



Town and Country Planning (Scotland) Act 1997

Town and Country Planning (General Permitted Development)  
(Scotland) Order 1992

**The South Ayrshire Council (Restriction of Permitted  
Development) (Ayr II Extension, Troon and Southwood  
Conservation Areas) Direction 2006**

**Statement on the Effect of the Direction**

South Ayrshire Council, in terms of article 4(1) of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 (GPDO) has made a Direction, which was approved by Scottish Ministers on 16 March 2007, to remove certain permitted development rights currently afforded by the GPDO, in the Ayr II Extension, Troon and Southwood Conservation Areas.

Article 4 Directions have a particular role to play in helping to protect important unifying elements and features; and in arresting the incremental erosion of the character and appearance of conservation areas. The effect of the Direction is to require owners of properties in the Ayr II Extension, Troon and Southwood Conservation Areas to obtain planning permission for certain types of development that would otherwise be deemed to be permitted development.

In particular, householder activities such as developments within the curtilage of a dwellinghouse, other sundry minor operations, temporary buildings and uses will now require the benefit of planning permission. The classes of development covered by the Direction (see attached list) are those which already pertain to the other nineteen conservation areas in South Ayrshire.

These specific classes of development have been included in the Direction for two reasons: 1) Their inclusion allows for the consistent application of planning control by the Planning Development Section across the Council's twenty one conservation areas and allows the public to understand how this additional control is applied uniformly throughout South Ayrshire; and 2) Control of these classes allows the Council to protect the character and appearance of its conservation areas for the benefit of the whole community;

Some activities such as alterations to the roof of a dwellinghouse or the stone cleaning, or painting of the exterior of any building or works already require planning permission in a conservation area (see attached list).

The overriding effect of the Direction and the other conservation area exclusions from the GPDO is, therefore, to enable the Council to guide and influence development in such a manner that it will be in keeping with and help to retain the established character and

appearance of these conservation areas for the benefit and enjoyment of the whole community.

RO/LP/3/3/5e  
April 2007

## THE IMPLICATIONS OF CONSERVATION AREA STATUS

The implications of Conservation Area designation are that conservation area consent is required under Section 66 of the **Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997** for the demolition of buildings. The protection of trees within conservation areas is addressed through Sections 172 to 175 of the **Town and Country Planning (Scotland) Act 1997**, and requires proposed works to trees to be notified to the Council.

In addition, planning permission is automatically required for the following types of works which, outside conservation areas would normally be permitted development. Under the terms of the **Town and Country Planning (General Permitted Development) (Scotland) Order 1992** the following types of development are not permitted within conservation areas without planning permission:

- Alterations to the roof of a dwellinghouse
- The provision of hard surfaces within the grounds of a dwellinghouse
- The erection or provision within the grounds of a dwellinghouse of a container for the storage of oil
- The installation, alteration or replacement of a satellite antenna on a house or within the grounds of a dwellinghouse
- The stone cleaning, cladding or painting of the exterior of any building or works
- The installation, alteration or replacement on any buildings or other structures, of a microwave antenna
- The installation, alteration or replacement on any buildings or other structures, of a closed circuit television camera for security purposes
- The installation, alteration or replacement of any telecommunications apparatus on a dwellinghouse or within the curtilage of a dwellinghouse
- The installation, alteration or replacement of a small antenna on a building which is not a dwellinghouse or within the curtilage of a dwellinghouse.

## THE IMPLICATIONS OF THE ARTICLE 4 DIRECTION

The **Article 4 Direction** additionally requires planning permission to be obtained for the following types of development:

### **Development within the curtilage of a dwellinghouse:**

- The enlargement improvement or other alteration of a dwellinghouse
- The provision within the curtilage of a dwellinghouse of any building or enclosure, swimming or other pool required for a purpose incidental to the enjoyment of the dwellinghouse or the maintenance, improvement or other alteration of such a dwelling or enclosure.

### **Sundry Minor Operations:**

- The erection, construction, maintenance, improvement or alteration of a gate, fence, wall or other means of enclosure.
- The formation, laying out and construction of a means of access to a road which is not a trunk road or classified road.

### **Temporary Buildings and Uses:**

- The provision on land of buildings, moveable structures, works, plant or machinery required temporarily in connection with and the duration of operations being or to be carried out, on in under or over that land or on land adjoining that land.
- The use of land (other than a building or land within the curtilage of a building) for any purpose, except as a caravan site or open air market, on not more than 28 days in total in any calendar year and the erection or placing of immovable structures on the land for the purposes of that use.

### **Caravan Sites:**

- The use of land, other than a building, as a caravan site.
- Development required by the conditions of a site licence for the time being in force under the 1960 Act.

### **Development by Statutory Undertakers:**

- Development required for the purposes of the Post Office.