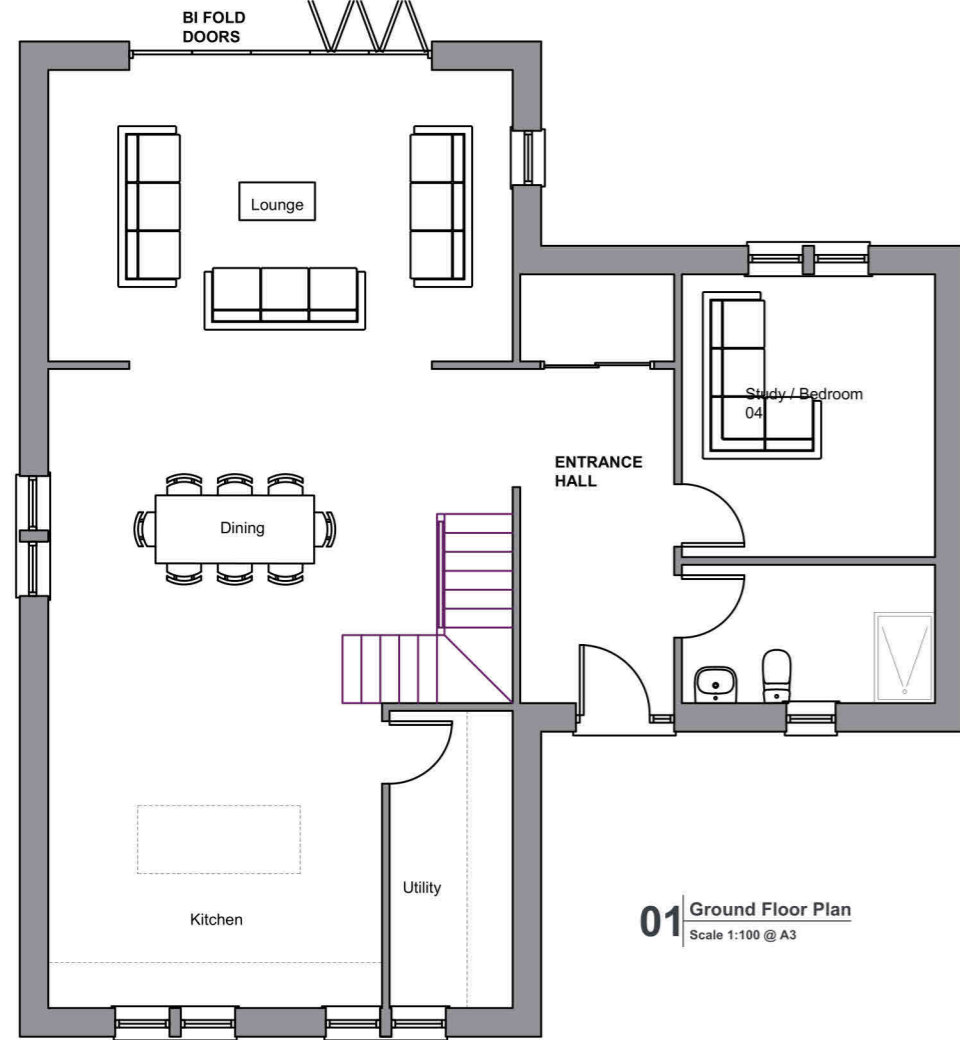


Do not scale from this drawing

All dimensions are to be site checked

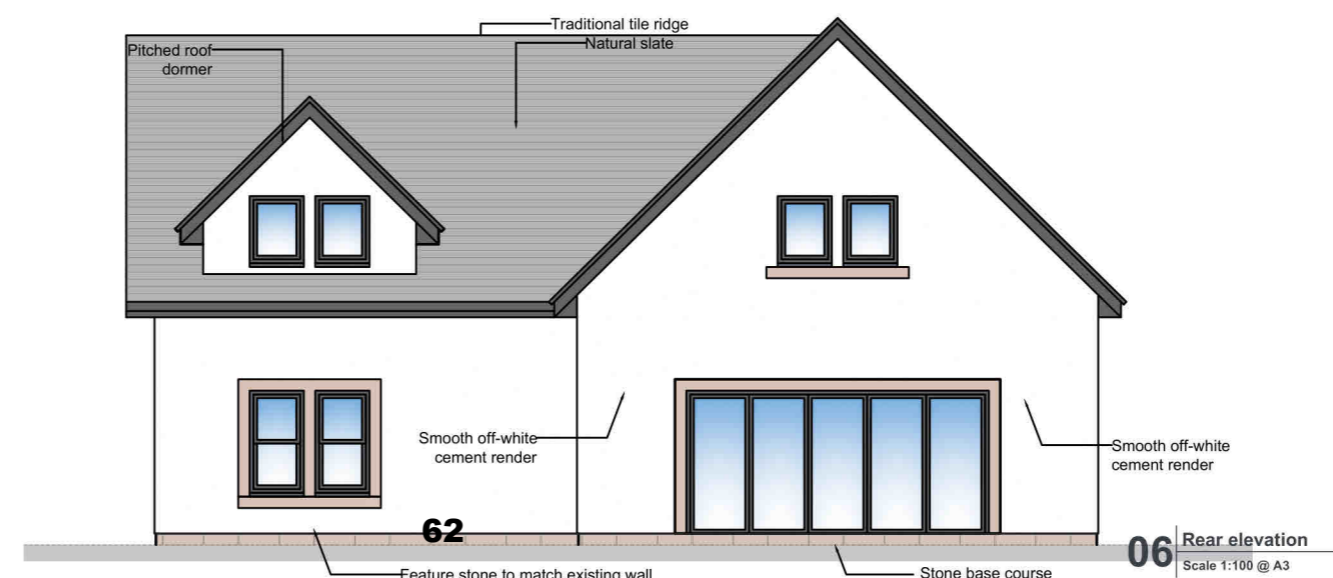
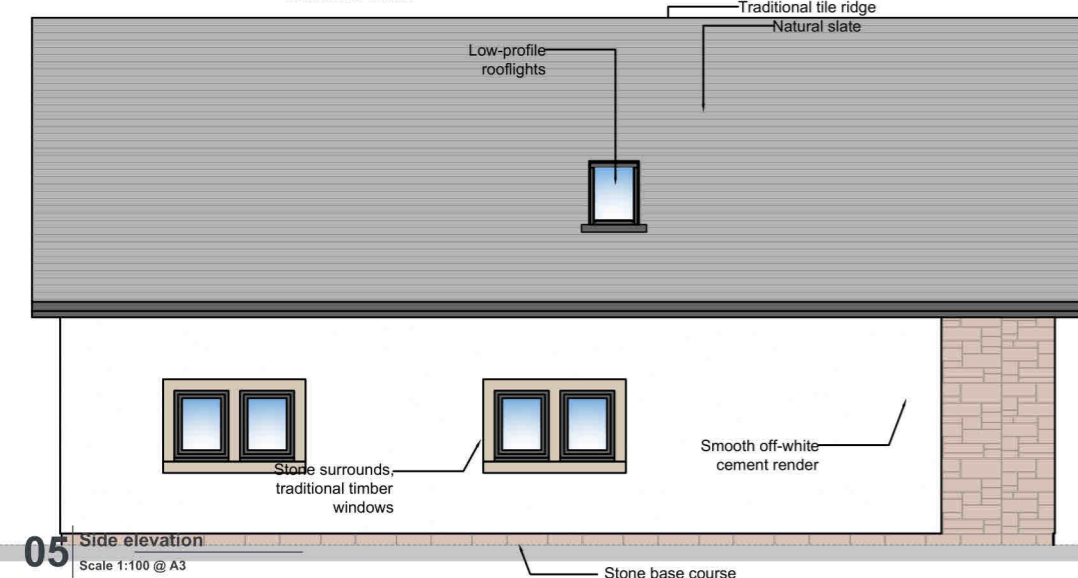
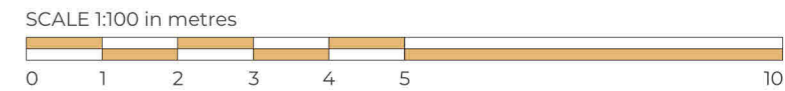
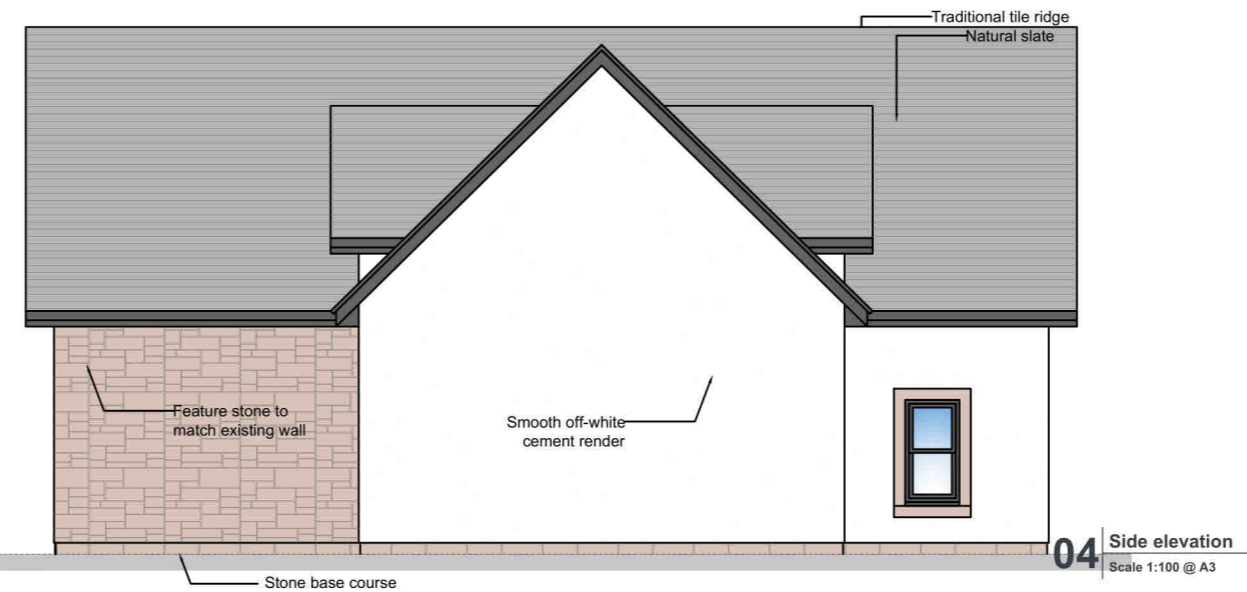
Any discrepancies to be notified

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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.



Rev	Description	Date
-	-	-

**Status**  
PLANNING

**Project**  
RESIDENTIAL DEVELOPMENT

**Client**  
STUART LEITH

**Site**  
ADAMTON MILL, NR PRESTWICK AIRPORT

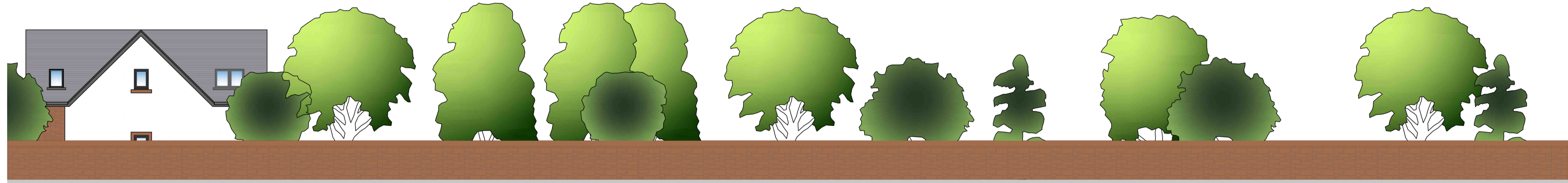
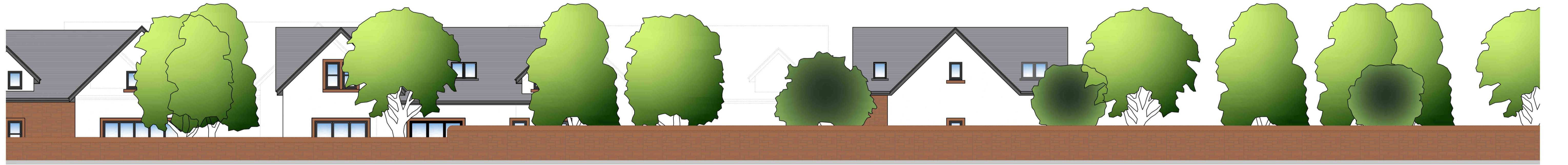
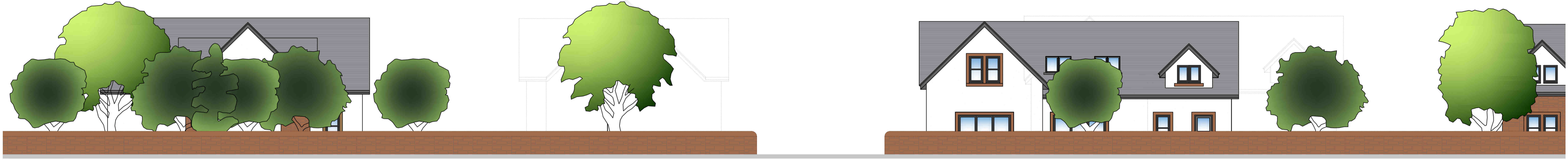
**Drawing Title**  
House Type 03B LAYOUTS

**Drawing No.** 21-0564-SK(--)-06 **Revision** -

**Scale** 1:100@ A3 **Drawn** JMCC **Date** 19/05/22

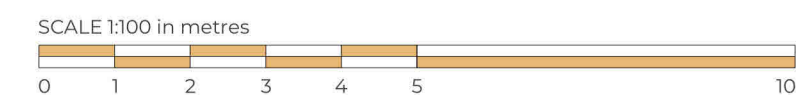
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**South Ayrshire Council  
Planning Service**

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.



Rev	Description	Date
	<b>Status</b>	
	<b>PLANNING</b>	
	<b>Project</b>	
	RESIDENTIAL DEVELOPMENT	
	<b>Client</b>	
	STUART LEITH	
	<b>Site</b>	
	ADAMTON MILL, NR PRESTWICK AIRPORT	
	<b>Drawing Title</b>	
	LARGER SCALE STREET ELEVATION	
	<b>Drawing No.</b>	<b>Revision</b>
	21-0564-SK-(-)-J09	-
	<b>Scale</b>	<b>Drawn</b> <b>Date</b>
	1:100 @ A1	JMcC 19/05/22
<small>64 WELLINGTON CHAMBERS, AYR, KA7 1EH  T: 01292 263799  E: ENQUIRY@EDESIGNARCHITECTURE.COM  W: WWW.EDESIGNARCHITECTURE.CO.UK</small>		

**LOCAL DEVELOPMENT**

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

**Ref No: 22/00634/APP**

**SOUTH AYRSHIRE COUNCIL**

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

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

**To: Mr Stuart Leith  
per Edesign Architecture & Planning Scotland Ltd  
Gareth Bryden-Reid  
Wellington Chambers  
64 Fort Street  
Ayr  
KA7 1EH**

With reference to your **Application for Planning Permission** dated **24th August 2022**, under the aforementioned Regulations, for the following development, viz:-

**Erection of residential development**

**at: Proposed Residential Development Kilmarnock Road Monkton South Ayrshire**

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) The proposed development is contrary to the South Ayrshire Local Development Plan 2 Core Principles & Strategic policies, LDP2 policy: Rural Housing and Scottish Planning Policy in that the proposed development site is not an allocated development site identified in the South Ayrshire Local Development Plan 2, there is no agreed shortfall in the 5-year effective housing land supply and it has not been demonstrated that there is a need for residential development in the area concerned. There are no over-riding reasons to depart from the policies as detailed in the South Ayrshire Local Development Plan 2 or the associated Supplementary Guidance.
- (2) That the proposed development is contrary to South Ayrshire Local Development Plan 2 policy 'Rural Housing' and Supplementary Guidance 'Rural Housing' by reason that the proposed development does not constitute a limited extension to an existing clearly defined and nucleated housing cluster to a group of four or more houses or small settlement.
- (3) That the proposed development is contrary to South Ayrshire Local Development Plan 2 policy 'Affordable Housing' as no provision for affordable housing is proposed by the application proposals, and no case has been argued in favour of resorting to a commuted sum.
- (4) That the proposed development is contrary to South Ayrshire Local Development Plan 2 policy 'Flood and development' and Scottish Planning Policy in that insufficient information has been provided to demonstrate the development is not at flood risk.



**List of Plans Determined:**

- Drawing - Reference No (or Description): **Refused** 21-0564-BP-01
- Drawing - Reference No (or Description): **Refused** 21-0564-LOC-01
- Drawing - Reference No (or Description): **Refused** 21-0564-LOC-01
- Drawing - Reference No (or Description): **Refused** 21-0564-SK(--)-02
- Drawing - Reference No (or Description): **Refused** 21-0564-SK(--)-03
- Drawing - Reference No (or Description): **Refused** 21-0564-SK(--)-04
- Drawing - Reference No (or Description): **Refused** 21-0564-SK(--)-05
- Drawing - Reference No (or Description): **Refused** 21-0564-SK(--)-06
- Drawing - Reference No (or Description): **Refused** 21-0564-SK(--)-07
- Drawing - Reference No (or Description): **Refused** 21-0564-SK(--)-08
- Drawing - Reference No (or Description): **Refused** 21-0564-SK(--)-09
- Drawing - Reference No (or Description): **Refused** Topographical Survey

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

**Dated: 14th November 2022**

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

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



**22/00634/APP – Appointed Officers Photographs – Proposed Residential Development Kilmarnock Road Monkton**













**From:** [Robins, Paul \(NRS\)](#)  
**To:** [Planning Development](#); [Clark, David](#)  
**Subject:** 22/00634/APP - Erection of residential development | Proposed Residential Development Kilmarnock Road Monkton South Ayrshire (OFFICIAL)  
**Date:** 07 September 2022 08:51:53  
**Attachments:** [image002.png](#)  
[image003.png](#)  
[external.png](#)  
[first\\_time\\_sender\\_warning.png](#)

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## OFFICIAL

Dear David,

I refer to the above application for planning consent which was sent recently to the West of Scotland Archaeology Service for comment.

This application lies in an area of archaeological sensitivity based on the presence of recorded sites and monuments in the surrounding landscape of prehistoric and medieval date. The Ayrshire coastal plain generally has a raised sensitivity due to the richness of the archaeological records both existing and as generated by more recent investigations in the landscape. Although there are no recorded sites within the application area, with the recorded extensive and multi-phase evidence for prehistoric activity in the surrounding land, the area has high potential to produce buried archaeology. Any buried remains that survive would be affected or destroyed by the excavations required by the proposals and so a potential archaeological issue is raised.

Government policy as set out in Scottish Planning Policy is that planning authorities should ensure that prospective developers arrange for any archaeological issues raised by their proposals to be adequately addressed. Since there is potential for more discoveries in this area, any piece of new ground disturbance stands a reasonable chance of encountering buried remains and hence some form of archaeological mitigation is required for this proposal. In order to effect this a condition relating to the archaeological issue should be placed on any consent granted by your Council for these or future proposals. The suggested wording of such a condition is given below. This is based on current best practice and experience, and reflects the principles outlined in Planning Advice Note 2/2011:-

*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 a written scheme of investigation which has been submitted by the applicant, agreed by the West of Scotland Archaeology Service, and approved by the Planning Authority. 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.*

This condition would be implemented by means of the developer appointing a professional archaeological contractor to prepare the written scheme of investigation (WSI) required by the condition. This is basically a project design document, which should set out the various phases of work that may be required to suitably address the impact of the proposal on archaeological material. As the first stage of this process, the archaeological contractor would be required to undertake an archaeological evaluation of the application site ahead of any proposed ground disturbance. Depending on the scale and significance of the deposits encountered, further stages of archaeological work may be required such as open area excavation. Any such discoveries will have to be excavated before their destruction by the development including any post excavation analyses and publication required.

Please contact me by email if you require any further information or advice.

Regards

Paul



### WoSAS Archaeological Impact Mitigation System – Recipient of a Commendation in Development Management, 2014 Scottish Awards for Quality in Planning

#### OFFICIAL

#### Glasgow - proud host of the 26th UN Climate Change Conference (COP26) - UK2021.

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Your Ref: **22/00634/APP**

Date: **15<sup>th</sup> September 2022**

David Clark  
Planning Service  
South Ayrshire Council  
County Buildings  
Wellington Square  
Ayr, KA7 1DR

Dear David

**Erection of residential development**

**At:**

**Proposed Residential Development, Kilmarnock Road, Monkton**

I refer to your consultation request notification received **31<sup>st</sup> August 2022** regarding the above planning application.

I have reviewed this application in accordance with our obligations as a statutory consultee under the *Safeguarding of Aerodromes: Scottish Planning Circular 2/2003* and confirm that Glasgow Prestwick Airport Limited (GPA) has no objection to this proposed development on statutory safeguarding grounds.

Our non-objection only relates to the current proposal subject to implementation of any statutory conditions advised below. If there are any modifications to this proposal, we will need to be re-consulted.

Finally, this response only addresses our statutory safeguarding responsibilities and is without prejudice to any other response GPA may be entitled to submit in respect of this application.

**Statutory Notices:**

**Cranes**

Guidance should be considered relevant to users of all cranes exceeding a height of 10 metres / (18.5km) above ground level (AGL) or that of the surrounding structures or trees (if higher).

For guidance to crane users on the crane notification process and obstacle lighting and marking please refer to CAA CAP Document 1096 which is available at: <http://www.caa.co.uk>.

Please be aware any crane erected without notification may be considered a hazard to air navigation and such a crane operates at the crane user's risk of endangering the safety of an aircraft.



Your Ref: **22/00634/APP**

Date: **15<sup>th</sup> September 2022**

David Clark  
Planning Service  
South Ayrshire Council

### **Noise**

While this development does not fall within the aerodrome safeguarding regime, we are concerned that the residents of this development may believe that they are adversely affected by aircraft noise. We are keen to minimise any complaints that may arise from their proximity to the airfield, as we can only envisage traffic growing from current levels.

### **Birds / FOD**

Any disturbance of the land will have the potential to increase the attraction of birds to the area along with the type of landscaping that is considered and wherever possible in close proximity to an aerodrome the developer should incorporate measures to minimise their attractiveness whilst the works are being carried out.

Bird mitigation measures should be drawn up and submitted to Glasgow Prestwick Airport (GPA), (Greg Feighan, Airside Operations Manager) further details of these measures can be obtained from CAA CAP 772 / AOA Advice Note No. 3.

### **Surface Water Run-Off**

The developer must ensure that this developments drainage infrastructure has no adverse impact on GPA due to excess surface water run-off into the Pow Burn which run beneath the airfield from North to South of main runway 12-30 and contribute to flooding of GPA's airfield or land. We trust that flood modelling and pipework capacity calculations will be undertaken to ensure surface flooding and subterraneous risks are kept to a minimum and acceptable level.

If you have any further questions, please do not hesitate to contact me.

Yours sincerely

**Susan Lynn**  
**Safeguarding Officer**  
**For and on behalf of Glasgow Prestwick Airport Limited**

150922\_Ref1179\_Letter\_22\_00634\_APP

**Glasgow Prestwick Airport Ltd**  
Aviation House, Prestwick, Ayrshire, Scotland, KA9 2PL

  
www.glasgowprestwick.com

**From:** Sustainable Development Team  
**To:** David Clark  
**Ref:** 22/00634/APP  
**Date:** Tuesday 13 September 2020

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**TOWN AND COUNTRY PLANNING (SCOTLAND) ACTS  
ERECTION OF RESIDENTIAL DEVELOPMENT AT:  
PROPOSED RESIDENTIAL DEVELOPMENT KILMARNOCK ROAD MONKTON SOUTH AYRSHIRE  
GRID REFERENCE: 236302 628281**

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**Planning application: 22/00634/APP**

I refer to your recent correspondence regarding the above and can confirm that I have considered the application documentation together with a desktop study using aerial photography (>2012) from the South Ayrshire Council GIS WebMap application and The National Biodiversity Network Atlas (NBN) species and habitat mapping analysis tool, and would make the following comments in relation to biodiversity.

The habitat survey has identified that several trees, including deadwood, has suitable roosting sites for bats. Recommendation from habitat survey is for a 'licensed bat worker conducts further investigations with the use of an endoscope to confirm the presence or absence of bats within these features'. Would also request a bat survey to determine bat presence in areas other than the 'features' identified and to ascertain foraging/commuting habitat.

Having looked at the aerial view of the proposed development site, woodland into adjacent farmland is suitable habitat for badgers. Recommend further survey done by persons with the appropriate knowledge of badger ecology and practical experience of badger survey work.

While retaining many mature trees a significant number of trees and vegetation suitable for nesting birds will be removed. Removal of trees/vegetation to be outwith the breeding bird's season, specifically March to August (inclusive) and development will incorporate additional planting.

I offer no objection to this application. However I would ask that the following points be made to the applicant / developer:-

1. There is a requirement for a further bat survey, in season, to identify if there are any bat roosts present on the proposed development site. any tree felling then it may be appropriate for the developer to conduct a survey (in season) for potentially roosting bats / nesting birds.
2. If a bat survey demonstrates that bats and / or a known roost are likely to be affected by the proposed development and planning permission is to be granted then a condition should be placed on the decision notice requiring the developer to apply for, and obtain, a European Protected Species Licence (EPS) before work commences.
3. If bats are present at proposed development site a species protection plan is produced by a licensed bat ecologist.
4. If a bat survey demonstrates that development is likely to affect bat foraging and/or commuting habitat then where possible linear features such as tree lines should be retained, and compensatory planting should be considered.
5. If there are any woodland edges likely to provide important foraging habitat, where possible an experienced ecologist should provide input to the lighting schemes so as not to impact on foraging bats and provide darkened corridors for commuting and foraging.
6. Any temporary lights used during construction should be fitted with shades to prevent light spillage outside the working area. Temporary lights should not illuminate any tree lines or hedgerows due to lighting potentially affecting wildlife commuting and foraging.
7. Where possible the developer considers the inclusion of bird and bat boxes within the development.

8. Additional badger survey should be undertaken and the applicant is made aware that works should not lead to contravention of either the Protection of Badgers Act 1992 as amended by the Wildlife and Natural Environment (Scotland) Act 2011 or the Wildlife & Countryside Act 1981 as amended by the Nature Conservation (Scotland) Act 2004; (this includes ensuring that any foraging badger would not become trapped /injured during construction).
9. If badger setts are present in proposed development site a badger protection plan must be produced and if required a license from NatureScot. Application forms can be found on the NatureScot website along with guidance.
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.
11. Should any vegetation require to be removed this should be undertaken outwith the breeding bird's season, specifically March to August, inclusive.
12. If this is not possible, and works are due to take place between March and August, then nesting bird checks should be undertaken by a suitably qualified ecologist, immediately prior to any tree or vegetation removal works commencing.
13. Where possible that any native hedgerows are retained, or replaced with native species hedgerow enhancements. This could consist of mostly hawthorn, with a mix of hazel, holly, dog rose, willow and elder.
14. That where possible any landscape planting considers the use of native nectar rich species and fruiting species. These might include Blackthorn (*Prunus spinosa*), Crab apple (*Malus sylvestris*), Elder (*Sambucus nigra*), Hawthorn (*Crataegus monogyna*), Hazel (*Corylus avellana*), Holly (*Ilex aquifolium*), Rowan (*Sorbus aucuparia*) and Silver birch (*Betula pendula*). \* *Prestwick Airport may wish to be consulted regarding planting schemes.*
15. All holes and excavations greater than 1 m deep should be covered whilst unattended to prevent animals falling in, or ramps should be used in order to provide a means of trapped species to escape. Where this is not possible these areas should be fenced off to prevent accidental entry.
16. The ends of any pipeline should be capped when unattended, or at the end of each working day to prevent animal access.
17. Best practise design of SUDs basin to improve ecological and recreation value of area, habitat mosaics that include permanent, semi-permanent and temporary ponds would provide greater ecological value. Guidance on good practice in management and creation of small waterbodies are available from SEPA.
18. Amenity spaces should incorporate native wildflower meadows and not be predominately short amenity grass. Management regimes should minimise use of herbicides and fertilisers. Consider involving the development in the Irvine to Girvan Nectar Network for best practice guidance.

I hope that this information is of assistance however if you need anything further please do not hesitate in contacting me.

Kind regards,

Joanne McEwan

Our Ref: 6393  
Your Ref: 22/00634/APP

David Clark  
Planning Service  
South Ayrshire Council

SEPA Email contact:  
[REDACTED]

By email only to: [REDACTED]

27 September 2022

Dear David Clark

**Town and Country Planning (Scotland) Acts  
Planning Application: 22/00634/APP  
Erection of residential development  
Kilmarnock Road, Monkton, South Ayrshire**

Thank you for your consultation which was received by SEPA on 31 August 2022 in relation to the above application. We understand the reason for consultation is flood risk.

We submit a **holding objection** to this planning application as the proposed development may be at flood risk and as such, would be contrary to Scottish Planning Policy. There are water features present within or near the site and the nature of these water features is uncertain from the supporting application documents. As a result SEPA submits a holding objection due to there being insufficient information provided to demonstrate the development is not at flood risk.

[Scottish Planning Policy](#) states in paragraph 255, that “the planning system should promote a precautionary approach to flood risk from all sources”, as well as flood avoidance and flood reduction, where appropriate. It further defines in paragraph 256 that, “the planning system should prevent development which would have a significant probability of being affected by flooding or would increase the probability of flooding elsewhere. Piecemeal reduction of the functional floodplain should be avoided given the cumulative effects of reducing storage capacity.”

This **holding objection could be reviewed** if it can be demonstrated that the development is not at flood risk and lies outwith the functional floodplain.

In the first instance, we would require the following information to be submitted. However, it should be noted that if this does not fully address the flood risk at this site then a flood risk assessment may be required.

- Information on whether the off-take from the Pow Burn is still operating and discharging flow to this site
- If the off-take is operating, clarification on the nature of this discharge i.e. current restrictions on flow and if any flow is diverted to the site if the off-take is overtopped. Confirmation on whether the channel within the site can accommodate the off-take flow and where the flow exits the site.



- If appropriate to consider, clarification on whether the proposed development is suitably elevated above the maximum flow level in the channel along the southern boundary and water feature. This may be shown by using comparison levels from the already existing topographical survey.

## **Advice for the planning authority**

### **1. Flood risk**

- 1.1 This application site lies partly within the functional floodplain based on the SEPA Flood Maps. This indicates that there may be a medium to high risk of fluvial flooding.
- 1.2 The layout of the 14 proposed homes with the underlying topography, is illustrated on the "Site Layout Plan Showing Existing Site Levels to be Retained" (drawing 21-0564-SK(--)-10, 19.5.2022). As shown there is a drop in the ground level by several metres in a general north to south /south-east direction and it is proposed to distribute the plots all around the site at various ground levels.
- 1.3 On this drawing and the "Topographic Survey" (24.2.2022), it is unclear whether there is a watercourse channel running in a south-west to south-east direction, parallel with the southern site boundary and whether (and where) this channel exits the site. In the "Phase 1 Habitat Survey" (June 2022), Figure 1 shows a watercourse running along this southern boundary and terminating in a large blue water feature. This channel and water feature have been shown as SuDS on the "Proposed Site Layout + Sheet Elevation" (drawing 21-0564-SK(--)-02, 19.5.2022).
- 1.4 It would appear this channel may be fed by an offtake from the Pow Burn in the south-west corner of the site close to the Brieryside road bridge (B739 road crossing). This channel may be a legacy from past milling activities on the site as it is detailed in the "Planning Justification Statement" (July 2022) that, milling structures can still be seen on the application site. It is stated that *"The water driven mill will have used flow from the adjacent Pow Burn and created lades and mill ponds across the site as well as several buildings. These water flow structures and engineered drainage systems have been abandoned and the land is no longer used for any purposes and had become unmanaged and derelict in recent years."*
- 1.5 No details are given in the Planning Justification Statement on the characteristics of this Pow Burn offtake channel, if there are any restrictions on the flow entering the offtake or if this offtake has been blocked off and no longer currently operates. It may be possible that this channel and water feature are legacy features which now collect overland flow from the site, which would be considered in any drainage assessment.
- 1.6 As displayed on the "Site Layout Plan Showing Existing Site Levels to be Retained" (drawing 21-0564-SK(--)-10, 19.5.2022) plots 1, 2 and 3 lie adjacent to the channel feature and plots 4 and 5 lie next to the water feature.
- 1.7 For plots 1, 2 and 3 there would appear to be a drop of 1m -1.5m from the proposed rear garden ground level to a low point in the possible channel feature running along the southern site boundary. Similarly there is approximately a 0.5-1m drop in ground level from the rear gardens of plots 4 and 5 and the water feature labelled as "marsh" on the Site Layout Plan. But it is unclear whether these gardens are adjacent to a flowing watercourse or an overland flow drainage collection feature.
- 1.8 We would wish to comment that it would appear that most of the proposed development is

suitably elevated above these potential water features, and it is only plots 1, 2, 3, 4 and 5 which lie adjacent to these water features.

- 1.9 In addition, if there is no inflow from the Pow Burn into these water features and they are a legacy of past milling activities and now are only collect points for overland flow from the site, then any surface water and drainage issues are a matter under the remit of the local Flood Risk Management Authority. Therefore, it is for South Ayrshire Council Flood Risk Management Team to comment on the drainage design and the acceptability of the development in relation to any associated risk. If this is the case SEPA would not require to be re-consulted on flood risk issues on the site, however this would need to be confirmed to us so we could withdraw the holding objection.

## **2. Other planning matters**

- 2.1 For all other planning matters, please refer to our [Triage Framework and Standing Advice](#).

### **Advice for the applicant**

## **3. Regulatory advice**

- 3.1 Details of regulatory requirements and good practice advice for the applicant can be found on the [Regulations section](#) of our website or by contacting [waterpermitting@sepa.org.uk](mailto:waterpermitting@sepa.org.uk) or [wastepermitting@sepa.org.uk](mailto:wastepermitting@sepa.org.uk).

If you have queries relating to this letter, please contact [planning.sw@sepa.org.uk](mailto:planning.sw@sepa.org.uk) including our reference number in the email subject.

Yours sincerely

Stephanie Balman  
Planning Officer  
Planning Service

Disclaimer This advice is given without prejudice to any decision made on elements of the proposal regulated by us, as such a decision may take into account factors not considered at this time. We prefer all the technical information required for any SEPA consents to be submitted at the same time as the planning or similar application. However, we consider it to be at the applicant's commercial risk if any significant changes required during the regulatory stage necessitate a further planning application or similar application and/or neighbour notification or advertising. We have relied on the accuracy and completeness of the information supplied to us in providing the above advice and can take no responsibility for incorrect data or interpretation, or omissions, in such information. If we have not referred to a particular issue in our response, it should not be assumed that there is no impact associated with that issue. For planning applications, if you did not specifically request advice on flood risk, then advice will not have been provided on this issue. Further information on our consultation arrangements generally can be found on our [website planning pages](#).

## Buchanan, Courtney

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**From:** Planning South [REDACTED]  
**Sent:** 07 February 2023 10:02  
**To:** Local Review Body  
**Subject:** RE: Initial Letter to Interested Parties - Proposed Residential Development Kilmarnock Road Monkton - 22/00634/APP  
**Attachments:** 22\_00634\_APP-Consultation\_Response\_-\_SEPA-1043852.pdf

OFFICIAL

Hi there,

Thank you for contacting SEPA regarding the Notice of Review lodged with the Local Review Body in relation to the above planning application. We can confirm we have no further comments at this stage beyond our advice to the planning authority dated 27 September 2022 (reattached for information).

If you have any further questions, or require any further input from us, please just let us know.

Kind regards,  
Simon

[REDACTED]  
Senior Planning Officer  
Scottish Environment Protection Agency (SEPA)  
[REDACTED]

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**From:** Local Review Body [REDACTED]  
**Sent:** 07 February 2023 09:32  
**Subject:** Initial Letter to Interested Parties - Proposed Residential Development Kilmarnock Road Monkton - 22/00634/APP  
**Importance:** High

CAUTION: This email originated from outside the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Good Morning,

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 **Tuesday 21 February 2023**.

Kind Regards,

**MEMORANDUM**

Tel: (01292) 618222  
Our Ref: /PR/22/03087/PLNAPP  
Your Ref:  
Date: 30 September 2022

From: Service Lead: Trading Standards & Environmental Health  
5 – 7 River Terrace  
Ayr  
KA8 0BJ

To: Planning Service  
County Buildings  
Wellington Square  
Ayr  
KA7 1DR

**SUBJECT: Planning Application Reference No.  
TOWN AND COUNTRY PLANNING (SCOTLAND) ACTS  
ERECTION OF RESIDENTIAL DEVELOPMENT AT:  
PROPOSED RESIDENTIAL DEVELOPMENT KILMARNOCK ROAD MONKTON  
SOUTH AYRSHIRE  
GRID REFERENCE: 236302 628281  
Planning application 22/00634/APP (saved in IDOX).**

I refer to the above planning application consultation submitted to this section on 31 August 2022 and can advise as follows.

Following perusal of these plans the comments and representations I would advise that:

Prior to planning consent being granted the following comments and representations should be complied with to satisfy Environmental Health:

Following perusal of these plans the comments and representations I would advise that:

Prior to planning consent being granted the following comments and representations should be complied with to satisfy Environmental Health:

1. The proposed development may introduce a noise sensitive development to an area affected by traffic noise from Glasgow Prestwick Airport and A77 motorway and potential noise from the operational dairy farm located at Brieryside Farm.

Prior to the commencement of works on-site, a noise impact assessment shall be undertaken and submitted determines the impact of noise from the above.

In terms of Planning Advice Note 1/2011 (PAN) The noise impact assessment shall be carried out in accordance by a suitably qualified acoustic consultant or other competent person, with the principals outlined in Technical Advice Note (TAN) Assessment of Noise.

All Noise sensitive receptors in the high and medium category (table 2.1 TAN) shall be identified and the level of significance determined.

Maximum Target Noise Levels within the noise sensitive receptor to be used in the determination

LAEQ16hrs	30dB	(0700-2300)	internal noise level
LAEQ 8hrs	30dB	(2300-0700)	internal noise level
LAMAX	45dB	(2300-0700)	internal noise level
LAEQ 16hrs	52dB	(0700-2300)	outside amenity space

Internal noise levels to be achieved, where possible, with windows open sufficiently for ventilation. Noise reduction to be taken as 10dB from outside to inside with window open.

The submitted assessment shall identify any mitigation measures required to achieve the above ratings, and shall be agreed in writing with the Planning Authority, prior to the commencement of works on-site. To avoid noise disturbance in the interests of residential amenity.

2. 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 by the planning authority.

Reason: To ensure all contamination within the site is dealt with.

This response was prepared by Ms Pauline Reid, Environmental Health Officer to whom any further enquiries can be made on 01292 616138.

This response with recommendation(s) was prepared by , to whom any further enquiries can be made on .



Response On Development Affecting Trunk Roads and Special Roads

The Town and Country Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure)  
(Scotland) Regulations 2013 S.I.2013 No 155 (S.25)

Town and Country Planning (Notification of Applications) (Scotland) Direction 2009

To South Ayrshire Council Planning Service, South Ayrshire Council	Council Reference:-	22/00634/APP
	TS TRBO Reference:-	NSW/144/2022

Application made by Mr [REDACTED] Leith per Edesign Architecture & Planning Scotland Ltd, G [REDACTED] Bryden-Reid Wellington Chambers 64 Fort Street Ayr KA7 1EH and received by Transport Scotland on 01 September 2022 for planning permission for erection of residential development located at Proposed Residential Development Kilmarnock Road Monkton South Ayrshire affecting the A77 Trunk Road.

Director, Roads Advice

1. The Director does not propose to advise against the granting of permission
2. The Director advises that planning permission be refused (see overleaf for reasons).
3. The Director advises that the conditions shown overleaf be attached to any permission the council may give (see overleaf for reasons).

To obtain permission to work within the trunk road boundary, contact the Area Manager through the general contact number below. The Operating Company has responsibility for co-ordination and supervision of works and after permission has been granted it is the developer's contractor's responsibility to liaise with the Operating Company during the construction period to ensure all necessary permissions are obtained.

TS Contact:-	Area Manager (A77) 0141 272 7100 Buchanan House, 58 Port Dundas Road, Glasgow, G4 0HF
Operating Company:-	NEW SOUTH WEST
Address:-	150 Polmadie Road, Glasgow
Telephone Number:-	
e-mail address:-	[REDACTED]

**CONDITIONS to be attached to any permission the council may give:-**

1	Prior to commencement of the development, details of the frontage landscaping treatment along the trunk road boundary shall be submitted to, and approved by, the Planning Authority, after consultation with Transport Scotland. This shall include details of the proposed structural planting and acoustic timber fence.
2	There shall be no drainage connections to the trunk road drainage system.
3	Prior to the commencement of the development details of the lighting within the site shall be submitted for the approval of the Planning Authority, after consultation with Transport Scotland.

**REASON(S) for Conditions (numbered as above):-**

1	To minimise the risk of pedestrians and animals gaining uncontrolled access to the trunk road with the consequential risk of accidents
2	To ensure that the efficiency of the existing trunk road drainage network is not affected.
3	To ensure that there will be no distraction or dazzle to drivers on the trunk road and that the safety of the traffic on the trunk road will not be diminished

<b>Transport Scotland Response Date:-</b>	06-Sep-2022
<b>Transport Scotland Contact:-</b>	S [REDACTED] Phillips
<b>Transport Scotland Contact Details:-</b>	
Roads - Development Management	
Buchanan House, 58 Port Dundas Road, Glasgow, G4 0HF	
Telephone Number:	
e-mail: development_management@transport.gov.scot	

**NB - Planning etc. (Scotland) Act 2006**

Planning Authorities are requested to provide Transport Scotland, Roads Directorate, Network Operations - Development Management with a copy of the decision notice, and notify Transport Scotland, Trunk Roads Network Management Directorate if the recommended advice is not accepted.

**SOUTH AYRSHIRE LOCAL REVIEW BODY**

**APPLICATION REF. NO: 22/00634/APP**

**APPLICANT: EDESIGN ARCHITECTURE & PLANNING SCOTLAND LTD, GARETH BRYDEN-REID, WELLINGTON CHAMBERS, 64 FORT STREET, AYR, KA7 1EH**

**SITE ADDRESS: PROPOSED RESIDENTIAL DEVELOPMENT KILMARNOCK ROAD MONKTON SOUTH AYRSHIRE**

**DESCRIPTION: ERECTION OF RESIDENTIAL DEVELOPMENT**

**Recommended conditions in the event that the LRB are minded to grant planning permission:**

1. 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.
2. That the development hereby permitted must be begun within three years of the date of this permission.
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.
4. That, prior to the commencement of work on-site, details shall be submitted for the prior written approval of the Planning Authority of the all the proposed boundary treatments. Thereafter, the proposed boundaries shall be installed as per the agreed specification, to the satisfaction of the Council, as Planning Authority.
5. 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 a written scheme of investigation which has been submitted by the applicant, agreed by the West of Scotland Archaeology Service, and approved by the Planning Authority. 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.
6. That prior to the commencement of works on-site, a noise impact assessment shall be undertaken and submitted determines the impact of noise from the above.

In terms of Planning Advice Note 1/2011 (PAN) The noise impact assessment shall be carried out in accordance by a suitably qualified acoustic consultant or other competent person, with the principals outlined in Technical Advice Note (TAN) Assessment of Noise.

All Noise sensitive receptors in the high and medium category (table 2.1 TAN) shall be identified and the level of significance determined.

Maximum Target Noise Levels within the noise sensitive receptor to be used in the determination

LAEQ16hrs	30dB	(0700-2300)	internal noise level
LAEQ 8hrs	30dB	(2300-0700)	internal noise level
LAMAX	45dB	(2300-0700)	internal noise level

LAEQ 16hrs      52dB      (0700-2300)      outside amenity space

Internal noise levels to be achieved, where possible, with windows open sufficiently for ventilation. Noise reduction to be taken as 10dB from outside to inside with window open.

The submitted assessment shall identify any mitigation measures required to achieve the above ratings, and shall be agreed in writing with the Planning Authority, prior to the commencement of works on-site.

7. 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 by the planning authority.
8. That prior to the commencement of development on site, an arrangement/ agreement between the Council and the applicant/ agent shall be reached so as the residential development accords with the Council's supplementary planning guidance in relation to the Council's Adopted Supplementary Planning Guidance entitled 'New Housing Development and Affordable Housing' - A Guideline for Developers, or subsequent updated guidance, and shall be to the satisfaction of the Council.
9. Prior to commencement of the development, details of the frontage landscaping treatment along the trunk road boundary shall be submitted to, and approved by, the Planning Authority, after consultation with Transport Scotland. This shall include details of the proposed structural planting and acoustic timber fence.
10. There shall be no drainage connections to the trunk road drainage system.
11. Prior to the commencement of the development details of the lighting within the site shall be submitted for the approval of the Planning Authority, after consultation with Transport Scotland.

**Reasons:**

1. To ensure that the development is carried out in accordance with the approved plans unless otherwise agreed.
2. 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.
3. In the interests of visual and residential amenity.
4. In the interests of visual and residential amenity.
5. In order to identify any archaeological remains which exist within the site.
6. To avoid noise disturbance in the interests of residential amenity.
7. To ensure all contamination within the site is dealt with.
8. To comply with the Council's policy on the provision of affordable housing.
9. To minimise the risk of pedestrians and animals gaining uncontrolled access to the trunk road with the consequential risk of accidents.
10. To ensure that the efficiency of the existing trunk road drainage network is not affected.

11. To ensure that there will be no distraction or dazzle to drivers on the trunk road and that the safety of the traffic on the trunk road will not be diminished.

**Advisory Note**

1. Please note that works associated with the development approved shall be undertaken in full compliance with the legislation and guidance relating to NatureScot  
<https://www.nature.scot/professional-advice>



South Ayrshire Local Review Body  
County Buildings  
Wellington Square  
Ayr  
KA7 1DR  
[LocalReviewBody@south-ayrshire.gov.uk](mailto:LocalReviewBody@south-ayrshire.gov.uk)



03 August 2023

To: Co-ordinator (Place Planning)  
Planning Service  
South Ayrshire Council  
Wellington Square  
Ayr  
KA7 1DR

Sent by email to: [REDACTED] and  
[planning.development@south-ayrshire.gov.uk](mailto:planning.development@south-ayrshire.gov.uk)

Dear Sirs,

**Procedure Notice under the Town and Country Planning (Schemes of Delegation and Local Review Procedure) Scotland) Regulations 2013, Regulation 15  
Planning Application ref No: 22/00634/APP  
Proposed Residential Development, Kilmarnock Road, Monkton, South Ayrshire**

This is a Procedure Notice issued by the South Ayrshire Local Review Body under Regulation 15(1) of the above Regulations because it has determined that further information should be provided to it by means of written submissions.

The Local Review Body has determined at its meeting on 20<sup>th</sup> June 2023 that it requires information from the South Ayrshire Council Planning Service with regard to the following:-

The Local Review Body has determined that it requires the South Ayrshire Council Planning Service to clarify whether Ayrshire Roads Alliance and NatureScot responded to the statutory consultations and details of any responses provided. Please also provide comments regarding the prospective loss of trees on the site. You are asked to respond to this Procedure Notice within the next 14 days.

A copy of this Procedure Notice is being sent to the Applicant and your response will be copied to the Applicant who will have an opportunity to comment.

The review papers can be accessed here: [New Case for Review Kilmarnock Road Monkton.](#)

Yours faithfully,

**Legal and Licensing Manager**  
**South Ayrshire Council**

Note referred to:  
**EDESIGN ARCHITECTURE & PLANNING SCOTLAND LTD**

[REDACTED]

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**From:**

[REDACTED]  
03 August 2023 15:59

**To:**

Local Review Body

**Cc:**

**Subject:**

[REDACTED]  
RE: LRB Procedure Notice (Kilmarnock Road Monkton)

**Attachments:**

S2200634APP Proposed Residential Development Kilmarnock Road Monkton.pdf; FW: South Ayrshire Council Planning Consultation - 22/00634/APP

[REDACTED]

I refer to the aforementioned LRB case. I have been asked to respond to the procedure note of earlier today in [REDACTED] absence.

I've attached copies of the consultation response from both the ARA and NatureScot. Please note that the ARA did not respond to the consultation request made during the assessment of the application but have subsequently offered comment to assist the LRB in their deliberation of application 22/00634/APP. For the avoidance of doubt, NatureScot offered comment on their consultation request during the assessment of the application.

The application site is not protected by way of a Tree Preservation Order, nor does it comprise an Ancient Woodland Inventory. Therefore, works to the trees could be undertaken without the prior written consent of the Planning Authority. That said, NPF4 places a stronger emphasis on protecting existing woodland and the potential for its enhancement or expansion to avoid habitat fragmentation and improve ecological connectivity, helping to support and expand nature networks. The application submission is accompanied by a detailed tree survey which indicates substantial tree felling is proposed. Tree felling is proposed both for arboricultural reasons and also to create the desired layout for the proposed residential development. While there would be no issue with the felling of trees for arboricultural reasons, the felling of trees, which may offer ecological benefits, is of concern. Indeed, the Council's Sustainable Development Team, in their consultation response, advised that a number of the trees (including deadwood) has suitable roosting sites for bats and habitat for badgers, as well as being suitable for nesting birds. The application submission is also accompanied by a comprehensive re-planting scheme. Overall, the Council's Sustainable Development Team offered no objection to the application proposals but advised that the applicant/developer be made aware of a number of points which can be viewed within their consultation response [here](#).

I hope that the above is of assistance.

Thanks,

[REDACTED]

[REDACTED]

Contact: ARA.TransportationPlanningConsultations@ayrshireroadsalliance.org

ARA Case Officer: AP

Planning Case Officer: [REDACTED]

Planning Application No: 22/00634/APP

Location: Proposed Residential Development Kilmarnock Road Monkton

Date Received: 21/06/2023

Date Returned: 22/06/2023

Recommendation: No Objection subject to Conditions

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

**Expository Statement (if applicable):**

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

**Advisory Notes:**

**Road Opening Permit:**

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

**Roads (Scotland) Act:**

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

**New Roads and Street Works Act 1991:**

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

**Costs of Street Furniture:**

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

### **Costs of TROs:**

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.

### **Signage to TSRGD 2016:**

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.

### **Roads Construction Consent:**

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.

### **Conditions:**

#### **Residential Travel Pack:**

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.

#### **Reason:**

To encourage sustainable means of travel.

#### **Infrastructure Improvement:**

The applicant shall make provision of a 2m wide footway along the B739 to tie in with the existing footway at the underpass prior to occupation of the 1<sup>st</sup> dwelling. The precise details and specifications of all infrastructure improvements shall be submitted for the prior written approval of the Council as Planning Authority (in consultation with the Council as Roads Authority).

#### **Reason:**

For the purposes of road safety and the functional operation of the local road network.

#### **Access Construction (single access or small development):**

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

#### **Reason:**

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

#### **Junction Visibility Splays:**

That junction access visibility sightline splays of 2.4 metres by 215 meters shall be maintained in both directions at the junction with the public road. There shall be no obstacle greater than 1.05 metres in height within the visibility sightline splays.

#### **Reason:**

In the interest of road safety and to ensure an acceptable standard of construction. To avoid the possibility of unnecessary reversing of vehicles onto the public road.

**Discharge of Water:**

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

**Reason:**

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

**Off Road Parking Provision (Detailed Consent):**

That a minimum of 2 off-road parking spaces per 3 bedroom dwelling and a minimum of 3 off-road parking spaces per 4/5 bedroom dwelling 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).

**Reason:**

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

**Visitor Parking Provision (Detailed Consent):**

That a minimum of 4 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).

**Reason:**

In the interest of road safety and to ensure adequate visitor parking provision.

**Integral/ Detached Garages:**

That integral or detached garages within the curtilage of a property intended to form part of the parking provision for the dwelling shall have internal garage dimensions of a minimum of 7m x 3m, per vehicle.

**Reason:**

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

**Vehicle Swept Path Analysis:**

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.

**Reason:**

In the interest of road safety.

**Wheel Washing Facilities:**



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.

**Reason:**

In the interest of road safety.

**Construction Traffic Management Plan:**

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. 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 prior to any movement of construction traffic associated with the site.

**Reason:**

In the interest of road safety.

**SUDS: Detailed - Implementation of SUDS before occupation:**

None of the dwellings shall be occupied until the Sustainable Urban Drainage System (SUDS) has been completed. Precise details shall be submitted to the Council as Roads Authority prior to the commencement of work.

**Reason:**

To ensure the site is drained in an acceptable and sustainable manner.

**Internal Road Network (single access or small development):**

That the proposed internal road network 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 with 2m wide footways either side. The roads shall be constructed, as approved, prior to completion of the development.

**Reason:**

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

**Buchanan, Courtney**

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**From:** STRATHCLYDE\_AYRSHIRE <STRATHCLYDE\_AYRSHIRE@nature.scot>  
**Sent:** 07 September 2022 11:09  
**To:** [REDACTED]  
**Subject:** FW: South Ayrshire Council Planning Consultation - 22/00634/APP  
**Attachments:** ufm4\_eConsultation\_Notification\_(External).pdf

 External email >

We do not intend to offer formal comment on this proposal as it does not meet our criteria for consultation, as outlined in our document, [How and when to consult NatureScot](#) Our *Planning for Development Service Statement* can be found [here](#). General advice for planners and developers can be found [here](#).

Regards

[REDACTED] | **Operations Support – West Central Scotland**

**NatureScot** | Cadzow Court, 3 Wellhall Road, Hamilton, ML3 9BG | 01738 457037

[nature.scot](#) | [@nature\\_scot](#) | *Scotland’s Nature Agency* | *Buidheann Nàdair na h-Alba*

[REDACTED]

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Please note that for business purposes, outgoing and incoming emails from and to NatureScot may be monitored.

Tha am post-dealain seo agus fiosrachadh sam bith na chois dìomhair agus airson an neach no buidheann ainmichte a- mhàin. Mas e gun d' fhuair sibh am post-dealain seo le mearachd, cuiribh fios dhan manaidsèar-siostaim no neach- sgrìobhaidh.  
Thoiribh an aire airson adhbharan gnothaich, 's dòcha gun tèid sùil a chumail air puist-dealain a' tighinn a-steach agus a' dol a- mach bho NàdarAlba.

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South Ayrshire Local Review Body  
County Buildings  
Wellington Square  
Ayr  
KA7 1DR  
[LocalReviewBody@south-ayrshire.gov.uk](mailto:LocalReviewBody@south-ayrshire.gov.uk)



04 August 2023

To: Mr [REDACTED]

Sent by email to: [REDACTED]

Dear Sirs,

**Procedure Notice under the Town and Country Planning (Schemes of Delegation and Local Review Procedure) Scotland) Regulations 2013, Regulation 15  
Planning Application ref No: 22/00634/APP  
Proposed Residential Development, Kilmarnock Road, Monkton, South Ayrshire**

I refer to the meeting of the South Ayrshire Local Review Body on 20 June at which it was decided to continue the above review for further information to be provided on the responses of the statutory consultees and the prospective loss of trees at the site by way of a procedure notice.

A Procedure Notice has therefore been issued by the South Ayrshire Local Review Body to the Council's appointed officer under Regulation 15(1) of the above Regulations to ask for the further information and a copy of the Procedure Notice is enclosed.

Copies of the responses received from the Planning Service are also enclosed. Please send any comments on the responses to the Local Review Body at the above email address within 14 days of the date of this letter. **Please note that whilst you have 14 days to provide any comments, it would be helpful if you could respond just as soon as possible, to ensure the case can be considered at the next meeting on 22 August.**

A copy of any comments you provide will be sent to the appointed officer.

The responses of the appointed officer and any comments you may have will be placed before the Local Review Body for consideration.

The review papers can be accessed here: [Kilmarnock Road Monkton](#).

Yours faithfully,

**Legal and Licensing Manager**  
**South Ayrshire Council**

**Enc.**

1. Procedure Notice dated 3 August 2023
2. Email from appointed officer in response to Procedure Notice dated 3 August 2023
3. Consultation Response from Ayrshire Roads Alliance dated 22 June 2023
4. Consultation Response from NatureScot dated 7 September 2022
5. Consultation Response from South Ayrshire Council Sustainable Development Team dated 13 September 2022 (erroneously dated 2020)