

SOUTH AYRSHIRE COUNCIL

LOCAL REVIEW BODY

NOTE OF CURRENT POSITION

Site Address:	NETHERTON FARM U55 FROM B742 JUNCTION AT BARNFORD COTTAGE SOUTH EAST TO U35 JUNCTION NEAR KILMORE DALRYMPLE SOUTH AYRSHIRE KA6 6AX
Application:	CHANGE OF USE OF AGRICULTURAL LAND AND ERECTION OF DWELLINGHOUSE AND ASSOCIATED WORKS

Appointed Officer's Decision:	Refused
Date Notice of Review Received:	14 August 2024

Current Position:	New Case for Review
Documentation:	<p>The following documents in relation to the review are attached:</p> <p>Pages 1 to 11 - Report of Handling</p> <p>Pages 12 to 16 - Notice of Review</p> <p>Pages 17 to 27 - Review Statement - August 2024</p> <p>Pages 28 to 35 - Original Planning Application - February 2024</p> <p>Pages 36 to 50 – Planning Statement – February 2024</p> <p>Pages 51 to 59 - Planning Application Drawings/ Plans</p> <p>Pages 60 to 72 – Supporting Information – Design and Access Statement</p> <p>Pages 73 to 98 - Supporting Information- Preliminary Ecological Appraisal – December 2023</p>

	<p>Pages 99 to 108 - Supporting Information-Speed Survey</p> <p>Pages 109 to 110 – Decision Notice</p> <p>Pages 111 to 130 – Interested Parties’ Consultation responses on planning application</p> <ul style="list-style-type: none"> • Ecological review by AECOM (Pages 111 to 113) • Ayrshire Roads Alliance- Responses dated 28 February 2024 and 18 July 2024 (Pages 114 to 121) • Environmental Health (Pages 122 to 126) • Scottish Water (Pages 127 to 130) <p>Page 131 – Interested Party Representation on Planning Application</p> <p>Page 132 – Interested Party Representation on Review.</p> <p>Pages 133 to 142 - Case Officer’s comments and photographs.</p> <p>Pages 143 to 144 - Interested Party’s Representations (AECOM) Following Case Officer’s Comments and Photographs.</p> <p>Pages 145 to 155 - Applicant’s Representations and Photographs Following Case Officer’s Comments and Photographs.</p> <p>Pages 156 to 158 - Draft Conditions</p> <p>Pages 159 to 167 – CONFIDENTIAL LABOUR REPORT</p>
New Material:	No
Additional Material Any other Comments:	N/A
Dated:	October 2024

Report of Handling of Planning Application

The Council's Scheme of Delegation can be viewed at <https://www.south-ayrshire.gov.uk/planning-application-process>

Reference No:	24/00091/APP
Site Address:	Netherton Farm U55 From B742 Junction At Barnford Cottage South East To U35 Junction Near Kilmore Dalrymple South Ayrshire KA6 6AX
Proposal:	Change of use of agricultural land and erection of dwellinghouse and associated works
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.

Key Information:

- The application was received on 9 February 2024.
- The application was validated on 9 February 2024.
- No Neighbour Notification was required.
- The site was the subject of a site visit undertaken in June 2023 as part of the assessment of the earlier application at the site.
- No Site Notice was required.
- A Public Notice, under Regulation 20 of The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013 was placed in the Local Press on 20 February 2024.

1. Site Description:

The application site is located in the countryside and comprises of a portion of an agricultural field to the east of the B742, and north of an unclassified public road. The site is in close proximity to the village of Dalrymple, with its access point being located less than half a kilometre from Dalrymple Bridge, and approximately 1.3 km to the north-west of Netherton Farm. The site lies parallel to the unclassified public road, and extends to approximately 2500 sq metres. Access to the site is via an existing field access. Given the position of the site with a field, it is predominantly bound by hedgerows augmented with post and wire fencing to the east and south, a wider area of agricultural land lies generally to the north and further to the south and opposite the public road. The topography of the site and larger field slopes, with the eastern portion being higher than the western and northern periphery of the site. The application site is visible from outwith the confines of the application site, predominantly to the south, south-east (in part) and to the south-west.

The site is understood to be associated with the agricultural holding comprising of Netherton Farm, which is located approximately 1.3 km to the south-east. The application site is noted as being located at the north-western extremity of the landholding associated with Netherton Farm. Netherton Farm is noted to form the main operational base for the farming operation and enterprise, which is understood to consist of sheep and beef rearing enterprise, along with some arable crop farming, with the addition of winter storage of cattle. The steading at Netherton is noted to contain of a dwellinghouse occupied by the applicant and their family, in addition to various out-buildings ranging from small traditional out-buildings to much larger modern agricultural buildings. Two cottages (Netherton Cottages) are located to the south-west of the farmsteading, although they are understood not to be currently associated with the Netherton Farm. A smaller, subsidiary and satellite land holding at Cosses, near Ballantrae is also understood to form part of the applicant's land holding, and which is managed by a part-time worker who resides in Ballantrae.

2. Planning History:

Application 23/00331/APP sought planning permission for the change of use of agricultural land and erection of a dwellinghouse, associated garden ground, and access road. The submission indicates that the proposed dwellinghouse is to provide additional on-site accommodation for a farm worker. The site of application 23/00331/APP comprised of a different portion of the same field as the current application, but located to north-west of the field and against a backdrop of existing woodland. Application 23/00331/APP was withdrawn.

3. Description of Proposal:

Planning permission is sought for the erection of a dwellinghouse, associated garden ground, and upgrading of the access road. The submitted drawings show the proposed dwellinghouse to be centrally positioned within the site, with the garden ground formed around the new dwelling, and hawthorn hedging to the two currently undefined boundaries with the field. The existing boundary treatment to the east and south is shown as being retained. Off-street parking is to be provided within the site, and with the access being located in the south-eastern corner of the field. The submitted drawings also refer to a potential future garage, although as no further details have been provided, this does not form part of the consideration of this application.

In terms of its design, the dwellinghouse is shown to be single storey in height with a broadly rectangular plan form containing three bedrooms. The external materials are shown to predominantly comprise; natural slate, a combination of white wet dash render, with random rubble stone detail sections, white upvc windows and soffits, and black upvc rainwater goods. Solar panels and rooflights are also proposed.

The submission indicates that the proposed dwellinghouse is to provide additional on-site accommodation for a farm worker, confirmed to be the applicant's father, who is understood to reside locally in rented accommodation in/ near the village of Dalrymple, after having sold his own farm and house which was located at Craigalbert near Ballantrae. The address of the rented property occupied by the applicant's parents was confirmed, as part of the assessment of the earlier application, as being Knockjarder Cottage, which is noted to be approximately 1.2 km from the application site to the north-west of the village.

4. Consultations:

Ayrshire Roads Alliance - has offered no objection to the proposals, including that a reduction in the visibility splays at the junction of the site access and the public road to the south is appropriate.

Scottish Water - no objection.

Environmental Health – no objection.

AECOM – no 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.

The applicant/ agent has submitted a labour requirement report, a supporting planning statement and design statement in support of the development proposal, the main points of which are summarised as follows;

- there is a labour requirement for an additional unit over the units which is anticipated to increase further;
- the proposed house would provide an 'outpost' to check stock at the furthest point of the steading and enable better animal welfare and security;
- there will be no loss of agricultural land of any merit (considered to be Classes 1 and 2);
- the proposals will not cause damage to features of environmental interest;
- the proposed dwelling will be accessed via the historic single-track road along the field boundary;
- there is only one dwellinghouse at Netherton Farm;
- there are no buildings available for renovation, and no houses in close proximity;

- an increase in livestock at the farm is proposed;

In addition to the above, the main points of the supporting statement as noted as follows;

- the applicant's farming enterprise was established in 2016, and was expanded in 2021 with the acquisition of Netherton Farm as the operational base and home of the applicant(s);
- the farming enterprise requires further growth, and it is anticipated that an additional dwellinghouse will facilitate this growth;
- the current arrangement of the applicant's father residing off-site is considered unsustainable, and was anticipated as a short term option only;
- the proposed site and development proposals is not visually intrusive and are designed to fit the site;
- no prime quality agricultural land will be affected;
- the position of the site is not sporadic and is in-between two existing properties, and its roadside location is reflective of the development pattern of rural domestic dwellings;
- there are no existing buildings at the steading suitable for conversion;
- the proposed site offers an opportunity to optimise livestock management and constant supervision of the entire landholding, suggested by the agent as being Zone 1 and Zone 2;
- the proposals align with the policy of National Planning Framework 4 regarding rural homes, and the South Ayrshire Local Development Plan policies in relation to; Spatial Strategy, Core Investment Area, Sustainable Development and Rural Housing;
- reference is also made to the Council's supporting planning and design guidance also entitled Rural Housing;
- the existing steading is set in a hollow creating topographic constraints;
- positioning a house at the steading is not optimal in terms of the operation of the farming enterprise;
- the site is acknowledged not to form part of the steading grouping;
- recent appeal decisions at Macnairston Farm (22/00074/APP) and Montgomerieston Farm (23/00537/PPP) are relevant in that the LRB granted planning permission for a dwellinghouse in a location remote from the farmsteading under each of the aforementioned applications;
- the proposed site is accessible to the village;

The Design and Access statement sets out the proposals, and describes the site appraisal, and the resultant design strategy with the following main points noted;

- a lodge type structure in the Scottish vernacular was deemed to be appropriate;
- the proposals have been designed to fit the site, and its rural setting;
- the incorporates an elongated plan, with dual pitched roofs, over a single storey with vertical fenestration;
- external materials are predominantly render and rubble stone, with natural slate roofing;
- the accessibility of the design has been considered;

A Preliminary Ecological Appraisal has been submitted, which considers the potential presence of otter, water vole, badger, bats within, and within close proximity of the site. No further species were identified, and therefore no further dedicated surveys are considered to be necessary. The report also considers the potential for mitigation measures to minimise the impact in relation to; breeding birds, the effect of artificial lighting on bats, general mitigation during construction, and the potential for biodiversity enhancements such as landscape planting, and the installation of swift and bat boxes.

Supporting technical information which considers the appropriateness of reduced visibility splays at the site. The submitted information concludes that, based on the speed surveys undertaken, that the reduced visibility splays proposed in the submission can be accommodated without adverse impact on road safety.

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:

One representation(s) has been received, which is neutral in nature and which comments on the suggestion that there is a public footpath on adjacent privately owned land to the north. It is understood that the reference to a public footpath is erroneous, and the supporting information should have referred to a farm track. The terms of the neutral comment are noted. All representations can be viewed online at www.south-ayrshire.gov.uk/planning.

9. Development Plan:

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

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

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

National Planning Framework 4 (NPF4)

The following policies of NPF4 are relevant in the assessment of the application and can be viewed in full online at [National Planning Framework 4 - gov.scot \(www.gov.scot\)](http://National Planning Framework 4 - gov.scot (www.gov.scot)). NPF4 confirms that the purpose of planning is to manage the development and use of land in the long-term public interest. NPF4 also maintains a plan-led system and provides a long-term spatial strategy to 2045 based around enabling the transition to net zero emissions and environmental sustainability; driving inclusive economic growth; and building resilient and sustainable places, which adapt to the impacts of climate change, whilst protecting, recovering and restoring our environment. The provisions of NPF4 must, however, be read and applied as a whole, and as such, no policies should be read in isolation. The application has been considered in this context. An assessment of the proposals against the provisions of NPF4 is set out below.

The following policies of NPF4 are relevant in the assessment of the application and can be viewed in full online at National Planning Framework 4 - (www.gov.scot):

- National Policies 1 and 2 - Tackling the climate and nature crises, and Climate Mitigation and Adaptation;
- National Policies 3 and 4 - Biodiversity and Natural Places;
- National Policy 5 – Soils;
- National Policy 13 – Sustainable Transport;
- National Policies 14 and 15 – Design, Quality and Place and Local Living and 20 minute neighbourhoods;
- National Policy 17 - Rural Homes;

Policy 1 gives significant weight to the global climate emergency in order to ensure that it is recognised as a priority in all plans and decisions. Policy 2 seeks to ensure that emissions from new development are minimised as far as possible. A healthy natural environment is recognised as a key to reducing emissions. Policies 3 and 4 protect, and seek to positively enhance biodiversity and natural assets, which in turn play a crucial role in carbon reduction. Further consideration of the potential impact of the development on the natural environment is set out below.

Policy 5 in relation to soils, seeks to protect carbon-rich and valued soils such as prime quality agricultural land, with proposals only being supported where it is for i. Essential infrastructure and there is a specific locational need and no other suitable site; ii. Small-scale development directly linked to a rural business, farm or croft or for essential workers for the rural business to be able to live onsite. The application site is categorised as being class 3.2, and therefore not as prime quality agricultural land.

Policy 13 considers the issue of sustainable transport and active travel and is supportive of development in locations which support safe sustainable travel, and travel by means other than private vehicle. In this instance, the proposed location of the dwellinghouse being remote from the existing steading, would likely result in the occurrence of vehicle trips to and from the steading to operate and manage the daily operations of the farm business. The occurrence of daily and potentially numerous trips to, and from the steading from the proposed application site, would not otherwise occur if a dwellinghouse was sited at or closer to the existing steading. Policy 14 seeks to encourage and promote the 'Place Principle' and the six qualities of successful places (i.e. healthy, pleasant, connected, distinctive, sustainable, and adaptable). Proposals which are poorly designed, detrimental to the amenity of the surrounding area, or inconsistent with the qualities of successful places will not be supported. The potential for the proposals to result in daily commuting trips to and from the farmsteading, in addition to the locational concerns regarding the remoteness of the site from the steading which it is intended to serve area noted within this report, and are considered to undermine the intentions of the Place Principle. Policy 15 encourages and promotes the Place Principle as a means to create connected and compact neighbourhoods where people can meet the majority of their needs within a reasonable distance of their home. In a plan-led system the development planning process is the mechanism to secure local living and 20-minute neighbourhoods, rather than via an incremental and piecemeal basis through individual planning applications; the SALDP2 allocates the site as an area of countryside, where development proposals require to be carefully considered and managed through the development plan process.

The site is less than 0.5 kilometres (measured by public road) from Dalrymple and could potentially be accessed by private car or bicycle. There are no footpaths or street lighting on the rural road network at this location and the site is not served by public transport. While this is not necessarily uncommon circumstances for rural locations, greater weight is given to the fact that the application site is undeveloped greenfield land within a rural location that is remote from the farmsteading to which it would be serving. The proposal would introduce development into the landscape where there is none at present, is sited in an isolated position and disconnected physically and visually from the farmsteading and the existing group of buildings, and is not sited adjacent to, or in close proximity of any other buildings. For these reasons, the proposal is not considered to be aligned with the spirit and intention of policies 13, 14 and 15.

With specific regard to new rural homes (policy 17), development proposals will be supported where the development is suitably scaled, sited and designed to be in keeping with the character of the area, and the development involves;

- i. land allocated for housing within the LDP;
- ii. reuse of brownfield land;
- iii. reuse of redundant or unused buildings;
- iv. use of a historic environment asset or enabling development to secure the future of historic environment assets;
- v. supporting the sustainable management of a viable rural business or croft, and there is an essential need for a worker (including those taking majority control of a farm business) to live permanently at or near their place of work;
- vi. a single home for the retirement succession of a viable farm holding;
- vii. subdivision of an existing residential dwelling; and
- viii. reinstatement of a former dwelling house or a one-for-one replacement of an existing permanent house.

It is considered that the proposal does not align with the opening requirements of the above policy 17 which is for development to be suitably sited and designed to be in keeping with the character of the area.

Notwithstanding the provisions of the NPF, the proposals nonetheless require to be considered against the provisions of the Adopted South Ayrshire Local Plan 2, and the related policy guidance as part of the recognition by the Scottish Government in the NPF is that Local Development Plans should set out a tailored approach to rural housing, and reflect locally appropriate delivery approaches. Further consideration of relevant planning issues are set out below.

For the reasons set out in this report, there are policy concerns in relation to the proposals.

South Ayrshire Local Development Plan 2

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

- B8 - Core Principle;
- Strategic Policy 1: Sustainable Development;
- Strategic Policy 2: Development Management;
- LDP Policy: Rural Housing;
- LDP Policy: Natural Heritage;
- LDP Policy: Landscape Quality;
- LDP Policy: Land Use and Transport;

Core Principle B8 supports the development of rural housing in appropriate locations in line with the policies of the Local Development Plan, and the related planning guidance regarding Rural Housing. The policy also confirms that proposals for rural housing outwith the aforementioned parameters, or outwith defined settlement boundaries shall not be supported. Further consideration of the proposed development against the Rural Housing policies and guidance is set out below.

The Strategic Policy 1: Sustainable Development seeks to support the principle of sustainable development by making sure that development respects, protects and where possible, enhances natural, built and cultural heritage resources. Strategic Policy 2: Development Management ensures development is in accordance with the site's land use and will be appropriate in terms of layout, scale, massing, design and materials in relation to their surroundings and surrounding land use, that the proposals do not have an unacceptable impact on the amenity of nearby land uses.

The LDP2 Rural Housing policy is, in principle, supportive of the development of a home in a rural area that is essential to a rural business, subject to criteria. Criterion d. specifically relates to new houses that are essential to rural a rural business, and states that the developer, must satisfy the Planning Authority through the submission of a sound business plan, that the business is economically viable and could not be run without residential accommodation. In all instances, the LDP policy confirms that proposals for rural housing must comply with the policy guidance as set out in the associated Rural Housing Planning Guidance note in terms of being appropriately sited and designed. An assessment of the proposals against the Council's Policy Guidance entitled Rural Housing is set out below, along with a consideration of relevant site-specific factors.

With regard to protected species, LDP Policy: Natural Heritage outlines that planning permission will not be granted for a development that would be likely to have an adverse effect on protected species unless it can be justified in accordance with the relevant protected species legislation. The submission is accompanied by a preliminary ecological report which does not identify any ecological matters which require further attention. Notwithstanding, for the reasons noted within this report, there are concerns regarding the proposals.

Further consideration of the proposals from a landscape setting perspective are set out elsewhere in this report. Additionally, while the ARA have offered no objection to the proposals, there are other policy concerns regarding the proposals.

For the reasons noted within this report there are concerns in relation to the proposals, which are not considered to fully accord with the combined policy provisions of the development plan as set out within National Planning Framework 4 (2023) and the Adopted South Ayrshire Local Development Plan (2022).

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

- Scottish Government Planning Advice Note 72 - Housing in the Countryside:

PAN 72 sets out the key design principles which need to be taken into account by prospective applicants' and agents' responsible for the preparation of development proposals. PAN 72 provides advice in relation to the siting and design of rural housing and seeks to ensure that rural housing is of a good quality and which respects the Scottish landscape and building traditions. Therefore, PAN 72 is considered to be relevant in the consideration of this application.

In particular, PAN 72 (page 7) acknowledges that buildings in rural areas can often be seen over long distances, and that buildings are there for a long time. For these reasons, PAN 72 concludes that careful design is essential, and that single houses need to be planned, with the location carefully selected and designed so as to be appropriate to the locality. Even where sites are less visible, PAN 72 states that such sites will still require a significant level of skill to assimilate buildings into the landscape. The application has been considered in this context, and for the reasons noted elsewhere in this report, there are concerns in relation to the siting of the proposed dwellinghouse.

- Developing with Nature Guidance (NatureScot):

The above provides guidance on securing positive effects for biodiversity from local development to support NPF4 policy 3(c). This guidance has been published in support of policy 3(c) of National Planning Framework 4 in relation to planning applications. While the applicant has submitted a Preliminary Ecological Appraisal, there are other concerns in relation to the proposals, for the reasons noted within this report.

- South Ayrshire Council Planning Guidance - Rural Housing:

The Rural Housing policy guidance sets out the policy requirements which new houses serving rural based businesses are required to fulfil, and states that "The Council may give favourable consideration to the provision of on-site residential accommodation for a worker employed in an existing rural business, providing that;

- a) It is demonstrated to the satisfaction of the Council that the business cannot operate without continuous on site attendance and that there are no alternative means of operating the business; and
- b) There is no other existing accommodation that could be used to serve the business; and
- c) No existing dwelling serving or connected to the business or holding has been sold or in some other way separated or alienated from the holding in the previous five years; and
- d) Any proposed buildings or structures form or complement a coherent group of buildings and are not visually intrusive.

Note: the requirement for on-site accommodation may be either as a result of the continuous operation of the existing business, or due to proposed expansion or diversification of that business.

In all cases, proposals for new residential accommodation in rural areas, including those demonstrated as being required to operate a rural business, must accord with the Council's design guidance, contained in this supplementary guidance.

In considering the proposed development against the above policy of the policy guidance, the following is noted;

The farming operations are understood to primarily consist of a beef and sheep rearing enterprise, along with some arable crop farming, with the addition of winter storage of cattle. As noted above, it is noted that the proposed dwellinghouse is intended for occupation by the applicant's parents, who are confirmed to live locally and very near the village of Dalrymple in rented accommodation (approximately 1.2 km from the application site). It is considered that the proximity of the intended occupant(s) of the proposed dwellinghouse, and the availability of this farm labour to the existing farm potentially undermines the business case for an additional dwellinghouse to the farming operation at Netherton Farm, in that it is not demonstrated to the satisfaction of the Council that the business cannot operate without continuous on site attendance and that there are no alternative means of operating the business. The business currently operates with off-site labour available locally, and the submission does not demonstrate that the operations are unable to continue in this manner and that additional on-site accommodation is the only option. As noted above, the site lies a short distance from the village of Dalrymple which provides a range of alternative accommodation options, as well as being better located and in closer proximity to services and facilities. While the submission suggests the farm is divided into two 'zones', with zone 1 being located to the east

and being managed from the existing farmhouse, and zone 2 being positioned to the west and being managed from the proposed new dwelling; it is evident that the farming operations currently occur from a single farmstead and there is nothing to suggest that the operations cannot continue to operate from the existing location, and that a disparately located dwelling remote from the operational base of the existing steading is required. For the reason noted elsewhere in this report, there are concerns in relation to the remote location of the dwellinghouse. Given the aforementioned, it is not considered that the proposals align with criterion a. above.

The supporting information indicates that Netherton Farm was purchased by the applicant in 2021. At the time of the purchase, the layout and topography of the farm and its associated land holding, including the positioning of operational buildings and residential accommodation would have been known to any prospective purchasers. In addition, the above Rural Housing policy guidance, and the associated applicable criteria for residential accommodation for rural businesses was also in place in 2021; and as such, any prospective applicant's would have therefore had the opportunity to familiarise themselves with the Council's Rural Housing policies and guidance and the related provisions.

With regard to criterion b. the submission it is noted to conclude that positioning a house at the steading is not optimal in terms of the operation of the farming enterprise. It is noted that the applicant/ agent consider locating any additional accommodation at the steading to not be "optimal", however, it has not been demonstrated that an additional dwellinghouse in the location proposed under the current application is the only option. It is considered that the applicant's operational needs could be equally fulfilled, if not better met by locating an additional dwelling around, or closer to the vicinity of Netherton Farm, and Netherton Cottages which lie to the south-west of the steading, the latter of which does not appear to have been considered in the application submission. The aforementioned advice was provided to the applicant/ agent as part of feedback on the earlier application proposals under application 23/00331/APP which was withdrawn; however the current application submission has not been revised in line with the Council's planning guidance and policies as per the advice provided by the Planning Service; the application is considered in this context.

In terms of criterion c. it is understood that no dwellings serving or connected to the business or holding has been sold or in some other way separated or alienated from the holding in the previous five years. Notwithstanding, for the other reasons noted within the report there are other over-riding planning concerns regarding the proposals.

Any additional dwellinghouse, any dwelling would require to be appropriately sited so as to consolidate and reinforce the farming operations, and to accord with the Council's Rural Housing design guidance. There are concerns in relation to the proposed siting of the dwellinghouse due to the proposed building not being located so as to consolidate and reinforce the existing steading and building groupings at Netherton Farm. In contrast, the application site stands alone and is isolated at the western extremity of the land holding, where no buildings are present. The existing steading and the associated operational buildings are considered to form a compact building grouping which are well-located to meet the operational needs of the farming enterprise. Under the current proposals, the applicant seeks to form an additional, and disparately located dwellinghouse away from the main operational hub at Netherton, which if approved, would result in two dwellings being disparately located at either extremity of the land holding. It should also be noted that the proposed location of the dwellinghouse remote from the existing steading would also likely result in the occurrence of considerable vehicle trips to and from the steading to operate and manage the daily activities of the business. The occurrence of daily and potentially numerous trips to, and from the steading from the application site, would not otherwise occur where a dwellinghouse was sited at or closer to the existing farmstead.

On visiting the site, it was also noted that due to the topography of the land holding, the visibility of adjacent fields from the application site is largely limited to the field in which the application site is set, and the immediately adjacent areas of neighbouring fields, with views of the larger land holding being obscured by both topography and distance. Consequently, it is considered that the ability of the proposed site to offer surveillance of the totality of the farm holding, or even surveillance of the totality of 'zone 2' (as suggested by the applicant/ agent), remains limited. Furthermore, due to the topography of the site which rises from the main road to the west, the proposed dwellinghouse will sit in an elevated, visually prominent position within the rural landscape, and therefore any development at the site would be visible over a wider area, and in particular to the south and south-west.

From a landscape setting perspective, it is considered that the existing steading and its' associated

buildings at Netherton Farm are less visually obtrusive than the application site. Two cottages known as Netherton Cottages are located to the south-west of the farm steading. While there is no recent information to suggest that the cottages are associated with Netherton Farm, it is likely that given the age and appearance of the cottages these would have historically been located close to the farmstead at Netherton so as to provide for on-site accommodation for farm workers. It is considered that the buildings associated with the farmstead at Netherton, and the nearby cottages form a building grouping, which potentially offer the best opportunity to consolidate and reinforce the existing building grouping at the steading as the operational locus of farming activities. In this context, a revised application with an alternatively sited dwellinghouse at, or in close proximity of the steading and Netherton and the nearby cottages is considered to be preferential from a landscape setting perspective. While the earlier application was withdrawn, the applicant has not sought to revise their proposals in line with the Council's planning guidance and policies. The applicant/ agent are therefore aware of the policy issues relating to the proposals, and have requested that the application be determined as submitted. For the above noted reasons, the proposals are not considered to accord with criterion d. above. The application has been considered in this context.

It is noted that the submission considers the application site to comprise of development within a 'cluster' due to there being two residential properties further to the east and west of the site. Therefore, for completeness, the proposals have also been considered against the Council's policies in relation to extensions to a cluster of existing residential properties. In this regard it is noted that, the application site comprises part of a larger agricultural field with only field boundaries forming two of the boundaries of the site, the remaining boundaries are open to the field. The closest residential properties are the existing cottages at Barnford which is located approximately 140 metres to the north-west of the site, and Kildonan which is located further to the south-east (approximately 420 metres away). Both of the aforementioned properties are located to the south of the public road, and are separated by intervening agricultural land, and not insignificant distances. Given the physical separation distances, the presence of intervening land, and the topography, the site is not considered to fall within the remit of being a cluster for the purposes of assessing the current application. Additionally, given the aforementioned distance to neighbouring property/ies, combined with the open characteristics of the site due to it being sited in a field, and the sloping topography, the development is considered to result in isolated and sporadic development in the rural landscape.

While the ARA has offered no objection to the proposals, and in particular the reduced visibility splays, there are concerns in relation to the siting of a dwellinghouse as proposed within the submission, for the reasons noted within this report.

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

The Council's Planning Guidance (PG) 'Open Space and Designing New Residential Developments' is relevant in the consideration of this application. This policy provides guidelines on plot spacing for new residential dwellings including minimum private garden sizes. This policy guidance also recommends a minimum of 9 metre depth for rear gardens. This policy also sets out expected private open space standards within new residential developments, which for detached properties extends to a minimum of 1.5 times the ground floor area and in any case, not less than, 100 square metres. While the development proposals might be capable of meeting with the above policy provisions, for the reasons noted elsewhere in this report, there are concerns in relation to the proposals.

11. Assessment (including other material considerations):

Planning permission is sought for the erection of a dwellinghouse. In terms of the design and appearance of the proposed dwellinghouse, there are no concerns, and similarly no concerns regarding the potential for the proposals to impact on the amenity of nearby property, given the distance to other residential properties. However, for the reasons noted elsewhere in this report, there are other over-riding concerns regarding the siting of a dwellinghouse in the isolated location proposed, and in particular due to it being remote from the operational base of the farm, its associated buildings, and also from a landscape setting perspective. The premise underpinning the strategy and policies of the adopted Local Plan accords with the objective to rural housing, is to curtail sporadic development within the countryside; thereby protecting the countryside for its own sake whilst also ensuring that an unsustainable increase in infrastructure and resource demands and costs are occasioned by reason of the unrestrained proliferation of development in the countryside; the application has been considered in this context.

While the submission is accompanied by various supplementary information as noted, and summarised

above, the application requires to be considered on its own merit, and none of the information contained therein is considered to out-weigh the above noted policy provisions of National Planning Framework 4 and the Adopted South Ayrshire Local Development Plan 2, and also the related policy guidance in relation to Rural Housing. Similarly, the agent notes and suggests similarities between the application proposals and the planning applications at McNairston Farm (22/00074/APP) and Montgomerieston Farm (23/00537/PPP) and the subsequent decisions of the Council's Local Review Body to approve the erection of rural dwellings. Firstly, it is important to note that each application requires to be considered on its own merit, and against the provisions of the development plan and any relevant material planning considerations. While Local Review Body decisions are material considerations, it is the view of the Service that these applications were contrary to the Development Plan, as set out within the reports of handling and, similarly, the current application is contrary to the Development Plan for reasons noted within this report. The previous local review body decisions do not outweigh the primacy of the Development Plan in this case. The Local Review Body have it within their power to take a different view should they consider that this can be justified under the framework of planning policy.

The mechanism for reviewing Local Development Plan policies and guidance and Local Review Body decisions and their materiality with respect to rural housing is during the preparation of Local Development Plan 3.

The primacy of the development plan is noted above, and the application has been considered in this context. An assessment of the development proposal is set out in this report, and as already noted, there are policy objections to the proposal which lead to the conclusion that the development is contrary to the provisions the National Planning Framework 4, the Adopted South Ayrshire Local Development Plan, and also the Council's Policy Guidance in relation to Rural Housing which supplements formal policy, and that there are no material planning considerations that would out-weigh these provisions. It should also be noted that, the purpose of planning (as set out in the Planning (Scotland) Act 2019) is to manage the development and use of land in the long term public interest. Given the above assessment and having balanced the applicants' rights against the general interest, it is recommended that the application be refused, for the reasons below.

12. Recommendation:

It is recommended that the application is refused.

Reasons:

- (1) That the development proposal is contrary to National Planning Framework 4 (NPF4), specifically National Policies 14 Design, Quality and Place; 15 Local Living and 20-minute neighbourhoods; 17 Rural Homes; 13 Sustainable Transport; South Ayrshire Local Development Plan (LDP2) Core Principle B8, LDP policies Rural Housing and Landscape Quality; South Ayrshire Council's Rural Housing Guidance and the provisions of Scottish Planning Advice Note PAN 72 in relation to Housing in the Countryside, as the proposed dwellinghouse is remotely located and physically isolated from the steading and farming enterprise which is it intended to serve, and does not form or complement a coherent group of buildings so as to reinforce the existing operational base of the farming enterprise at Netherton Farm, and has the potential to result in frequent vehicle trips. Additionally, the remote and isolated positioning of the dwellinghouse is considered to be visually prominent and uncharacteristic, and to the detriment of the rural landscape setting at the locality. No robust justification has been provided for a departure from these policies to the satisfaction of the Council, as planning authority.
- (2) That the development proposal is contrary to the Adopted South Ayrshire Local Development Plan Rural Housing policy and the related provisions of the Planning Guidance entitled Rural Housing due to the proposed dwellinghouse not being sited so as to form or complement a coherent group of buildings so as to reinforce the existing operational base of the farming enterprise at Netherton Farm, and due to not constituting development within an existing cluster or the sensitive infilling of an available gap site which consolidates existing properties within a cluster, and due to being visually prominent, intrusive and uncharacteristic of the rural setting intrusive. No robust justification has been provided for a departure from these policies to the satisfaction of the Council, as planning authority.

Advisory Notes:

N/A

List of Plans Determined:

Plan Type	Reference	Version No.	Received Date
Drawing	2308(2-)-101a	a	09.02.2024
Drawing	2308(2-)-102a	a	09.02.2024
Drawing	2308(2-)-103a	a	09.02.2024
Drawing	2308(2-)-104a	a	09.02.2024
Drawing	2308(2-)-105a	a	09.02.2024
Drawing	2308(2-)-106a	a	09.02.2024
Drawing	2308(2-)-107a	a	09.02.2024
Drawing	2308(2-)-108a	a	09.02.2024
Other	2326(2-)-109		09.02.2024
Supporting Information	Design Access Statement		09.02.2024
Supporting Information	Labour Requirement	Confidential	09.02.2024
Supporting Information	Planning Statement		09.02.2024
Supporting Information	Ecological Appraisal		09.02.2024
Supporting Information	Speed survey		09.02.2024

Reason for Decision (where approved):

N/A

Equalities Impact Assessment:

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

Decision Agreed By:	<i>Appointed Officer</i>
Date:	<i>31 July 2024</i>



County Buildings Wellington Square Ayr KA7 1DR Tel: [REDACTED] Email: [REDACTED]

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 100626209-002

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:	MhairiShawPlanning		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Mhairi	Building Name:	
Last Name: *	Shaw	Building Number:	4
Telephone Number: *		Address 1 (Street): *	Old Station Wynd
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	Troon
Fax Number:		Country: *	Scotland
		Postcode: *	KA10 6RR
Email Address: *			
Is the applicant an individual or an organisation/corporate entity? *			
<input type="checkbox"/> Individual <input checked="" type="checkbox"/> Organisation/Corporate entity			

Applicant Details

Please enter Applicant details

Title:		You must enter a Building Name or Number, or both: *	
Other Title:		Building Name:	Netherton Farm
First Name: *		Building Number:	
Last Name: *		Address 1 (Street): *	U55 From B742 Junction At Barnford
Company/Organisation	I & C Campbell	Address 2:	
Telephone Number: *		Town/City: *	Dalrymple
Extension Number:		Country: *	Scotland
Mobile Number:		Postcode: *	KA6 6AX
Fax Number:			
Email Address: *			

Site Address Details

Planning Authority:

South Ayrshire Council

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

Address 1:

NETHERTON FARM

Address 2:

DALRYMPLE

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

AYR

Post Code:

KA6 6AX

Please identify/describe the location of the site or sites

Northing

613571

Easting

237221

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)

24/00091/APP | Change of use of agricultural land and erection of dwellinghouse and associated works | Netherton Farm U55
From B742 Junction At Barnford Cottage South East To U35 Junction Near Kilmore Dalrymple South Ayrshire KA6 6AX

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? * <div style="margin-top: 5px;"> <input checked="" type="checkbox"/> Refusal Notice. <div style="margin-left: 20px;"><input type="checkbox"/> Grant of permission with Conditions imposed.</div> <div style="margin-left: 20px;"><input type="checkbox"/> No decision reached within the prescribed period (two months after validation date or any agreed extension) – deemed refusal. </div> </div>	
<h3 style="margin: 0;">Statement of reasons for seeking review</h3> <p style="font-size: 0.9em; margin: 5px 0;">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)</p> <p style="font-size: 0.8em; margin: 5px 0;">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.</p> <p style="font-size: 0.8em; margin: 5px 0;">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.</p> <div style="border: 1px solid black; padding: 10px; min-height: 60px; margin-top: 10px;"> Please refer to the Statement of Appeal as submitted in the " Supporting Documents" section </div>	
Have you raised any matters which were not before the appointed officer at the time the Determination on your application was made? * <div style="float: right;"> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No </div>	
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) <div style="border: 1px solid black; height: 60px; margin-top: 10px;"></div>	
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) <div style="border: 1px solid black; padding: 10px; margin-top: 10px;"> Appeal Statement Planning Statement Design and Access Statement Labour Requirement Report Preliminary Ecological Assessment Proposed Location Plans 1 and 2 Proposed Site Plan Proposed Elevations 1 and 2 Proposed Floor Plan Netherton Farm Extents Plan Proposed 3D Images </div>	
<h3 style="margin: 0;">Application Details</h3> <div style="display: flex; justify-content: space-between; align-items: flex-start; margin-top: 10px;"> <div style="width: 60%;"> <p style="font-size: 0.8em; margin: 5px 0;">Please provide the application reference no. given to you by your planning authority for your previous application.</p> <p style="font-size: 0.8em; margin: 10px 0;">What date was the application submitted to the planning authority? *</p> <p style="font-size: 0.8em; margin: 10px 0;">What date was the decision issued by the planning authority? *</p> </div> <div style="width: 35%;"> <div style="border: 1px solid black; padding: 5px; margin-bottom: 10px; text-align: center;">24/00091/APP</div> <div style="border: 1px solid black; padding: 5px; margin-bottom: 10px; text-align: center;">09/02/2024</div> <div style="border: 1px solid black; padding: 5px; text-align: center;">31/07/2024</div> </div> </div>	

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)

A hearing is required to fully explore the evidence submitted and for the members to discuss the appeal in detail

In the event that the Local Review Body appointed to consider your application decides to inspect the site, in your opinion:

Can the site be clearly seen from a road or public land? *

☒ Yes ☐ No

Is it possible for the site to be accessed safely and without barriers to entry? *

☒ Yes ☐ No

Checklist – Application for Notice of Review

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

Have you provided the name and address of the applicant?. *

☒ Yes ☐ No

Have you provided the date and reference number of the application which is the subject of this review? *

☒ Yes ☐ No

If you are the agent, acting on behalf of the applicant, have you provided details of your name and address and indicated whether any notice or correspondence required in connection with the review should be sent to you or the applicant? *

☒ Yes ☐ No ☐ N/A

Have you provided a statement setting out your reasons for requiring a review and by what procedure (or combination of procedures) you wish the review to be conducted? *

☒ Yes ☐ No

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

Please attach a copy of all documents, material and evidence which you intend to rely on (e.g. plans and Drawings) which are now the subject of this review *

☒ Yes ☐ No

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

Declare – Notice of Review

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

Declaration Name: MhairiShawPlanning Mhairi Shaw

Declaration Date: 13/08/2024

Appeal Against the Refusal of Planning Permission
Planning Application Reference 24/00091/APP
Change of Use of Agricultural Land and erection of
Dwellinghouse and Associated Works

at

Netherton Farm
U55 from B742 Junction At Barnford Cottage South East to U35
Junction Nr Kilmore
Dalrymple
South Ayrshire
KA6 6AX

Appeal Statement

On Behalf of
I & C Campbell
August 2024

1.0 INTRODUCTION

1.1 The following is an Appeal Statement in connection with the Notice of Review and Appeal against the refusal of planning permission by South Ayrshire Council for the change of use of agricultural land and erection of dwellinghouse and associated Works at Netherton Farm, U55 from B742 junction at Barnford Cottage, south east to U35 Junction Nr Kilmore, Dalrymple, South Ayrshire, KA6 6AX.

1.2 The planning application, reference 24/00091/APP, was refused as per the Decision Notice issued by South Ayrshire Council, dated, 31 July 2024.

1.3 As the planning application was for a "local development" which was determined under the Council's Scheme of Delegation, the appeal falls to be considered as a Review by the Local Review Body of the Council.

1.4 The purpose of this Statement is to set out the grounds for seeking a review and to provide evidence in support of the appeal against the refusal of planning permission.

1.5 For information the Report of Handling of Planning Application states;

- The application was received on 9 February 2024.
- The application was validated on 9 February 2024.
- No Neighbour Notification was required.
- The site was the subject of a site visit undertaken in June 2023 as part of the assessment of the earlier application at the site.
- No Site Notice was required.
- A Public Notice, under Regulation 20 of The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013 was placed in the Local Press on 20 February 2024.

2.0 REASONS FOR REFUSAL

2.1 The stated reasons for refusal, as per the Decision Notice dated 31 July 2024 are;

2.2 **(1R)** That the development proposal is contrary to National Planning Framework 4 (NPF4), specifically National Policies 14 Design, Quality and Place; 15 Local Living and 20-minute neighbourhoods; 17 Rural Homes; 13 Sustainable Transport; South Ayrshire Local Development Plan (LDP2) Core Principle B8, LDP policies Rural Housing and Landscape Quality; South Ayrshire Council's Rural Housing Guidance and the provisions of Scottish Planning Advice Note PAN 72 in relation to Housing in the Countryside, as the proposed dwellinghouse is remotely located and physically isolated from the steading and farming enterprise which it is intended to serve, and does not form or complement a coherent group of buildings so as to reinforce the existing operational base of the farming enterprise

at Netherton Farm, and has the potential to result in frequent vehicle trips. Additionally, the remote and isolated positioning of the dwellinghouse is considered to be visually prominent and uncharacteristic, and to the detriment of the rural landscape setting at the locality. No robust justification has been provided for a departure from these policies to the satisfaction of the Council, as planning authority.

2.3 **(2R)** That the development proposal is contrary to the Adopted South Ayrshire Local Development Plan Rural Housing policy and the related provisions of the Planning Guidance entitled Rural Housing due to the proposed dwellinghouse not being sited so as to form or complement a coherent group of buildings so as to reinforce the existing operational base of the farming enterprise at Netherton Farm, and due to not constituting development within an existing cluster or the sensitive infilling of an available gap site which consolidates existing properties within a cluster, and due to being visually prominent, intrusive and uncharacteristic of the rural setting intrusive. No robust justification has been provided for a departure from these policies to the satisfaction of the Council, as planning authority.

3.0 PLANNING HISTORY

3.1 Prior to the submission of application, 24/00091/APP, a previous application for the erection of a dwellinghouse at Netherton Farm, reference 23/00331/APP was withdrawn. Following this the proposals were revised in order to incorporate comments from South Ayrshire Council Planning Service.

3.2 SAC Planning Service intimated concerns with the previous application including that the proposed location under application 23/00331/APP did not comply with the Council's Rural Housing policy in that any new dwelling should be located closer to the existing steading and should also follow the established pattern of development in the area, where properties are sited close to the public road.

3.3 It was recommended in correspondence from the Planning Service that the original application 23/00331/APP be withdrawn to enable the appellant to explore the potential to relocate the dwellinghouse. The Service stated in the correspondence a "preference" for the siting of the proposed house either within the existing steading or in closer proximity. It was also advised that the proposed house should be sited close to the public road in order to reflect the typical positioning of rural dwellings.

3.4 The Planning Service acknowledged that a labour justification report and supporting information had been submitted the content of which confirmed that the proposed dwellinghouse is essential to the farming enterprise based at Netherton Farm based on the labour requirement for both current and future operations.

3.5 Therefore, at the time of the previous application, the key concerns expressed by the Planning Service related to the location of the proposed house and the need to reflect the predominant pattern of development in the area.

3.6 No fundamental issues of principle were raised in relation to the justification for an additional house to serve the farming enterprise based at Netherton Farm.

3.7 No issues were raised as to the design scheme or materiality of the proposed house.

4.0 APPEAL PROPOSALS

4.1 The appeal proposals are as submitted under the refused planning application 24/00091/APP. Reference should therefore be made to all plans, drawings and supporting information as submitted in relation to the refused planning application.

4.2 In addition, the background to the submission of planning application 24/00091/APP and the requirement for an additional house is set out in the Planning Statement which was submitted in support of the refused application. Therefore reference should also be made to that document.

4.3 Notwithstanding the information as set out in the documents referenced above, the appeal proposals and their evolution are summarised below.

4.4 Following the advice of the Planning Service at the time of the withdrawal of application 23/00331/APP, the appellant took the opportunity to explore the relocation of the proposed dwellinghouse in closer proximity to the steading, road and surrounding buildings, whilst also weighing this against the priorities and operational requirements of the farming business.

4.5 These deliberations concluded that the location of the proposed house within the area occupied by the existing steading or adjacent to Netherton Cottages would not best serve the operational needs of the farm.

4.6 The relocation of the proposed house, as per the proposals presented in the refused application 24/00091/APP represent a genuine compromise in relation to identifying a location which is closer to the steading and which also respects the existing pattern of development, being located adjacent to the road and in closer proximity to surrounding residential properties, thereby replicating the surrounding pattern of development of individual properties not forming part of an identifiable and closely related building group. This is a pattern of development which is typical throughout the rural area.

4.7 The setting and topography of the steading, adjacent land and surrounding pattern of development, including a number of nearby cottages, taken together with the operational requirements of the farm, led to the identification of the appeal site which utilises a historic access and farm track, in addition to encompassing an existing area of hardstanding, ie; previously developed land.

4.8 The description of the appeal site as isolated is misleading given that it utilises an existing access, an existing area of hardstanding and is located in proximity to individual residential properties, is only 0.5 kilometres distant from the

settlement of Dalrymple and approximately 0.75 kilometres from Netherton Cottages. The site is also immediately adjacent to a public road. The siting adjacent to the public road reflects a typical positioning of rural dwellings, including those located in the immediate surrounding area.

4.9 Dalrymple is well served by transport links to the rest of Ayrshire, Central and Southern Scotland and beyond. There is a regular public bus service to Ayr and rail connections are available within Ayr town centre, providing accessibility to main line services between Stranraer and Glasgow. There is also access to ferry services to Ireland and vehicular links provided by easy access to the A77/M77 /M8 road network via Glasgow, the A78 to Greenock and A76 south to Dumfries. Therefore in this context the site cannot be regarded as isolated or remote and in fact is well connected in relation to the wider transport network

4.10 The appeal site, extends to 2,516 sqm, is flat in topography and positioned close to the roadside, bounded by mature hedges. The appeal site boundary will be denoted by native species hedging, as discussed in the accompanying Preliminary Ecological Assessment. These characteristics minimise visual intrusion in the landscape.

4.11 The proposed development will not result in the loss of any prime agricultural land, nor will it pose harmful threats or create visual disturbance to the environment or surrounding landscape. Further details to support this view are provided in the accompanying Labour Requirement Report and also within the Preliminary Ecological Appraisal.

4.12 All existing farm sheds at Netherton are in use for farming operations with the farmhouse being the appellant's family home. Therefore there are no existing buildings on the farm suitable for conversion to additional living accommodation for a farm worker.

4.13 The landholding at Netherton is extensive and can effectively be divided into two management zones, Zone 1 and Zone 2, as illustrated by drawing 2308(2)-108a, submitted to support the refused planning application. It is proposed to manage the farm over these two zones in order to increase operational efficiency. Therefore the proposed dwellinghouse will serve as an outpost to the main farm steading. This is an important factor in terms of animal husbandry and welfare, especially given the proximity of Zone 2 to Dalrymple, with the attendant security risks posed by close proximity to the settlement.

4.14 Commentary in the Report of Handling refers to the fact that until now the farm has operated from a single base ie; the steading. Whilst this may have been the case historically, this does not mean that, due to changing circumstances, farming methods and planned expansion of the business, that the justification now exists for an additional house located elsewhere within the land holding, in a location which the farm operators judge to be optimal for current and future livestock management and welfare.

4.15 Although not forming part of the current proposals, it is anticipated that an additional animal management facility, in the form of a new agricultural shed, may be established within Zone 2. This facility would be overseen and managed from the proposed dwellinghouse. This forms part of the longer term plan for the future expansion of the farming business in relation to the requirement to improve livestock management practices. It is important to note that express planning consent is not required for the erection of a new agricultural shed in this location since it will be associated with an established agricultural business.

5.0 THIRD PARTY CONSULTATIONS

5.1 A number of third party consultations were carried out in relation to the refused application 24/00091/APP as follows;

- Ayrshire Roads Alliance - no objection
- Scottish Water - no objection
- Environmental Health - no objection
- AECOM - no objection

5.2 Therefore, for the avoidance of doubt **no objections** were raised by any of the third party consultations conducted. Of particular note, in relation to the comments within the Report of Handling Of Application, which indicate that concerns do exist in relation to some of the matters assessed in the consultations, it is important to emphasise that there were no **infrastructure, roads safety, transportation, landscape, ecology or biodiversity** concerns raised in any third party consultation related to the proposed development. This includes comments from AECOM who are appointed as the Council's specialist advisers in relation to matters pertaining to ecology, landscape, environment, biodiversity and protected species.

5.3 Given AECOM's expertise in this field and their role as specialist advisers to the Council, it can only be concluded that no issues of concern were identified and that all such matters were satisfactorily addressed in the Preliminary Ecological Report submitted to support the refused planning application.

5.4 In their consultation response the Ayrshire Roads Alliance requested additional information related to the proposed sightlines at the appeal site access. This information was duly submitted and the ARA has confirmed that reduced sightlines are acceptable. Therefore it is also the case that there are no issues of concern relating to matters pertaining to roads, transport or road safety.

6.0 REPORT OF HANDLING OF APPLICATION

6.1 The application assessment by the Planning Service is set out in detail in the Report of Handling of Planning Application (Delegated Report) document.

6.2 It should however be borne in mind that the assessment presented in the Report of Handling of Application for the refused application 24/00091/APP was based on a site visit carried out to assess a different site relating to the previous planning application 23/00331/APP in June 2023, some 13 months prior to the writing of the ROH for the refused application.

6.3 In other words, no recent site visit was conducted in order to accurately assess the unique characteristics, topography and landscape setting of the appeal site in order to specifically inform the assessment. despite remarks made in the final paragraph of page 8 of the ROH.

6.4 The matters purporting to justify the refusal of application 24/00091/APP, as set out in the ROH, are identified below;

1. There are concerns as to the business justification for the proposed house
2. The location of the proposed house ie; isolated and remote from the steading
3. The development has potential to result in an increase of vehicular trips by private car
4. The proposed house is in an unsustainable location in relation to travel.
5. The proposed development does not contribute to a “ cluster”
6. Alternative accommodation is available within the nearby settlement of Dalrymple which provides a better solution for both accommodation and farm management
7. On visiting the site it is evident that the topography of the site results in a visually prominent position and does not offer surveillance of the totality of the farm or Zone 2.
8. The appellant has failed to take due cognisance of advice provided by SAC Planning Service which was provided in relation to the previous application 23/00331/APP.
9. The appellant should have been aware of any constraints regarding accommodation, topography and operational matters in relation to Rural Housing Policy at the time of purchase of Netherton in 2021.

7.0 RESPONSE TO OFFICER ASSESSMENT, COMMENTARY & REASONS FOR REFUSAL

7.1 Taking each of the points above individually, the response is as follows;

1. Bearing in mind the planning history relating to the proposal for an additional farm workers house at Netherton, the concerns expressed in the ROH relating to the business case for the proposed house have not previously been raised. On the contrary, it was previously indicated that the principle of development and justification for an additional house, in association with acceptance for a continuous on site presence, was acceptable. The case calling into question the justification for the proposed house relies on the fact the the intended occupants of the proposed house currently reside in Dalrymple. The reasons for this have been explained in detail to the Planning Service. However this information has not been included in the ROH. For clarification, given that no concerns were raised by the planning service regarding the business case or principle of development during the assessment of the withdrawn application, this provided confidence for the intended occupants to move to temporary accommodation closer to Netherton. Clearly it is desirable for the accommodation to be in as close proximity to Netherton as possible for the reasons explained in relation to the operational needs of the farm. However the Planning Service were informed that this is a temporary situation, that the accommodation is not secure and was very much a short-term, unsustainable solution to enable Mr and Mrs Campbell senior to be in a position to fulfil their roles as best they can until such time as a more permanent solution, in the form of a house within the landholding was constructed. Given that no indication was communicated regarding doubt as to the business case, this was a reasonable temporary solution. It is therefore disingenuous to use this as a justification for the refusal of the application in addition to the matter of the location of the proposed house. The Labour Requirement Report provides a clear justification for additional labour at Netherton and in addition confirms the need for a continuous on site presence given that Netherton is a large livestock-based farming enterprise. Further details as to the operational requirements of the farm are discussed in the Planning Statement submitted in support of the refused application which should be referenced in addition to this document.

2. The reasons for the location of the proposed house as “remote” from the steading are set out in detail in the Planning Statement for the refused application and relate to operational requirements at present and to facilitate future expansion of the business. The notion of the proposed house being “isolated” is also discussed in paragraph 4.8 above.

3. The contention in the ROH is that the development has potential to increase vehicular trips by private car. It is difficult to understand the rationale for this claim. No evidence was requested by the Planning Service in relation to vehicle trips. Given that planning staff do not have expertise in the area of traffic and transport assessment, this is therefore an assumption based on no evidence. It is also acknowledged in the ROH that the appeal site is in close proximity, some 500 metres, to the settlement of Dalrymple and that there are opportunities for walking and cycling. It is considered that, given this proximity, there are also opportunities for other alternative modes of transport, including wheeling. It is further

acknowledged in the ROH that services and facilities exist in Dalrymple and by extension these are accessible by alternative sustainable modes of transport. There is therefore no basis for the assumption that vehicle trips by private car will increase as a result of the proposed house being located on the appeal site. In fact, when considered against the location of the proposed house within the steading or in close proximity to the steading, given the greater distance from Dalrymple and the services therein, it is more likely that such a location will result in an increase in vehicle trips by private car. Farming operations are not carried out by private car. Therefore, travel by car to the steading at Netherton will be minimal. All other vehicle trips related to the business will be conducted in farm vehicles, as is the status quo

4. It is asserted in the ROH that the proposed house is in an unsustainable location in relation to travel. Sustainable travel includes travel by the top three modes in the Sustainable Travel Hierarchy, walking, cycling and wheeling. Reference should be made to the comments as set out in 3. above which also relate to this issue. It is recognised by the Sustainable Travel Hierarchy that in some locations, particularly in rural areas, the top three modes may not always be feasible for day to day travel. In these cases it is accepted that low emissions vehicles and shared transport options can play an important role in addressing sustainability.

5. There is no reference in the supporting planning case to the proposed house contributing to a "cluster" since it was not considered that this was a supporting factor. All supporting arguments instead refer to the proposed house reflecting the pattern of development in the immediate area and typically throughout the rural area. This is therefore a spurious assessment.

6. The matter of alternative accommodation is not under assessment in this appeal. The LRB is being asked to assess the requirement and supporting case for the proposed house at Netherton Farm. It is outwith the scope of a planning application or appeal assessment to comment on matters of detail related to farm management. The information relating to farm practices and the justification for additional labour are contained in the accompanying Labour Requirement Report, produced by the Scottish Agricultural College which is a recognised body of expertise in such matters. Additional comments relating to the matter of alternative accommodation are included in 1. above.

7. The reference to a site visit presents a false impression as to recent detailed knowledge of the appeal site leading to an informed assessment. No such site visit was conducted in relation to the refused application, therefore it is asserted that no first hand recent awareness of the specific characteristics of the appeal site informed the assessment as presented in the ROH. This issue is discussed in detail in paragraph 6.2 above.

8. It is inaccurate to state that the appellant has failed to take cognisance of advice provided by SAC Planning Service. The appellant balanced the advice provided at the time of withdrawal of the previous application with the

operational needs of the business to arrive at the solution as per the refused application. This issue is discussed in detail in Section 4.0 above.

9. Whether or not the appellant was aware of any constraints regarding accommodation, topography and operational matters in relation to Rural Housing Policy at the time of purchase of Netherton in 2021 is irrelevant to the assessment of the appeal proposals. In the case of the refused application and this appeal against that refusal, the Council is tasked with assessing the proposed development which is now in front of them. In any case, circumstances change and it is unreasonable to assert that on taking up the opportunity to purchase Netherton in order to expand the farming enterprise, the appellant should have been aware of every planning policy or circumstance in advance. This has no bearing on the merits of the proposed development, is outwith the scope of the planning assessment and demonstrates a lack of awareness of the pressures and economic reality of operating and maintaining a growing farming business in a challenging market. It is incumbent on planning authorities to take account of economic development opportunities and the associated benefits to the local economy in the assessment of planning applications. It is clear that this has not been the case in relation to the refused application.

7.0 CONCLUSION

7.1 Given all of the information set out in this Appeal Statement, in addition to the information presented by the refused application, it is considered that the proposed residential development at Netherton Farm can be justified in relation to the current planning policy framework.

7.2 For the reasons noted throughout this document and the accompanying LRR by SAC Consulting, it is considered that an additional operational locus is justified at Netherton. This will ensure that the integrity, security and operational effectiveness of the business is maintained and the economic well being of the farming enterprise safeguarded.

7.3 In arriving at the revised proposals as presented by this appeal, careful consideration was given to the comments and guidance provided by SAC Planning Service during the assessment of the previously withdrawn application. These comments have been weighed against the operational needs of the farming enterprise and, on balance, it is considered that the development proposals successfully merge the guidance provided in terms of location with the business requirements.

7.4 The appeal site location replicates the typical rural pattern of development, of individual houses located adjacent to a public road, whilst also providing a workable solution to the challenges faced in the management of a dispersed farming enterprise spread over a large landholding.

7.5 Moreover, the proposed dwellinghouse has been designed, in terms of scale, massing, form and materiality to be sympathetic and complementary to the character of the rural area and to align with rural housing design guidance. The design scheme is fully cognisant of the principles set out in the policy framework of

the current Local Development Plan and associated Supplementary Guidance as to the design of new housing in the countryside. The proposed house represents a modern interpretation of a traditional vernacular style, suitable for modern living, which utilises good quality materials reflective of those typically used throughout Ayrshire, to be locally sourced where possible. The house is designed as a single storey property, reflecting the traditional proportions, scale and massing of typical farm houses throughout rural Ayrshire. No issues have been raised in relation to either the design or materiality of the proposed house by the Planning Service

7.6 For all of the reasons noted above, it is considered that the erection of a dwelling house, as per the appeal proposals, is considered to align with the provisions of NPF4 and the Adopted South Ayrshire Local Development Plan in relation to Sustainable Development, Rural Housing and Biodiversity.

7.7 There are additional material considerations to consider over and above current planning policy provisions relating to the requirement to locate any new house within an existing building group, including the recent appeal decisions of the LRB in relation to similar proposals.

7.8 Taking all of the information presented in this Appeal Statement and the accompanying supporting information together, it is considered that a sound, robust and balanced planning justification exists in support of the proposed house at Netherton Farm. It is therefore respectfully requested that the appeal is allowed and planning consent granted.



County Buildings Wellington Square Ayr KA7 1DR [REDACTED] Email: [REDACTED]

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 100660388-001

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)

Change of use of agricultural land and erection of farm workers house at Netherton Farm, by Dalrymple KA6 6AX

Is this a temporary permission? * ☐ Yes ☒ No

If a change of use is to be included in the proposal has it already taken place?
(Answer 'No' if there is no change of use.) * ☐ Yes ☒ No

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:	MhairiShawPlanning		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Mhairi	Building Name:	
Last Name: *	Shaw	Building Number:	4
Telephone Number: *		Address 1 (Street): *	Old Station Wynd
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	Troon
Fax Number:		Country: *	Scotland
		Postcode: *	KA10 6RR
Email Address: *			
Is the applicant an individual or an organisation/corporate entity? *			
<input type="radio"/> Individual <input checked="" type="radio"/> Organisation/Corporate entity			

Applicant Details

Please enter Applicant details

Title:		You must enter a Building Name or Number, or both: *	
Other Title:		Building Name:	Netherton Farm
First Name: *		Building Number:	
Last Name: *		Address 1 (Street): *	off B742
Company/Organisation	I & C Campbell	Address 2:	
Telephone Number: *		Town/City: *	Dalrymple
Extension Number:		Country: *	Scotland
Mobile Number:		Postcode: *	KA6 6AX
Fax Number:			
Email Address: *			

Site Address Details

Planning Authority:

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

Easting

Pre-Application Discussion

Have you discussed your proposal with the planning authority? *

☒ Yes ☐ No

Pre-Application Discussion Details Cont.

In what format was the feedback given? *

☐ Meeting ☐ Telephone ☐ Letter ☒ Email

Please provide a description of the feedback you were given and the name of the officer who provided this feedback. If a processing agreement [note 1] is currently in place or if you are currently discussing a processing agreement with the planning authority, please provide details of this. (This will help the authority to deal with this application more efficiently.) * (max 500 characters)

Feedback and guidance received in relation to previous application reference 23/00331/APP; which was withdrawn on 9/8/2023

Title:

Other title:

First Name:

Last Name:

Correspondence Reference
Number:

Date (dd/mm/yyyy):

Note 1. A Processing agreement involves setting out the key stages involved in determining a planning application, identifying what information is required and from whom and setting timescales for the delivery of various stages of the process.

Site Area

Please state the site area:

2516.00

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)

Agricultural land

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?

0

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)? *

3

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?? *
(e.g. SUDS arrangements) *

☒ Yes ☐ No

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.

<p>Are you proposing to connect to the public water supply network? *</p> <p><input type="radio"/> Yes</p> <p><input type="radio"/> No, using a private water supply</p> <p><input type="radio"/> No connection required</p> <p>If No, using a private water supply, please show on plans the supply and all works needed to provide it (on or off site).</p>	
<h3>Assessment of Flood Risk</h3> <p>Is the site within an area of known risk of flooding? * <input type="radio"/> Yes <input checked="" type="radio"/> No <input type="radio"/> Don't Know</p> <p>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.</p> <p>Do you think your proposal may increase the flood risk elsewhere? * <input type="radio"/> Yes <input checked="" type="radio"/> No <input type="radio"/> Don't Know</p>	
<h3>Trees</h3> <p>Are there any trees on or adjacent to the application site? * <input type="radio"/> Yes <input checked="" type="radio"/> No</p> <p>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.</p>	
<h3>Waste Storage and Collection</h3> <p>Do the plans incorporate areas to store and aid the collection of waste (including recycling)? * <input checked="" type="radio"/> Yes <input type="radio"/> No</p> <p>If Yes or No, please provide further details: * (Max 500 characters)</p> <div style="border: 1px solid black; padding: 5px; min-height: 50px;"> <p>Domestic waste collection and recycling arrangement as per the accompanying site plan.</p> </div>	
<h3>Residential Units Including Conversion</h3> <p>Does your proposal include new or additional houses and/or flats? * <input checked="" type="radio"/> Yes <input type="radio"/> No</p> <p>How many units do you propose in total? * <input style="width: 100px;" type="text" value="1"/></p> <p>Please provide full details of the number and types of units on the plans. Additional information may be provided in a supporting statement.</p>	
<h3>All Types of Non Housing Development – Proposed New Floorspace</h3> <p>Does your proposal alter or create non-residential floorspace? * <input type="radio"/> Yes <input checked="" type="radio"/> No</p>	
<h3>Schedule 3 Development</h3> <p>Does the proposal involve a form of development listed in Schedule 3 of the Town and Country Planning (Development Management Procedure (Scotland) Regulations 2013) * <input type="radio"/> Yes <input checked="" type="radio"/> No <input type="radio"/> Don't Know</p> <p>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.</p> <p>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.</p>	

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 T 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? * T Yes ≤ No

Is any of the land part of an agricultural holding? * T Yes ≤ No

Do you have any agricultural tenants? * ≤ Yes T No

Certificate Required

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

Certificate E

Land Ownership Certificate

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

Certificate E

I hereby certify that –

(1) – No person other than myself/the applicant was the owner of any part of the land to which the application relates at the beginning of the period 21 days ending with the date of the application.

(2) - The land to which the application relates constitutes or forms part of an agricultural holding and there are no agricultural tenants

Or

(1) – No person other than myself/the applicant was the owner of any part of the land to which the application relates at the beginning of the period 21 days ending with the date of the application.

(2) - The land to which the application relates constitutes or forms part of an agricultural holding and there are agricultural tenants.

Name:

Address:

Date of Service of Notice: *

(4) – I have/The applicant has taken reasonable steps, as listed below, to ascertain the names and addresses of the other owners or agricultural tenants and *have/has been unable to do so –

--

Signed: Mhairi Shaw

On behalf of: I & C Campbell

Date: 08/02/2024

☐ 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)

3D Images

Provide copies of the following documents if applicable:

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

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

Planning Statement ; Labour Requirement Report ; Preliminary Ecological assessment

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: MhairiShawPlanning Mhairi Shaw

Declaration Date: 08/02/2024

Proposed Change of Use of Agricultural Land and Erection of Farm Worker's House

at

Netherton Farm

Dalrymple

Ayrshire

KA6 6AX

Planning Statement

On Behalf of

I & C Campbell

February 2024

1.0 INTRODUCTION

1.1 Mhairi Shaw Planning, in association with McGinlay Architecture Architects, has been appointed by I&C Campbell in relation to the submission of a new planning application for the erection of an additional farmhouse on land at Netherton Farm, Dalrymple KA6 6AX. This follows the withdrawal of planning application REF ; 23/00331/APP on 9 August 2023 and the revision of the proposals to take account of comments from South Ayrshire Council Planning Service.

1.2 The application site is located to the east of the main Netherton Farm steading, within an agricultural field forming part of the landholding associated with the farming enterprise owned and managed by I&C Campbell. The River Doon and the village of Dalrymple are located further to the north-west of the site.

1.3 The proposed site and access is as shown on the accompanying location plan. The site is located on the northern side of the unclassified road, known locally as Netherton Walk, which runs past Netherton farm steading, travelling westwards towards the junction with the B742.

1.4 A historic field access and existing field gate opening, also incorporating an existing area of hardstanding, has been utilised to form the site access and part of the site. The proposed site access is to be upgraded, as per the accompanying drawing reference number 2308 (2-) 104a.

2.0 PREVIOUS APPLICATION REF ; 23/00331/APP ; WITHDRAWN ; 9/08/23

2.1 As stated above, a previous planning application, reference 23/00331/APP, for a farm worker's house was withdrawn on 9 August 2023 since SAC Planning Service intimated concerns with the application at that time.

2.2 These concerns related to the proposed location of the house under 23/00331/APP. It was considered that the proposed location did not comply with the Council's Rural Housing policy. It was stated by the Service that the locational preference for the siting of any new dwelling should be closer to the existing steading. The previous location was considered to be isolated and located at the periphery of the landholding at Netherton.

2.3 It was acknowledged by the Service that a labour justification report and supporting information was submitted confirming the view that the proposed dwellinghouse is justified as being essential to the enterprises at Netherton Farm.

and that it is understood that the existing steading at Netherton Farm is the operational base and focus of the farming enterprise in terms of the location of operational buildings and farming operations.

2.4 Guidance provided at the time of the previous withdrawal concluded that, should the Service be minded to support the applicant's case for an additional dwellinghouse to serve the farming operations, any additional dwellinghouse would require to be appropriately sited either within, or in closer proximity to, the existing steading and operational buildings at Netherton Farm.

3.0 BACKGROUND TO DEVELOPMENT PROPOSAL

3.1 The agricultural business known as I & C. Campbell was established in 2016 and is owned by Iain and Claire Campbell. The business was originally established on land at Cosses and was then expanded in 2021 with the purchase of Netherton Farm. Netherton which is a traditional farm, including a steading and farmhouse, provides the base for the business and is also home to Iain, Claire and their young family.

3.2 I & C. Campbell own 224.71 ha of land, mostly comprising grazing land with some land given over to crop growing to provide feedstuffs for livestock. Full details of the business, including livestock numbers, overall breakdown and labour requirements are set out in the accompanying Labour Requirement Report which has been produced by SAC Consulting to accompany this planning application.

3.3 In summary, I & C. Campbell run a beef and sheep farming unit over two owned farms, Netherton and Cosses. Netherton is the main farm and business base, with Cosses being a satellite unit comprising bare land and with no house, steading or operational buildings attached.

3.4 Netherton Farm is a traditional farming unit extending to 157.66 ha, whilst the land at Cosses extends to 67.05 ha. The farming enterprise therefore comprises a total of 224.71 ha of owned land. The majority of this land is productive grassland (201.56 ha), with 40 ha cut for silage and the remainder utilised for grazing. There is also 12.07 ha of spring barley, 4.05 ha of kale, and 7.03 ha of turnips grown for stock feed.

3.5 The farming business is therefore essentially involved in managing livestock for breeding and sale and constitutes a labour intensive, traditional farming enterprise. They have 550 sheep tupped in 2023/24 and 53 cows and in-calf heifers to calve in spring, plus their followers. The calves are kept on until 18 months old when they are sold as forward stores. I & C. Campbell also purchased 20 store calves in which will be taken through to 18 months old stores. To augment income for the business, the Campbells also take in 90 store cattle over the winter period on a "bed & breakfast " basis, utilising space within the steading sheds.

3.6 The class of land for the area is 32 at Netherton and 32 and 41 at Cosses, according to the James Hutton Institute (formerly the MacAulay Institute for Soil Research). Land in class 32 is capable of growing a moderate range of crops, including cereals (primarily barley), occasional potatoes, forage crops and grass. Grass leys are common and reflect the increasing growth limitations for arable crops and the degree of risk involved in their production. The land is suited primarily to grassland production and grass yields can be high. However, difficulties in conservation may be encountered if adverse weather conditions are present. Land in class 41 is capable of being used to grow a narrow range of crops, with enterprises primarily based on grassland with short arable breaks. The climate is less favourable than on prime land; slopes up to 15 degrees are included and many soils exhibit drainage limitations. The land at Netherton is not considered to be prime agricultural land. Therefore the proposed site of the new dwellinghouse will not result in the loss of any prime agricultural land.

3.7 The current Labour Requirement calculation of 3.52 people, as set out in the accompanying LRR, does not take into account the B & B cattle since they are not owned by the business. However, Iain and Claire are responsible for the welfare of these cattle whilst they are at Netherton, including feeding and general care. They do therefore represent an additional responsibility which requires labour input.

3.8 The Labour Requirement for the farming enterprise is currently calculated to be 3.52 units, rising to 4.07 over the next year as the business expands, as per the information contained in the LRR.

3.9 The farm work is managed and run by Iain Campbell and his father Ronald, both of whom work full-time for the farm business. Ronald's long-standing farming experience is invaluable to the business. In addition, there is a part-time farm worker who lives in Ballantrae and who oversees the day to day livestock checks at Cosses. Claire Campbell also currently works part-time in the farm business.

3.10 Iain and Ronald Campbell are responsible for the majority of stock work within the business. In addition to direct animal husbandry, alongside the part-time worker, they also undertake all tractor work required to run the enterprise. This includes fertiliser, dung and slurry spreading, weed-wiping, spraying, silage-making operations, cultivating and sowing crops. They also shear all of the sheep themselves.

3.11 Fuller details of the farming operations are set out in the accompanying LRR provided by SAC Consulting which accompanies this planning application.

3.12 The Campbell family come from a long established farming background. Their extensive generational farming experience has been utilised to establish and manage the business up until the present time. However, the farming enterprise is now at the stage of requiring further growth, with plans for expansion over the next couple of years, as described in the LRR, to diversify the business further.

3.13 Given the breadth and scope of work involved and the likelihood for this to increase in the short to medium term, the current arrangement is unsustainable. Ronald and Janice Campbell currently live off-site in a short term let with no

longer term residential security, This arrangement was only anticipated to be a short term undertaking whilst the expanded agricultural enterprise was established following the purchase of Netherton. The delay in procuring an on-site dwellinghouse is currently adding to the pressure associated with managing an intensive farming enterprise.

3.14 The intensive nature of the farming enterprise and the demands of the business are such that it is now imperative that all family members reside at Netherton in order to contribute to the efficient running of the farm. The current arrangement poses a risk to the on-going expansion of the farm and therefore threatens its longer term economic stability especially given the challenges faced within the farming industry at present.

3.15 The long working long hours associated with farming are extremely challenging. The provision of an additional farmhouse will enable the extended family to be together for a far greater part of the day and to provide mutual support as needed. This is particularly important given that Iain and Claire also have a young family. Extended family involvement is a traditional model which facilitates the successful operation of farming enterprises in rural areas.

3.16 It has also become widely accepted as an area of significant concern in recent times that managing a farm full time, with all the associated tasks this entails, can impact mental health, especially in men within the farming community.

3.17 It is of note that the administrative aspects of the business are not included in the LRR calculations but clearly must also be undertaken. The benefits of having the support of Iain's parents, with their extensive farming experience at close hand, will alleviate the burden of the multiple tasks involved in the running of a modern farming enterprise and will facilitate this aspect of the business being addressed with a greater degree of efficient time-management.

4.0 PROPOSED DEVELOPMENT AND APPLICATION SITE

4.1 Since the withdrawal of the previous application, the applicant has taken the opportunity to explore the re-siting of the proposed dwellinghouse in closer proximity to the steading, road and surrounding buildings, whilst also weighing this against the priorities and operational requirements of the farming business.

4.2 The setting and topography of the steading, adjacent land and surrounding pattern of development, including a number of nearby cottages, taken together with the operational requirements of the farm, led to the identification of the current application site. The proposed site avoids appearing as sporadic and isolated by utilising an existing access and adjacent area of hardstanding and also being located between two existing individual residential properties which sit adjacent to the public road. The proposed site is also close to the public road, thereby reflecting the typical positioning of rural dwellings, including those located in the immediate surrounding area.

4.3 For clarification, there are no existing buildings on the farm suitable for conversion to living accommodation since all of the sheds are utilised for farming operations and with the only farmhouse being Iain and Claire's family home.

4.4 The application site, extends to 2,516 sqm, is flat in topography and positioned close to the roadside in a manner which both minimises visual intrusion and fits well into the existing landscape. The site boundary will be denoted by native species hedging, as discussed in the accompanying Preliminary Ecological Assessment. As previously stated, the application site has been carefully considered to meet a range of criteria which relate to the requirements of rural planning policy and the operational needs of the farm.

4.5 The location of the site for the proposed dwelling will not result in the loss of any prime agricultural land, nor will it pose harmful threats or have a significant visual disturbance to the environment and surrounding landscape. Further details to support this view are provided in the accompanying Labour Requirement Report and Preliminary Ecological Appraisal.

4.6 The size and nature of the farming operation and environs of Netherton are such that the landholding can effectively be divided into two management zones, Zone 1 and Zone 2, as illustrated by drawing 2308(2-)108a. It is proposed to manage the farm over these two zones in order to maximise efficiency and effectiveness. In addition to the overall labour requirement, this approach essentially requires that the proposed dwellinghouse will serve as an outpost to the main farm steading. This is particularly important in terms of animal husbandry and welfare, especially given the proximity of Zone 2 to Dalrymple, with the attendant security risks posed by close proximity to the settlement. In the longer term, it is anticipated that an additional animal management facility, in the form of a new agricultural shed, could be established within Zone 2, to be overseen from the proposed dwellinghouse. This forms part of the longer term ambition for the farming business in relation to future expansion plans and the desire to improve livestock management practices.

5.0 PLANNING POLICY FRAMEWORK

5.1 National Planning Framework 4

5.2 The recently adopted **NPF4; Policy; Rural Homes** states that the policy intent is to encourage, promote and facilitate the delivery of more high quality, affordable and sustainable rural homes in the right locations with the associated policy outcomes being improved choice of homes across tenures so that identified local needs of people and communities in rural and island areas are met. Homes are to be provided that support sustainable rural communities and are linked with service provision with the distinctive character, sense of place and natural and cultural assets of rural areas being safeguarded and enhanced. Local Development Plans should be informed by an understanding of population

change over time, locally specific needs and market circumstances in rural and island areas.

5.3 The associated **NPF 4 : Policy 17** states;

a) Development proposals for new homes in rural areas will be supported where the development is suitably scaled, sited and designed to be in keeping with the character of the area and the development and is;

i. on a site allocated for housing within the LDP;

ii. reuses brownfield land where a return to a natural state has not or will not happen without intervention;

iii. reuses a redundant or unused building;

iv. is an appropriate use of a historic environment asset or is appropriate enabling development to secure the future of historic environment assets;

v. is demonstrated to be necessary to support the sustainable management of a viable rural business or croft, and there is an essential need for a worker (including those taking majority control of a farm business) to live permanently at or near their place of work;

vi. is for a single home for the retirement succession of a viable farm holding;

vii. is for the subdivision of an existing residential dwelling; the scale of which is in keeping with the character and infrastructure provision in the area; or

viii. reinstates a former dwelling house or is a one-for-one replacement of an existing permanent house.

b) Development proposals for new homes in rural areas will consider how the development will **contribute towards local living and take into account identified local housing needs (including affordable housing), economic considerations and the transport needs of the development** as appropriate for the rural location.

c) Development proposals for new homes in remote rural areas will be supported where the proposal:

i. supports and sustains existing fragile communities;

ii. supports identified local housing outcomes; and

iii. is suitable in terms of location, access, and environmental impact.

d) Development proposals for new homes that support the resettlement of previously inhabited areas will be supported where the proposal:

i. is in an area identified in the LDP as suitable for resettlement;

ii. **is designed to a high standard;**

iii. **responds to its rural location; and**

iv. **is designed to minimise greenhouse gas emissions as far as possible.**

5.4 **NPF 4 ; Policy 3** seeks to protect biodiversity, reverse biodiversity loss, deliver positive effects from development and strengthen nature networks. Criterion c. of Policy 3 requires that **proposals for local development will include appropriate measures to conserve, restore and enhance biodiversity** in accordance with national and local guidance. Measures should be proportionate to the nature and scale of development.

5.5 In terms of the provisions of NPF4 ; Policy 3 reference should be made to the Preliminary Ecological Appraisal prepared by Harry Fisher, Ecologist, of SAC Consulting, which addresses requirements in relation to ecology, biodiversity and protected species.

5.6 **South Ayrshire Local Development Plan:**

5.7 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.

- Spatial Strategy;
- Core Investment Area;
- Sustainable Development; o Rural Housing;

5.8 The Spatial Strategy of the LDP sets out the settlement strategy for South Ayrshire and provides the vision for how South Ayrshire Council wishes to see the towns and countryside areas develop over the duration of the plan.

5.9 The Spatial Strategy of the LDP states that the Council will not support development outwith the boundaries of settlements (towns and villages), except where it believes it can be justified because it will benefit the economy and there is a need for it in that particular area in line with the spatial strategy.

5.10 Notwithstanding the provisions of the Spatial Strategy, the LDP Core Investment Area and Rural Housing Policies allow for housing to be built within rural areas, in accordance with their provisions and also the related provisions of the Council's Supplementary Planning Guidance, entitled Rural Housing.

5.11 LDP policy: rural housing

Of particular relevance in the consideration of the application proposals are the terms of the LDP Rural Housing Policy. Criterion d. of this policy requires that where a home is essential to a rural business, the developer, must satisfy the Council) that the business is economically viable and could not be run without residential accommodation.

5.12 In all instances, the LDP policy confirms that proposals for rural housing must comply with the policy guidance as set out in the associated Rural Housing Planning Guidance note in terms of being appropriately sited and designed.

5.13 In countryside areas, including green belt, the Council may accept the following proposals for new housing

- i) The replacement of an existing house, as long as the development is sympathetic to the scale and character of the local area.
- ii) An extension to an existing house, as long as it is sympathetic to the scale, character and proportions of the original house, which should remain the main feature.
- iii) The conversion and re-use of a genuinely redundant building of traditional or local character and domestic scale for residential use if the building is largely intact, structurally sound or can be repaired or restored. The original building must remain the main feature.
- iv) A home that is essential to a rural business. The developer must satisfy the Planning Authority, through a sound business plan, that the business is economically viable and could not be run without residential accommodation.

5.14 South Ayrshire Council Supplementary Planning Guidance - Adopted Rural Housing Policy;

South Ayrshire Council's Guidance on Rural Housing indicates that the Council may give favourable consideration to the provision of on-site residential accommodation for a worker employed in an existing rural business, providing that:

- a) It is demonstrated to the satisfaction of the Council that the business cannot operate without continuous on site attendance and that there are no alternative means of operating the business; and

b) There is no other existing accommodation that could be used to serve the business; and

c) No existing dwelling serving or connected to the business or holding has been sold or in some other way separated or alienated from the holding in the previous five years; and

d) Any proposed buildings or structures form or complement a coherent group of buildings and are not visually intrusive.

5.15 It is also stated that the requirement for on-site accommodation may be either as a result of the continuous operation of the existing business, or due to proposed extension or diversification of that business.

5.16 In all cases, proposals for new residential accommodation in rural areas, including those demonstrated as being required to operate a rural business, must accord with the Council's design guidance as contained in the Supplementary Guidance as follows;

5.17 **Design Policy 1** of the Council's Guidance on Rural Housing states that houses should be designed to fit a site, not the other way around. Design solutions that do not consider the landscape setting of the site will often be ill-suited for the site, detracting from the surrounding landscape. This can represent a lost opportunity to allow the good quality design to be inspired by the site. New houses in the countryside must comply with the following criteria;

a) There will be a presumption against rural housing being located on ridge lines and hill tops, or where the building will disrupt a skyline. Other locations where the building interrupts and conflicts with the flow of the landform will also be resisted.

b) Existing landscape features such as tree-belts, rising ground or natural hollows should be used as a setting to help reduce the prominence of the building(s).

c) Advantage should be taken of sunlight and aspect; and the landform and landscape features should be used to provide natural shelter from winter exposure.

d) Changes to the existing topography of a site should be minimised in order that the house fits into the landform naturally, rather than giving the appearance of being engineered into the site.

e) New housing in close proximity to existing traditional vernacular building(s) should respect and relate to the pattern and design of the existing building(s), and should integrate into the existing layout.

f) Where the floor area of a proposed dwelling is in excess of 200 square metres, accommodation should be grouped in a courtyard form. Traditional rural domestic scale should be preserved. Generally, houses should not exceed 1 1/2 storeys in height.

Design Policy 2 of the Rural Housing SG indicates that new housing in the countryside should take cognisance of the design guidance in Table 1. This provides detailed (though not exhaustive) advice as to what is acceptable in the countryside in respect of design, proportions and materials.

6.0 JUSTIFICATION FOR PROPOSED DEVELOPMENT

6.1 The proposed dwellinghouse and its location have been given careful consideration following the withdrawal of the previous application in order to take account of the comments and guidance provided by SAC Planning Service. It is therefore asserted that there is a sound planning case in support of the proposed development in relation to the current planning policy framework at national and local levels, as expressed by the provisions of NPF4 and the South Ayrshire Local Development Plan

6.2 The steading at Netherton is located in a hollow which provides a sheltered environment for the farmhouse and sheds. However this building configuration results in constraints within the environs in relation to providing a suitable location for an additional house. However, even in the event that locating a house within the existing steading group was feasible, it would not be optimal in terms of the operations of the farming enterprise.

6.3 It has been demonstrated throughout this Statement that the landholding at Netherton and its characteristics and configuration render oversight to be challenging in terms of livestock management, animal welfare and security. As illustrated by the accompanying drawing, reference 2308(2-)-108a, there are essentially two zones within the landholding at Netherton. Due to the distance from the steading, issues relating to livestock management and security are further exacerbated given the proximity of Zone 2 to Dalrymple. It is widely recognised that close proximity to a settlement poses additional risks to farms.

6.4 Taking all of the factors above together, the application site was identified as a suitable location for the siting of the proposed house. Whilst it is acknowledged that the proposed site does not form part of the established steading group, it is nevertheless considered that it is in general accordance with the provisions of Rural Housing Policy.

6.5 The proposed site, being located adjacent to the public road, replicates the typical development pattern in rural Ayrshire, of individual houses located adjacent to a public road. This is evidenced by individual properties being present in the immediate surrounding area and their location adjacent to the public road.

6.6 These factors and the utilisation of an existing access and adjacent area of hardstanding, respect the existing landform and will lead to the proposed house not being visually intrusive. Therefore, it is evident that the proposed house has been sympathetically designed to fit within the site topography, to avoid detracting from the surrounding landscape and to read as an integral element which fits and does not read as sporadic rural development.

6.7 The single houses located in proximity to the application site mean that the proposed house will also not appear as incongruous. The intention is also to enhance the natural landscape setting through sensitive native planting. This aspect of the development is discussed further in the accompanying Preliminary Ecological Appraisal Report.

6.8 It is clear that there is justification for the proposed development which constitutes the provision of an additional house for a farm worker associated with an established farming enterprise. It has been demonstrated by the LRR produced by SAC Consulting that the business requires on site labour input in excess of the current level in order to maintain economic viability and also diversify further in the near future. Reference should be made to the LRR and the detailed information relating to the operation of the farming enterprise that is contained within that report.

6.9 In terms of economic viability and the safeguarding of the agricultural enterprise, it is clearly demonstrated that the provision of an additional house is essential to the future operation of the farming enterprise, which represents a positive economic contribution to the economy of South Ayrshire. The direct economic benefits of the overall farming enterprise are also evident, with the provision of a full time livelihood for Iain and Ronald Campbell, part time employment for Claire Campbell and in addition part time employment for an additional farm worker at the satellite unit at Cosses. There is clearly a case for sufficient labour input to justify the proposed house. Wider economic benefits of the business also accrue through trading via the sale of stock and reinvestment back into the business. There are also benefits to the local economy via the supply chain.

6.10 The requirement to construct an additional house to serve Netherton and provide accommodation for Ronald and Janice Campbell offers the opportunity to optimise constant supervision and livestock management across the entire landholding by providing an outpost arrangement. This will increase security at Netherton and reduce the risks associated with limited supervision over livestock, particularly in areas of the holding adjacent to a settlement in Zone 2.

6.11 Good practice is followed at Netherton, whereby all gates are kept closed to ensure that grazing animals do not venture into potential danger, and access is discouraged to the public. Nevertheless, as is relatively common amongst farms on the urban fringe, gates are on occasion left open by members of the public and it is then necessary to secure animals back into fields.

6.12 Situations such as these could be managed effectively with Mr and Mrs Campbell senior living on-site and with the living accommodation located such that risks may be minimised by facilitating a 24 hour presence with oversight of the full extent of the landholding.

6.13 In addition, the fields which surround the application site are some of the driest on the farm and are therefore used for lambing ewes and calving cows. It is very important when such events occur to have someone present to oversee and

check on these animals frequently. Having a presence in this area, in such close proximity to Dalrymple is especially important given the increased risk to animal welfare.

6.14 In addition to offering the opportunity to optimise animal management, welfare and security across the landholding and therefore reduce the challenges faced in terms of the operation of the farming activities, the proposed location also offers potential related to objectives for sustainability and connectivity.

6.15 Dalrymple is well served by transport links to the rest of Ayrshire, Central and Southern Scotland and beyond. There is a regular public bus service to Ayr and rail connections are available within Ayr town centre, providing accessibility to main line services between Stranraer and Glasgow. There is also access to ferry services to Ireland and vehicular links provided by easy access to the A77/M77 /M8 road network via Glasgow, the A78 to Greenock and A76 south to Dumfries.

6.16 The relative proximity of the proposed house to Dalrymple enables opportunities for walking and cycling and therefore could reduce reliance on the private car. This connectivity is a benefit of the proposed site location over a more remote location closer to the steading group and these factors should be weighed against each other in the overall assessment of the application.

6.17 The design scheme is fully cognisant of the principles set out in the policy framework of the current Local Development Plan and associated Supplementary Guidance as to the design of new housing in the countryside. The proposed house is a modern interpretation of a traditional vernacular style, suitable for modern living, which utilises good quality materials reflective of those typically used throughout Ayrshire and locally sourced where possible. The house is designed as a single storey property, reflecting the traditional proportions, scale and massing of typical farm buildings throughout rural Ayrshire.

7.0 ADDITIONAL MATERIAL CONSIDERATION : RECENT APPEAL DECISION

7.1 A recent decision by South Ayrshire Council's Review Body in relation to an appeal against the refusal of consent for a farm workers house at Macnairston Farm under reference; 22/00074/APP ; Erection of dwellinghouse garage and associated outbuildings is a material consideration in the assessment of the current application.

7.2 The application was refused due to the proposed location of the new house. However, it was accepted that the farming enterprise could benefit from an additional residential property, and therefore, in principle, South Ayrshire Planning Service could be minded to support the applicant's case for an additional dwellinghouse to serve the farming operations. However it was considered that the proposals did not comply with the provisions of LDP Policy Rural Housing since the proposed house was not to be located within the existing steading building group but circa 0.75 km distant.

6.3 In their Report of Handling, the case officer stated that there were concerns in relation to the proposed siting of the dwellinghouse/shed due to the proposals not being located so as to consolidate and reinforce the existing steadings and building groupings at Macnairston Farm, and also in terms of the visibility of the site. The proposed dwellinghouse is also 2 storeys in height. Notwithstanding, the refusal of consent was overturned by the LRB, the appeal upheld and consent granted. It is considered that this case has a number of parallels with the proposed development which mean that significant weight should be afforded as a material consideration with some bearing on the principle of the proposed development and its location outwith the existing building group.

6.4 Moreover, the development as proposed under this planning application exhibits a number of advantageous characteristics in terms of alignment with the development plan as discussed throughout this Statement when measured against the approved development at Macnairston.

7.0 CONCLUSION

7.1 Given all of the factors set out in this document, it is considered that the proposed residential development at Netherton Farm is justified in relation to the current planning policy framework.

7.2 In addition to the practicalities of more efficient running of the farming operation and the positive impact for the Campbell family, the provision of an additional farmhouse will also contribute positively to the reduction of the carbon footprint and overall sustainability objectives.

7.3 There are a number of unique characteristics and material considerations to be taken into account in this case, which when considered together, provide a sound planning case in support of the proposals. The advantages of the provision of the proposed house in this case should outweigh any negative assessment in relation to the proposed location.

7.4 Moreover, the proposed dwellinghouse will be designed in terms of scale, massing, form and materiality to be sympathetic and complementary to the character of the rural area and to align with rural housing design guidance.

7.5 Given the nature of the proposed development there will be no negative impact on the landscape setting, which will not be compromised by the construction of a farmhouse at the proposed location especially given the unique characteristics of Netherton Farm and its environs.

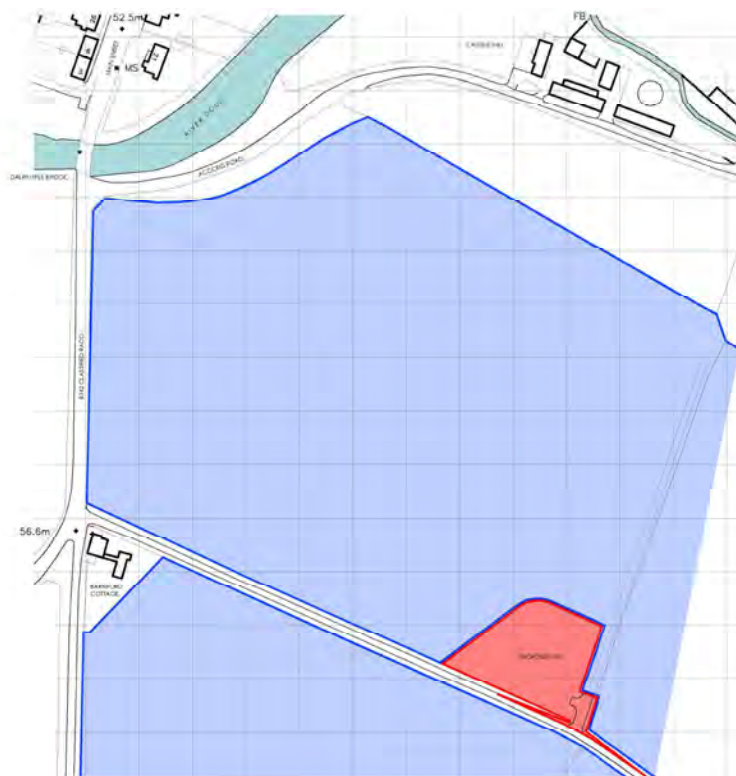
7.6 For the reasons noted in this report and the accompanying LRR by SAC Consulting, it is considered that an additional operational locus is justified at Netherton in order to ensure that the integrity, security and operational effectiveness of the business is maintained at all times. The configuration of the existing steading at Netherton Farm means that it is not centrally located within the landholding and therefore is not optimal in meeting the current and future operational needs of the farming enterprise.

7.7 In arriving at the revised proposal as presented in this application, careful consideration has been given to the comments and guidance provided by SAC Planning Service during the assessment of the previously withdrawn application. These comments have been weighed against the operational needs of the farming enterprise and, on balance, it is considered that the development proposals successfully merge the guidance provided in terms of location with the business requirements. The revised location is identified which replicates the typical rural pattern of development, of individual houses located adjacent to a public road, whilst also providing a workable solution to the challenges faced in the management of a dispersed farming enterprise spread over a large scale landholding.

7.8 For all of the reasons noted above, it is considered that the erection of a dwelling house, as per the application proposals, is considered to align with the provisions of NPF4 and the Adopted South Ayrshire Local Development Plan in relation to Sustainable Development, Rural Housing and Biodiversity and also the Council's Supplementary Planning Guidance in relation to Rural Housing.

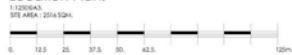
7.9 There are additional material considerations to consider over and above current planning policy provisions relating to the requirement to locate any new house within an existing building group, including the recent decision of the LRB, as discussed above.

7.10 Taking all of the information presented in this Statement and the accompanying supporting information together, it is considered that a sound, robust and balanced planning justification exists in support of the proposed house at Netherton Farm as presented in the current planning application. It is therefore respectfully requested that planning consent be granted.



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Location Plan.



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status:	PLANNING
client:	MR & MRS F. CHAMBERLAIN
project:	PROPOSED HOUSE NETHERTON FARM DALRYMPLE KAS GAT
drawing:	LOCATION PLAN
scale:	1:12500A2 10 dunstable gardens southfield Kimmerick Kas Gat
date:	OCT 22
drawn by:	JPM
drawing no:	2300(2)-102a m+a+p



Proposed Site Plan.

Proposed Site Plan.

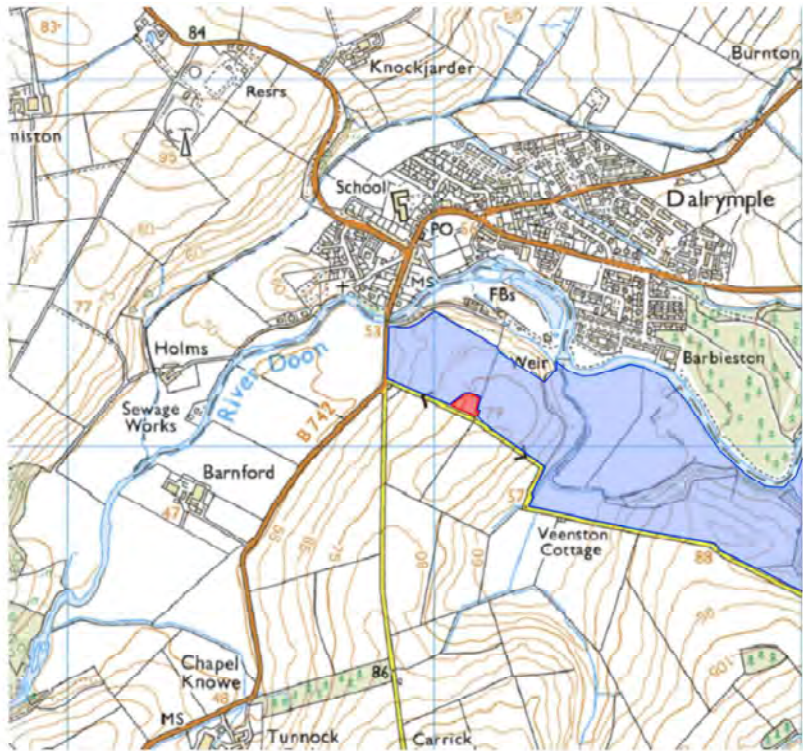


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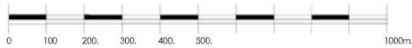
client:	MR & MRS R. CAMPBELL
project:	PROPOSED HOUSE NETHERTON FARM DALRYMPLE KAE
drawing:	PROPOSED SITE PLAN
scale:	1:500 (A2)
date:	OCT 22
drawn by:	JPM
drawing no:	2308(2)-103a



Revision	Date	Description	By
A	28.09.23	SITE RELOCATED	JPM

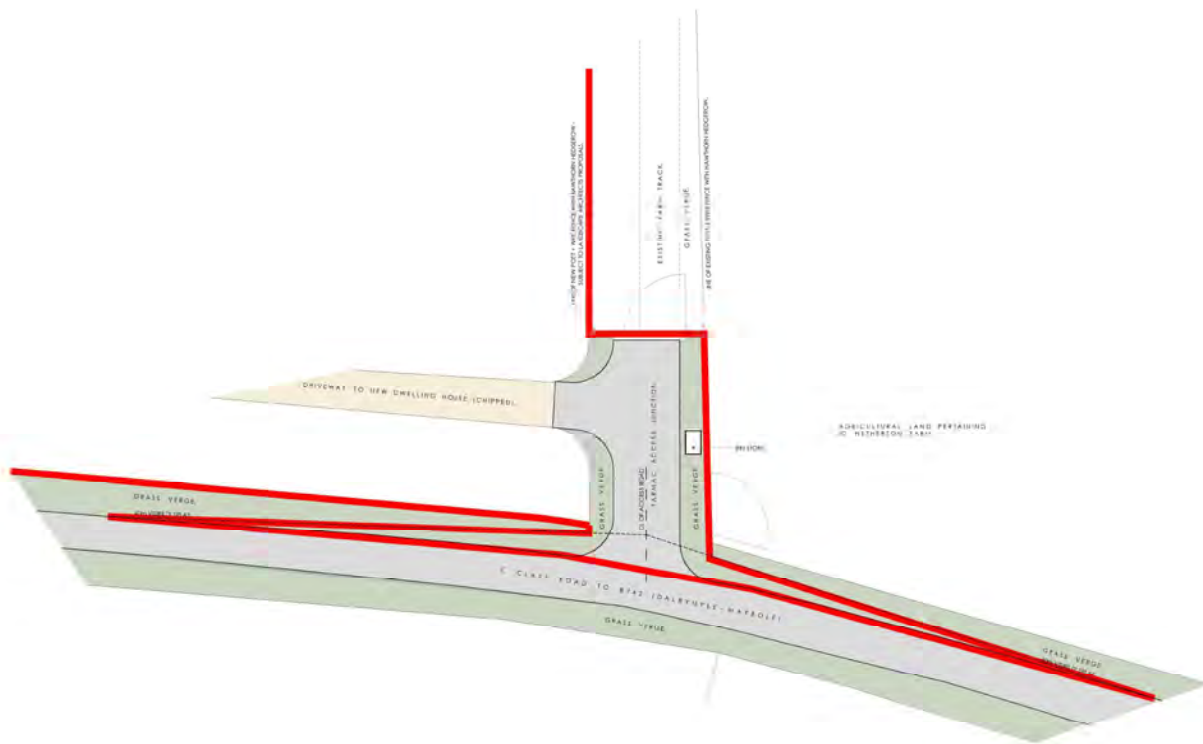


Local Area Plan.
1:100000A3.



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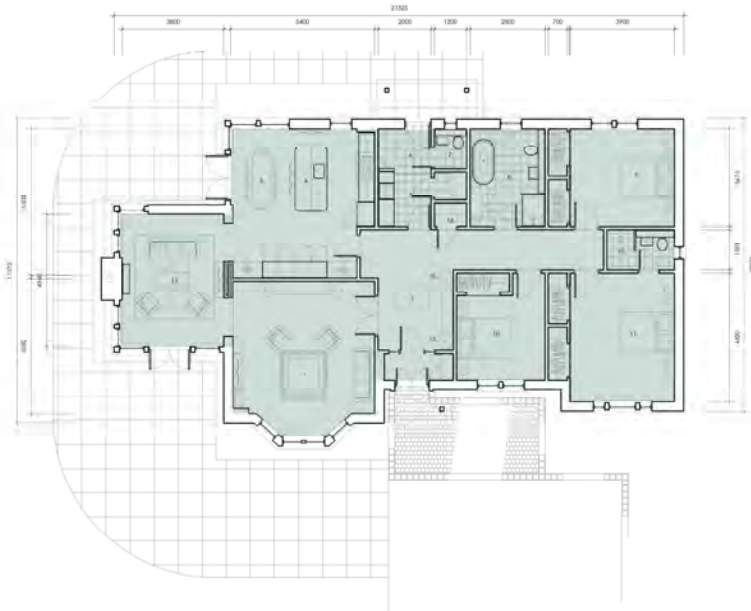
status:	PLANNING		
client:	MR + MRS P. CAMPBELL		
project:	PROPOSED HOUSE NETHERTON FARM DALRYMPLE KA6 6AX		
drawing:	LOCAL AREA PLAN		
scale:	1:10000@A3	10 dunollie gardens southcraigs kilmacock ka3 6ip	
date:	JAN 23		
drawn by:	JPM		
drawing no:	2308(2)-101a		



Proposed Access Road Junction Plan.



status	PLANNING
client	JPM + MRS E. COOPER
project	PROPOSED HOUSE NETHERTON FARM DALRYMPLE KAE
drawing	PROPOSED ACCESS ROAD JUNCTION PLAN
scale	1:2000 A2 to include gardens southwards down to 100m etc
date	JAN 23
drawn by	JPM
drawing no.	2308(2)-1040 ma+p



Proposed Floor Plan.



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status:	PLANNING
client:	MR + MRS R. CAMPBELL
project:	PROPOSED HOUSE NETHERTON FARM DALRYMPLE KAE
drawing:	PROPOSED FLOOR PLAN
scale:	1:500 A2 10 dunelm gardens southwark dunelm kae
date:	JAN 23
drawn by:	JPM
drawing no:	2300(2)-1050 m+a+p



Proposed South East Elevation.
1:100&A2

Finishes Schedule.

1. EXTERIOR WALLS: BRICK
2. EXTERIOR WALLS: PLASTER
3. EXTERIOR WALLS: PLASTER
4. EXTERIOR WALLS: PLASTER
5. EXTERIOR WALLS: PLASTER
6. EXTERIOR WALLS: PLASTER
7. EXTERIOR WALLS: PLASTER
8. EXTERIOR WALLS: PLASTER
9. EXTERIOR WALLS: PLASTER
10. EXTERIOR WALLS: PLASTER



Proposed North East Elevation.
1:100&A2

Proposed Floor Plan.



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status	PLANNING
client	JPM + MRS E. COOPER
project	PROPOSED HOUSE: NETHERTON FARM DALRYMPLE K&E
drawing	PROPOSED ELEVATIONS 1
scale	1:100&A2 to include gardens southwards K&E 2/20
date	JAN 23
drawn by	JPM
drawing no.	2308(2)-1060 mcginlayarchitecture



Finishes Schedule

- 1. EXTERIOR WALLS - RENDER
- 2. ROOF - SLATES
- 3. FLOORING - LAMINATE
- 4. KITCHEN - WHITE - UNITS
- 5. BATHROOM - WHITE - UNITS
- 6. BEDROOM - WHITE - UNITS
- 7. LIVING ROOM - WHITE - UNITS
- 8. HALLWAY - WHITE - UNITS
- 9. STAIRS - WHITE - UNITS
- 10. GARDENS - GRASS



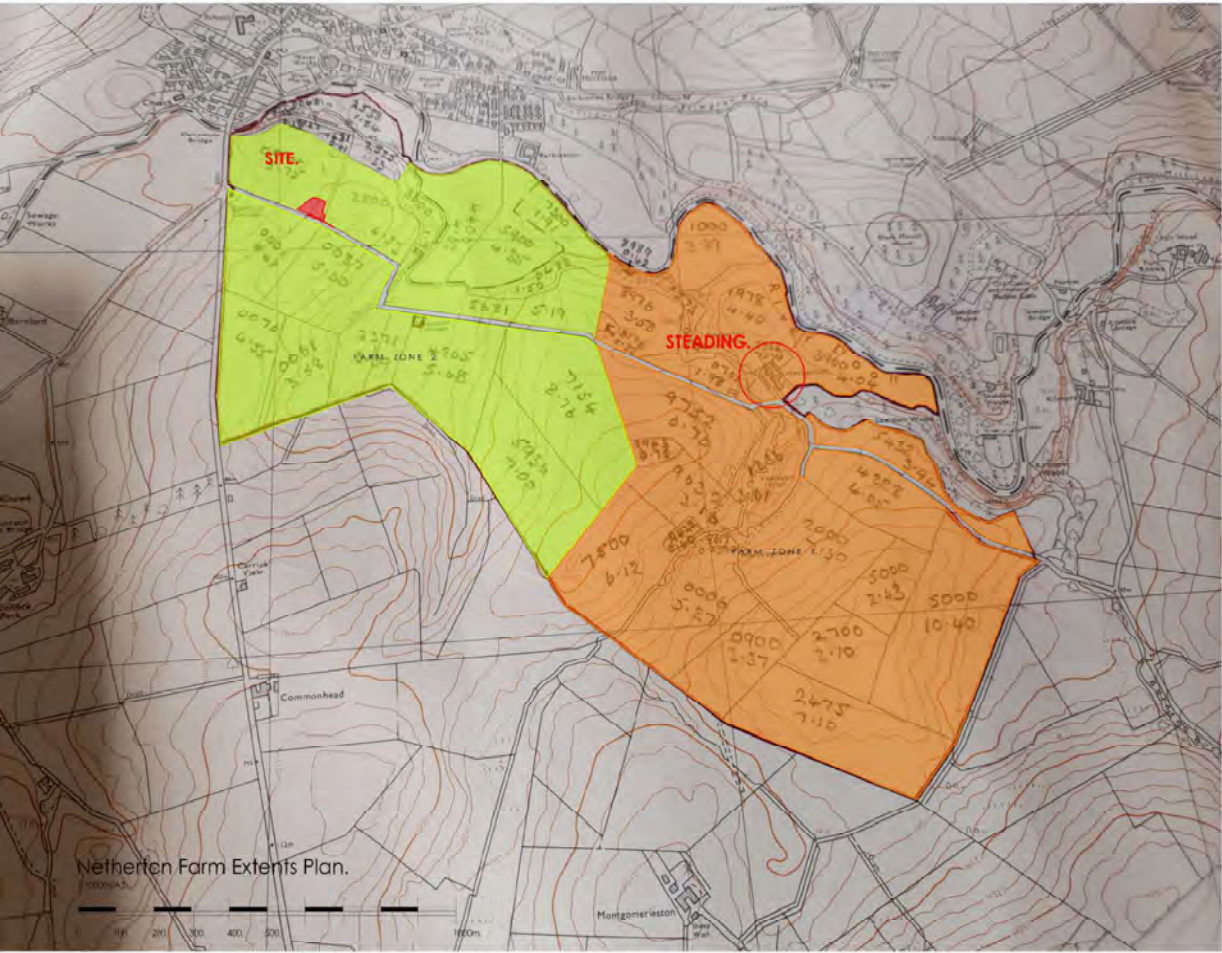
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PLANNING
client: MR + MRS E. COOPER
project: PROPOSED HOUSE:
NETHERTON FARM
DALRYMPLE
KAE
drawing: PROPOSED ELEVATIONS 1
scale: 1:500/A2 10 durable gardens
southwage
dalrymple
date: JAN 23
drawn by: JPM
drawing no: 2308(2)-1076 ma+p

Revision	Date	Description	By
A	28.09.23	FARMING ZONES ADDED.	JPM



- FARM ZONES KEY:
- ZONE 1: MANAGED FROM EXISTING STEADING.
 - ZONE 2: MANAGED FROM PROPOSED HOUSE.

status:	PLANNING
client:	MR + MRS P. CAMPBELL
project:	PROPOSED HOUSE NETHERTON FARM DALRYMPLE KAB 6AX
drawing:	NETHERTON FARM EXTENTS PLAN
scale:	1:10000@A3 10 dunstable gardens southcraig kilmarnock tad 610
date:	JUL 23
drawn by:	JPM
drawing no:	2308(2-1)08a



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3d Image 1.
NTS&A3.

3d Image 2.
NTS&A3.



3d Image 3.
NTS&A3.

3d Image 4.
NTS&A3.

status:	PLANNING		
client:	MR + MRS R. CAMPBELL		
project:	PROPOSED HOUSE NETHERTON FARM DALRYMPLE KA6		
drawing:	PROPOSED 3D IMAGES 1		
scale:	NTS	10 dunollie gardens southcraig kilmarnock KA6 6JP	
date:	JAN 24		
drawn by:	JFM		
drawing no:	2326(2)-109	ma+p	

Proposed Farm House Netherton Farm, Dalrymple

Design and Access statement - V1

February 2023



mcginlayarchitecture

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1. Introduction

Introduction:

McGinlay Architecture Architects together with **Stewart Young Planning** have been appointed by Mr & Mrs Campbell to assist them with the design and procurement of a single storey, 3 bedroom detached farmhouse at Netheriton Farm, Dalrymple.

This design and access statement introduces the proposal and describes the site appraisal, Client's brief analysis and resultant design strategy supporting the design of this project from concept to scheme design.

Accompanying the text are a combination of photos and diagrams illustrating the various challenges arising and responses thereof, taken during the design process.

The structure and content of this document closely follows the best practice document: "Design and Access Statements: How to write, read and use them" promoted by the Commission for Architecture in the Built Environment (CABE).

Brief:

The Client's brief requires the development of a single storey 3 bedroom detached farmhouse with the standard ancillary accommodation, sun lounge and future provision for garage/workshop facilities. Stylistically it is to be of a sympathetic scale and character suitable for its rural location.



2. Site

Context:

Dalrymple is a village in East Ayrshire, lying in the Doon Valley on the north bank of the River Doon. It is situated 5 miles to the south east of Ayr on the west coast of Scotland.

The village is well served with transport links to the rest of Ayrshire and also with Central and Southern Scotland with a regular public bus service to Ayr. Rail connections with the railway station located in Ayr town centre which is on the mainline between Stranraer and Glasgow. Vehicular links are provided by easy access to the A77 to Glasgow, A78 to Greenock and A76 to Dumfries.

The River Doon marks the boundary between the East and South Ayrshire Council regions with the site located on the south bank of the river lying within the jurisdiction of South Ayrshire Council. Typically the area is characterised by agricultural fields within a rural setting.

Situated at the south eastern boundary of an agricultural field pertaining to Nethererton Farm the site has been selected due to it's proximity to the village and western extremity of the farm boundary.

Generally, the site is rectangular in shape, sloping in topography and extends to 251.6sqm in area. Access will be by way of the reinstatement of a former farm road taken from the adjacent C class road leading to the B742. The boundary to north facing the village is screened by an avenue of trees with open views afforded to the south, west and East over the open countryside.

Key:

- | |
|--|
| 1. Application Site |
| 2. Fish Farm |
| 3. Dalrymple Village |
| 4. Nethererton Farm, Agricultural Fields |



View from C-Class Road to the north.



View from C-Class access to B742.



View of former farm road at eastern boundary.

Analysis:

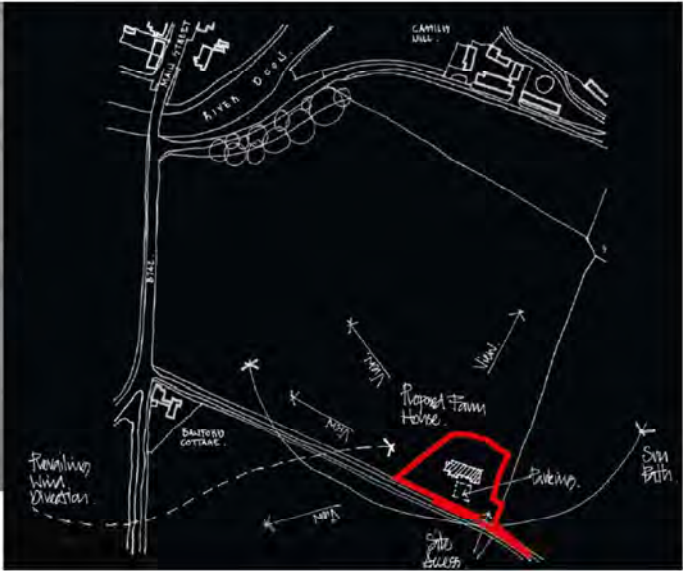
Initial analysis of the site identified that the building occupies a discrete location within Nethererton Farm, accessing onto a C-Class Highway via a historical farm road.

Site topography provides for sloping site, located in the south western corner of a large field which is screened from the village.

The southerly aspect enables an energy efficient design with maximum efficiency for solar panels and the sunken location provides shelter from prevailing winds while offering countryside views.



Historic 1909 Map showing farm road.



3. Precedent

Precedent Studies:

Following our site analysis, our assessment was that a lodge type vernacular of disparate structure and varying roof scapes would be appropriate as it would provide a language and form sympathetic to both the site setting and building users/occupants.

The image opposite is provided to give an impression of how the proposed farmhouse might look and feel within its setting.



4. Proposals

Concept:

The response looks to create a design solution that fits and addresses the unique characteristics of the site, while taking cognisance of both the areas heritage and massing and scale of the established rural environment. Thereby providing for a proposal that is sympathetic to its setting.

The area is generally characterised by agricultural fields and various disparate single storey cottage and barn structures and the design has been developed following an assessment of the scale and massing of the and adjoining properties. Stylistically the decision was made in favour of reflecting the Scottish Vernacular as it was felt that a traditional style be softer and more conducive to its setting.

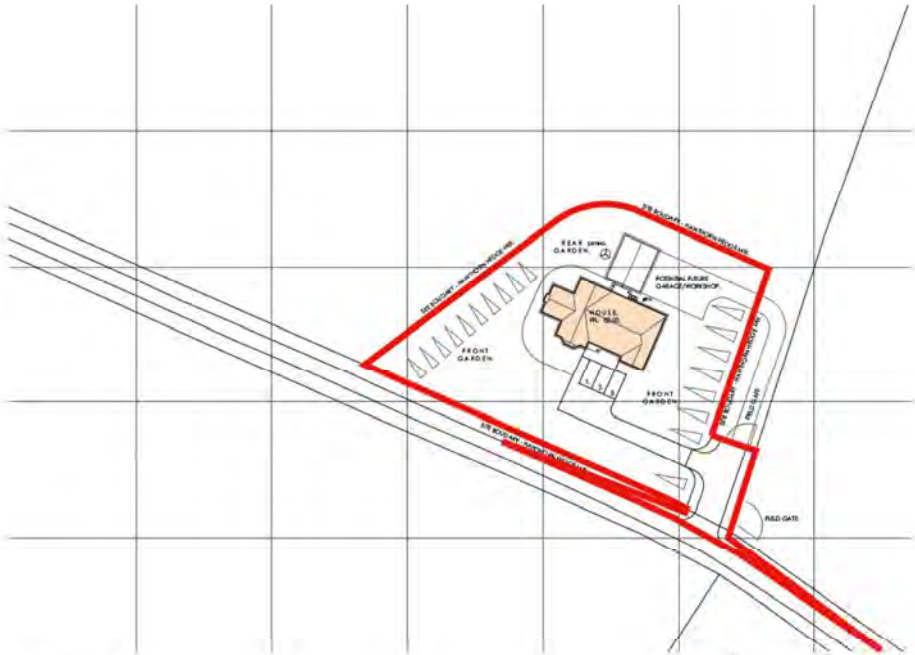


4. Proposals

Site Layout:

The proposed Farm House is generally an elongated rectangle in plan and is positioned centrally within the site, long side running west to east with a south facing south elevation. Car parking provision for 3no. vehicles is provided at the front with provision for further parking and garage/workshop to the rear. The Farm House is surrounded on three sides by private garden areas to the west, south and east, maximising the natural sunlight.

Access to the site is achieved from the adjacent C-Class road and accommodates both visibility splays and refuse bin storage. The reinstated farm road leads directly to the site and is to benefit from a soft landscaping scheme, integrating the proposals into the established landscape.



Proposed Site Plan.



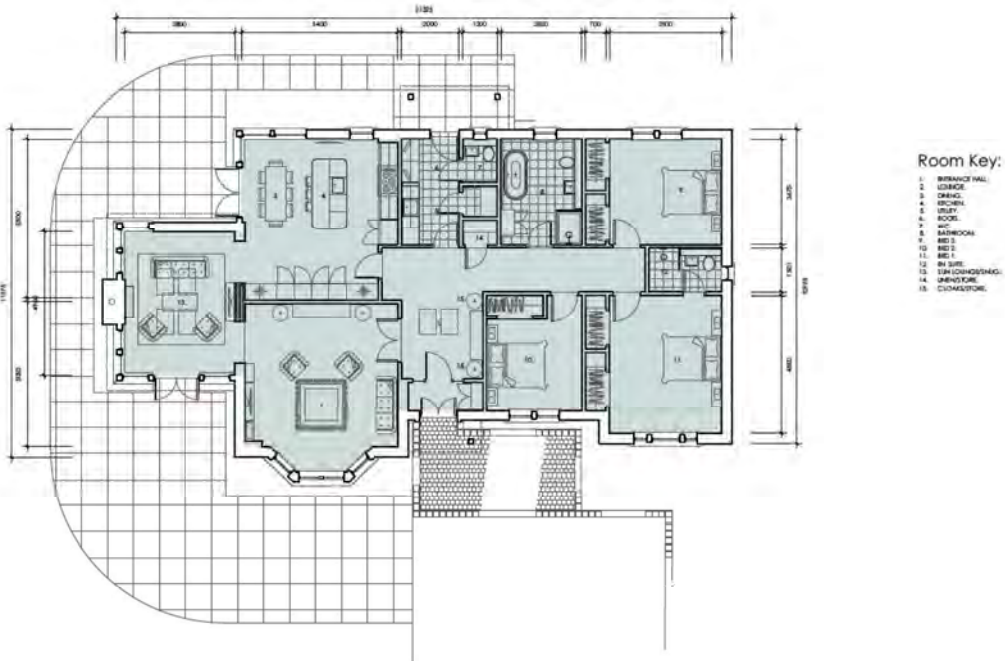
Proposed Site Access.

Building Layout:

The proposed farmhouse has been designed in the Scottish Vernacular style with central entrance leading to a top like Entrance and Spine Hallway. Accommodation comprises 3 Bedrooms to the east wing with ensuite and bathroom to the west. Utility, Kitchen/Dining Lounge and Sun Lounge apartments occupy the west wing.

The living accommodation being located to the west creating a greater sense of privacy while taking maximum advantage of the available day / sunlight and countryside views.

(Rear landscaping provides an obstacle in way finding to the main entrance).



Appearance:

The building has been designed in the Scottish Rural Vernacular style aiming to form a sensitive design solution by interpreting traditional shapes and sizes into a modern context. Overall, the building massing and scale emulates from its elongated plan and dual pitched roofs. The design response looks to create a house that reflects and respects the local character.

All elevations have been formulated utilizing many of the typical attributes of the local vernacular, such as a single or 1.5 storey height, vertically emphasised fenestration, pitched roofs, set backs, shallow eaves and roof verges and sheltered entrance. A linked Sun Lounge is positioned to the west side of the house and is differentiated by a lower ridge height.

Materials are predominantly of render and rubble stone to the walls and dual pitched roofs laid to natural slate roof tiles.

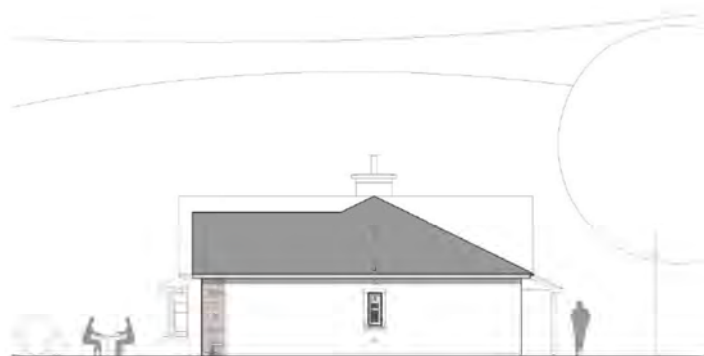
Window openings are generally rectangular and of vertical emphasis with varying sill heights, assisting with viewing to the outside and creating the asymmetric forms associated with housing in the countryside.

With the exception of the chimney flue the elevations shall be free of building services with all ducts, grilles etc being taken up vertically through the roof.



Proposed South East Elevation.

1300042



Proposed North East Elevation.

1300042



Proposed North West Elevation.
1:1000 (A2)



Proposed South West Elevation.
1:1000 (A2)

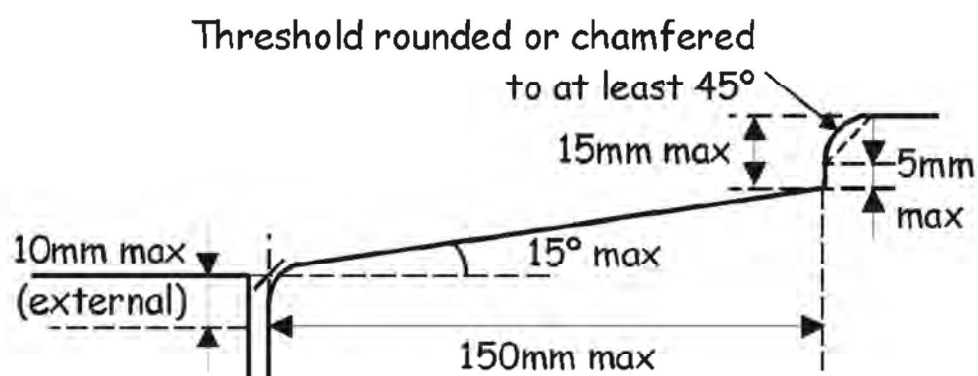
5. Access

Access Strategy:

Access for less able users has been considered and provided throughout the proposal's with inclusivity being a critical aspect of the building's function and design. Access to the building can be negotiated easily by all persons, regardless of ability and without assistance.

The main entrance is accessible by way of paved footpaths for the car parking spaces and provides for free and level to the new house. Once within the dwelling a central hallway provides level access to the entire dwelling.

All entrance doors shall provide for accessible thresholds. Thereby allowing free, safe and secure access to all areas for both residents and visitors.



6. Materials

Materials Selection:

- 1. Natural slate roof tiles.
- 2. Velux rooflights.
- 3. Solar panels.
- 4. Upvc rainwater goods - black.
- 5. Upvc fascia and soffits - white.
- 6. Random rubble natural stone walling.
- 7. Wet dash render for painting - white.
- 8. Upvc d/g window - white.
- 9. Composite entrance doors.



Roof - Natural Slate.

Walling - Natural Stone.

Walling - Wet Dash Render.



Windows.

Composite Door.



Netherton Farm – Preliminary Ecological Appraisal

Report produced by:

Harry Fisher
Ecologist SAC Consulting

Work undertaken by



SAC
CONSULTING

Part of Scotland's
Rural College (SRUC)

Netherton Farm – Preliminary Ecological Appraisal

December 2023

Prepared by: Harry Fisher

This report has been prepared exclusively for the use of the Proposed development at Netherton Farm based on information obtained during the survey of the site and desk based research.

All information is correct at time of writing.

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Revision Number	Date	Version	Author	Checker
1.1	22.12.2023	DRAFT	H. Fisher	Dr L.Cole

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Introduction

Background

SAC Consulting was commissioned by Janice Cambell to undertake an extended Phase 1 survey and desk survey as part of a Preliminary Ecological Appraisal for Netherton farm (henceforth referred to as the site), Dalrymple (National Grid reference NS 36091 14102). The surveys are in support of a housing development planning application. The extent of the site is shown in Figure 1 below.



Figure 1: Site Location

Project description

The proposed development is set to include the installation of one house with an associated drive and garden area (see Appendix A for development plans). The development is expected to occur within an agricultural field adjacent to a small road.

The works are expected to commence upon the granting of planning permission and will occur over the next year from this date.

Aims and objectives

The aim of this report is to provide an ecological assessment of any protected and/or notable habitats and species that occur or have the potential to occur in, or near, The Site which may be impacted by the proposed development. The report follows the

Guidelines for Preliminary Ecological Appraisal¹ and Guidelines for Ecological Impact Assessment in the UK and Ireland².

The objectives are to:

- Identify any designated sites for nature conservation and habitat on, near or adjacent to The Site;
- Identify any notable and/or protected species of conservation importance, which may occur on or near The Site;
- Identify the presence of any invasive plant species on or adjacent to The Site;
- Provide a habitat map with target notes of ecological features as identified above;
- Undertake a preliminary assessment of the potential impacts to important ecological features identified on, near or adjacent to The Site; and
- Identify the need for further surveys, mitigation and enhancement measures, as appropriate.

Zone of influence

The current guidance on ecological assessments recommends that all ecological features that occur within a zone of influence for a proposed development are investigated: The Zone of Influence (Zol) includes:

- Areas directly within the land directly impacted by the proposed development and access;
- Areas which will be temporarily affected during construction;
- Areas likely to be impacted via hydrological and downstream pollution events; and
- Areas where there is risk of noise, physical light, or vibration disturbance during construction and/or operation.

For the proposed development, a core survey of The Site and a minimum 200 m buffer was subject to an Extended Phase 1 Habitat Survey, which was extended accordingly where appropriate.

¹

²

Legislation and Policy

Legislation

All relevant wildlife legislation was considered when assessing the works impact to the site. These include the following:

- Wildlife and Countryside Act 1981 (as amended in Scotland);
- The Conservation (Natural Habitats, &c.) Regulations 1994 (as amended);
- Nature Conservation (Scotland) Act 2004;
- Wildlife and Natural Environment (Scotland) Act 2011 (As amended);
- The conservation of wild birds (the bird directive) 1979 (as amended);

Planning Policies

The planning policies relating to biodiversity and nature conservation that are of relevant to the works at the site are the following:

- National Planning Framework 4³;
- Scottish Planning Policy (SPP) 2014⁴ (this is now superseded by NPF 4)
- South Ayrshire: Ecology and Biodiversity Planning Guidance Note⁵
- South Ayrshire Local Development Plan:
 - LPD policy: Water environment
 - LPD policy: landscape quality
 - LPD policy: green networks
 - LPD policy: Agricultural land

Biodiversity Strategies

The Scottish Biodiversity List (SBL) contains a list of habitats, plants and species which are of principal importance to Scottish conservation. The list was created by Scottish ministers to satisfy requirements under Section 2(4) of the Nature Conservation (Scotland) Act 2004,

Local Biodiversity Action Plan

³ <https://www.gov.scot/publications/national-planning-framework-4/>

⁴ <https://www.gov.scot/publications/scottish-planning-policy/>

⁵ https://www.south-ayrshire.gov.uk/media/10045/Ecology-and-Biodiversity-Planning-Guidance-Note/pdf/Ecology_and_Biodiversity_-_Planning_Guidance_Note.pdf?m=638307318264170000

The most recent biodiversity action plan found on South Ayrshires local authority web page is the Ayrshire local biodiversity action plan⁶. This highlights local habitats and species of biodiversity importance. This highlights the following relevant local priority habitats:

- Rivers and streams
- Ancient or species rich hedgerows;
- Cereal field margins;
- Lowland dry acid grassland
- Lowland meadows
- Planted conifers
- Lowland wood-pasture and parkland
- Wet woodland

⁶ <https://www.south-ayrshire.gov.uk/article/59335/Ayrshire-local-biodiversity-action-plan>

Methodology

Desk Study

A data search was complete to review publicly accessible information. A search of relevant datasets including National Biodiversity Network NBN Atlas, Habitat Map of Scotland (HabMoS), Site link, and Ancient Woodland Inventory for Scotland were all used to search for species and habitats of interest within 2km of the site. Listings in the SBL and LBAP were also checked. Furthermore, biological records within 2km of the site were obtained from the South West Scotland Environmental Information Centre.

Field Survey

An extended Phase 1 habitat survey was carried out by SAC Consulting ecologist Harry Fisher on the 13th December 2023 in line with the Handbook for Phase 1 Habitat Survey: a technique for environmental audit⁷. Any protected, uncommon, or invasive species of flora were noted.

An assessment was also undertaken of the likely presence or absence of protected and notable species within the Zol of The Site. The methodologies and assessment criteria used were based upon current published guidance where available, this included a full otter survey, water vole and badger survey within the Zol.

Assessment of Ecological Importance

An assessment of the ecological importance of the habitats and species within the Zol was made, in line with CIEEM guidance on ecological impact assessment. The following are some criteria used to assess ecological importance:

- Designation of The Site
- Rarity of the species or habitats;
- Presence of Red Data Book (RDB) or endemic species;
- Presence of diverse assemblages of plants or animals;
- Plant communities typical of natural/ semi-natural habitats;
- Habitat diversity; and
- Connectivity and presence of large populations of animals which are uncommon or threatened in a wider context.

The importance of an ecological feature is based upon its value and sensitivity, and is determined on a geographical scale. This is determined in relation to Scottish legislation and policy and with regard to the extent of habitat or size of population that may be affected by the proposed development. The importance is listed as follows:

- International (within Europe)

- National (UK, Scotland)
- Regional
- County

- Local
- Less than local.

Limitations

The timing of the Phase 1 survey in December was suboptimal for botanical identification. For this reason there is potential for some botanical features of interest to be under recorded or missed. However, given the nature of the site, and the habitats observed on site, winter features were considered sufficient to identify broad habitats and account for biodiversity value.

Ecological surveys provide a snapshot of the broad habitats and species present within the site at the time of the survey. Absence of evidence of species does not act as evidence of absence, and as such habitat suitability for species has been used in combination with field signs as to determine likely presence within the site and therefore potential for impact by the works.

Results and Impact Assessment.

Desk study

STATUTORY DESIGNATED SITES FOR NATURE CONSERVATION

There are no non-statutory designated sites for nature conservation within 2km of the site.

NON-STATUTORY DESIGNATED SITES FOR NATURE CONSERVATION

There are no non-statutory designated sites for nature conservation within 2km of the site.

The closest ancient woodland to The Site is a block of long established (of plantation origin) woodland (OBJECTID: 9195), located 700m south west of The Site. The works are considered to be of sufficient distance away that this habitat will not be impacted by the proposals and is not considered further.

BIOLOGICAL RECORDS

A desk search was complete for biological records for any protected or notable species within 2km of the site. The following records were returned:

Table 1: Biological records returned within 2km of The Site. Colouring of birds indicates its 'Birds of Conservation Concern 5' rating.

Species	Records	Most recent year of record	Closest distance of record to site
Bats			
Common pipistrelle	2	2016	470m North
Soprano pipistrelle	1	2016	470m North
Pipistrelle spp.	2	2016	470m North
Daubenton's bat	1	2016	470m North
Lesser Noctule	1	2016	470m North
Terrestrial mammals			
Red squirrel	1	2012	150m South
Water vole	1	N/A	1.5km south west
Otter	5	1991	1.5km south west
Birds			

Brambling	1	2003	750m north west
Skylark	1	2018	500m north
Reed bunting	1	2018	500m north
Sparrowhawk	8	2009	180m south
Green finch	19	2008	180m south
Wood pigeon	6	2018	500m north
Rook	27	2018	500m north
Kestrel	1	2007	N/A
Herring gull	3	2018	500m north
Curlew	1	2007	N/A
House sparrow	43	2018	500m north
Dunnock	13	2015	500m north
Starling	36	2018	500m north
Wren	16	2009	180m south
Mallard	1	2015	N/A
Grey partridge	2	2009	N/A
Swift	4	2008	500m north
Willow warbler	1	2018	500m north
House martin	4	2014	500m north
Song thrush	9	2018	500m north
Bullfinch	3	2007	180m south
Pint foot goose	1	2007	N/A
Black-headed gull	1	2007	N/A
Dipper	1	2008	N/A
Mistle thrush	1	2007	180m south

White throat	2	2018	500m north
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Field results

PHASE 1 HABITAT SURVEY

The habitat survey results are included within the Phase 1 Habitat Survey Map in Appendix A. Target Notes (TN) included on the survey results map are detailed in Appendix B, and are referenced within the text below.

The habitats present within The Site included:

- Improved grassland
- Species-poor semi-improved neutral grassland.
- Intact species-poor hedgerow
- Hard standing

Outwith the site, but within the zone of influence, the following additional habitats are present:

- Semi-improved neutral grassland
- Dense scrub
- Scattered trees
- Buildings
- Garden

An account of the habitats found within The Site and the Zone of Influence is detailed below.

Habitats within The Site

Improved grassland

The majority of the site and the ZOI is made up of improved grassland. Within The Site this appears to have been planted as a green lay following the harvest of crops from the field. The field is grazed by sheep throughout the year. Species within the improved grassland field included Annual meadow grass (*Poa annua*), Yorkshire fog (*Holcus lanatus*), white clover (*Trifolium repens*), creeping buttercup (*Ranunculus repens*), Spear thistle (*Cirsium vulgare*), and common bent (*Agrostis capillaris*).

Approximately 170m northwest of The Site, within the same field of improved grassland (TN1), is an small area of temporary standing water, where water has pooled after heavy rain fall. This habitat is of limited nature conservation value, though offers potential to support some transient and foraging species of interest. Best practise recommendations relating to these species is provided within their relevant sections below.



Poor semi-improved grassland

Poor semi-improved grassland is present in the road verge running adjacent The Site, at the base of the hedgerows. This is separated from the hedgerows by a shallow uninundated ditch. Species within this habitat included Yorkshire fog, common bent, meadow buttercup (*Ranunculus acris*), creeping buttercup, white clover, ribwort plantain (*Plantago lanceolata*), hogweed (*Heracleum sphondylium*), dandelion (*Taraxacum agg.*), nettle (*Urtica dioica*), common dock (*Rumex obtusifolius*), creeping thistle (*Cirsium arvense*), vetch (*Vicia sp.*), soft rush (*Juncus effusus*), and scattered bramble (*Rubus fruticosus*).

This habitat is of limited nature conservation value, though will provide some value for invertebrates and smaller mammals. Best practise recommendations are provided below regarding disturbance and removal of this habitat.



Hedgerow

The hedgerow within the site (H1) is classified as intact and species poor. The hedgerow is dominated by blackthorn (*Prunus spinosa*) and hawthorn (*Crataegus monogyna*), with occasional dog rose (*Rosa canina*). Throughout the hedgerow is ivy (*Hedera helix*) and bramble. Further west along H1 is beech (*Fagus sylvatica*). On the road side of the hedgerow is a shallow ditch, in which water from the adjacent road will drain into and flow through this down the hill. The drain is sparsely vegetated with bramble, hogweed, lady fern (*Athyrium filix-femina*) and common polypody (*Polypodium vulgare*). The field side of the hedge has a fence running parallel with it, with basal vegetation on this side similar to the improved grassland, with the addition of tufted hair grass (*Deschampsia cespitosa*). The hedgerow appeared recently trimmed, with a height of <1.5m and width <1.5m. A small section of the hedge is to be removed under the proposed development.

Recommendations are provided regarding the potential impact to notable species that have potential to be found within the hedge, and biodiversity enhancements are proposed to ensure no net loss for biodiversity post development.

The hedgerows out with The Site but within the Zol were largely similar to H1, other than H3 which was more dominant with beech compared to others. All appeared to be managed in the same way with recent trimming of a consistent height and width. The hedgerows outwith the site are unlikely to be impacted by the proposed development, and are not considered further.

Habitats out with The Site but within the Zol

The following habitats were identified outwith the site but within the Zol. These are considered unlikely to be impacted directly from the work, but may support species with potential to be subject to indirect disturbance from aspects of the works. These included.

- Semi-improved neutral grassland
- Dense scrub
- Scattered trees
- Buildings
- Garden

Semi-improved neutral grassland

Semi-improved neutral grassland is present at the northern extent of the Zol. Species within this habitat included cocksfoot (*Dactylis glomerata*), Yorkshire fog, common bent, soft rush, common dock, creeping butter cup, ribwort plantain, false oat grass (*Arrhenatherum elatius*), black knapweed (*Centaurea nigra*), timothy (*Phleum pratense*), birds-foot trefoil (*Lotus corniculatus*), and common sorrel.

Dense scrub

Dense scrub is present in the northern extent of the Zol. This includes a fenced strip where blackthorn is abundant, and multiple ash (*Fraxinus excelsior*) trees are present. Within this area is a outflow pipe pointing north (TN3). Dense scrub is also present on the northern side of the fence at the north-eastern extent of the Zol. This area is a presumed unmanaged hedgerow that has degenerated into scrub and encroached north where grazing pressure appears absent. Species here included blackthorn, hawthorn and bramble, with multiple mature ash and sycamore trees along the fence line.

Scattered trees

As stated above, multiple mature ash and sycamore trees were present within the scrub at the north eastern extent of the Zol. Two ash trees are also present at the western extent of the Zol, adjacent the roadside growing within a H6.

Building and garden area.

Two buildings are present at the western extent of the Zol. This included a fenced garden that comprised shrubs, amenity grassland and hardstanding.

INVASIVE NON-NATIVE SPECIES (INNS)

It is an offence to plant or cause the spread of Invasive non-native plants listed under Schedule 9 of the Wildlife and Countryside Act 1981 (as amended). This is supported further in Scotland by the Wildlife and Natural Environment (Scotland) Act 2011 which restricts the growth of plants out with their native range.

No INNS data records were returned within a 2km of The Site.

No INNS were recorded on site during the survey. The timing of the survey is not optimal for identification of annual INNS, however the nature of the site and the surrounding area are not optimal for hosting common INNS.

The proposed development is not considered likely to cause the spread of INNS species outwith The Site. As such, INNS have been scoped out of the rest of the report.

OTTER (*LUTRA LUTRA*)

It is an offence to intentionally or recklessly kill, injure disturb or capture otters, or damage, destroy, or obstruct access to any structure used for resting or breeding, under the Conservation (Natural Habitats, &c.) Regulations 1994 (as amended in Scotland). Otters are a Scottish Biodiversity List species and are listed as a priority species within the Ayrshire LBAP.

5 records of otter were returned within 2km of The Site, with the closest being 1.5km south west, dated from 1991.

No water courses exist within The Site or Zol that would provide suitable habitat for commuting/ foraging otter and rest or breeding sites. Within the Zol, the semi-improved grassland and shrub at the north extent of The Site provides ostensibly suitable habitat for resting otter that commute from the River Doon, however no field signs of otter or rest sites were found during the survey.

North of The Site is the River Doon (closest point 250m north east), which provides suitable habitat for commuting and foraging otter, while the adjacent riparian woodland provides suitable habitat for resting and breeding otter (Figure 2).

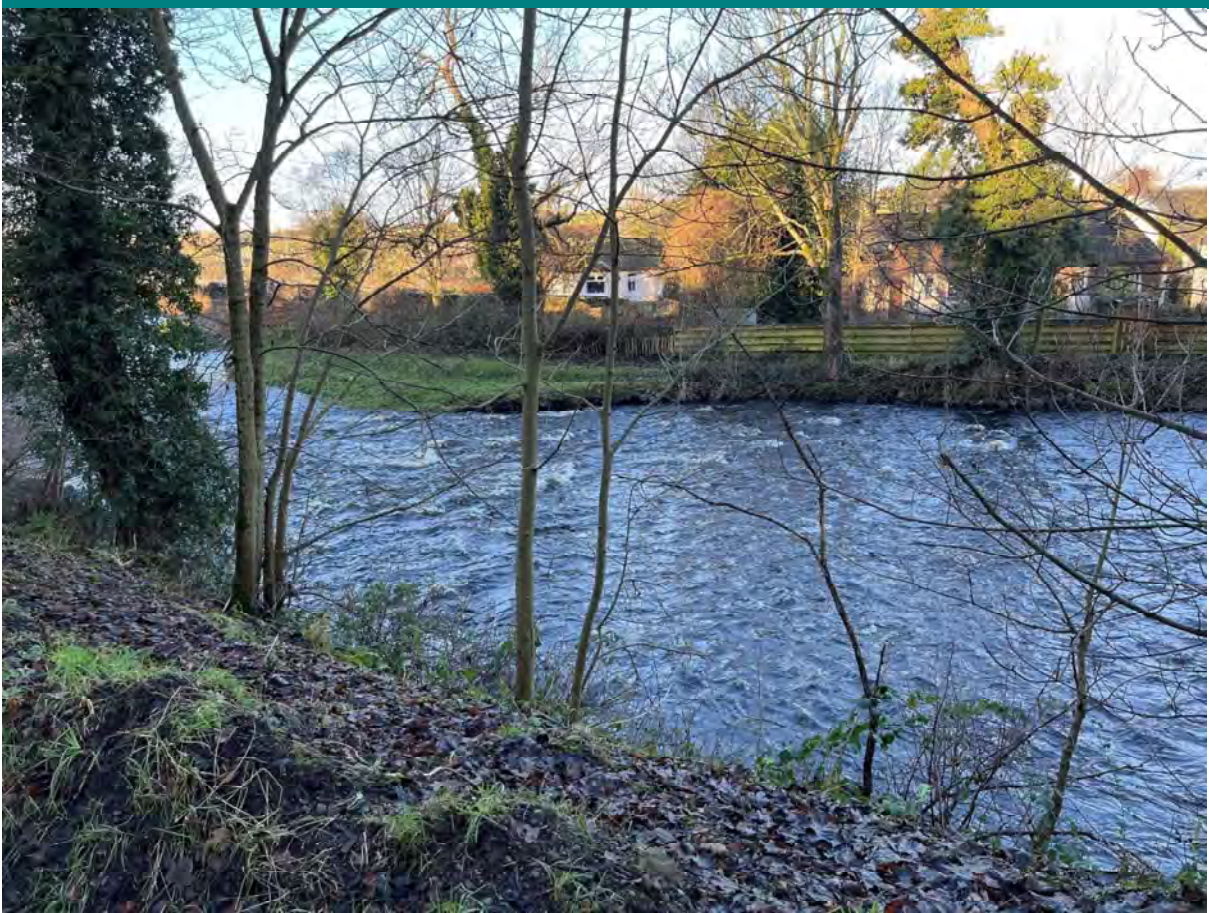


Figure 2: River Doon out with the Zol.

Furthermore, slightly closer to the site (closest point 212m north) exists a smaller stream. The stream is largely unsuitable for otter resting sites due to its steep banks, but could be utilised by commuting and foraging otter. (Figure 3).



Figure 3: Smaller water course 10m north of the Zol.

These habitats are not expected to be impacted by the Proposed Development. Furthermore, no evidence of otter were observed within the Zol, and as such otters are not considered likely to be impacted by the works, and are scoped out of the rest of the report.

WATER VOLE (*ARVICOLA AMPHIBIUS*)

The water vole receives partial protection under Schedule 5 of the Wildlife and Countryside Act 1981 (as amended). In Scotland, it is therefore an offence to intentionally or recklessly damage, destroy or obstruct access to any structure or place that water voles use for shelter or protection, and/or disturb a water vole while it is using such shelter. The water vole is also a Scottish Biodiversity List species.

1 record for water vole was returned within 2km of The Site, this was located 1.5km south west with no reference date available.

The habitat within The Site and the Zol offers negligible suitability for water vole, with no water courses found within this area. The water courses to the north of the Zol were inspected for their suitability to support water vole, but were deemed largely unsuitable due to their steep banks. Water vole and their rest sites are therefore considered unlikely to be found within the Zol, and are therefore scoped out of the remainder of the report.

BADGER (*MELES MELES*)

Badgers and their setts are protected under the Protection of Badger Act 1992 as amended by the Wildlife and Natural Environment (Scotland) Act 2011. Badgers are a Scottish Biodiversity List Species.

No data records of badger were returned within 2km of The Site.

No badger setts or field signs were observed within The Site. The site is largely unsuitable for badger setts, however the hedgerows within the Site and Zol provide good commuting habitat. Within the wider Zol, the series of hedgerows offers beneficial commuting habitat, while the woodland and semi-improved grassland banking provide good badger sett habitat. No badger setts or evidence of badger was identified within the wider Zol. A mammal path is present within the north extent of the Zol (TN4) which could be potentially from commuting local badger.

The proposed development is not considered likely to cause harm or disturbance to resting badger or their setts, though could cause some disturbance to commuting badger in the local area through light or noise pollution, however this is likely to be restricted to daylight hours and as such will not likely impact the predominantly nocturnal species. Best practise recommendations are provided below that should be adhered to during the works to prevent any harm or disturbance to badger.

BIRDS

All wild birds in the UK are protected while breeding under the Wildlife and Countryside Act 1981 (as amended). Some rarer species or those that are vulnerable to disturbance or persecution receive further protection under Schedule 1 of the Act.

Data records showed 22 notable bird species within 2km of The Site. Of these, brambling is the only schedule 1 listed species. Of the remaining bird records, 10 are red listed under the BOCC5. The bird data varies in their location and spatial accuracy, though the closest record at six-figure grid accuracy is located 500m north of The Site.

The birds observed during the site visit are limited to wintering species, and therefore the visit will not capture any notable bird species potentially breeding within the Zol. During the site visit, the birds observed within the Zol included skylark, jackdaw, wren, pheasant, blue tit, and collard dove. Within the field containing The Site, a transient flock of approximately ~30 skylarks was observed (TN6). Within The Site and Zol, the hedgerows offer nesting habitat for smaller passerine birds in the local area such as wren and dunnock. While the grassland fields offer some potential for ground nesting birds such as skylark and curlew, this will be likely impacted by the grazing intensity from livestock. Within the Zol, approximately 170m north west of The Site, a pool of standing water exists within the grass field. This habitat provides favourable habitat for wading birds during the breeding season.

The direct impacts to birds from the construction phase of the proposed development includes the removal of grassland and a small section of hedgerow. During the duration of the works there is potential to cause disturbance to nesting birds within the Zol through noise and light pollution, which could continue post development. Recommendations are provided below to first avoid, and then to minimise disturbance of the proposed works to breeding bird within The Site and Zol.

BATS

All bat species in the UK are protected under the Conservation (Natural Habitats, c.) Regulation 1994 (as amended). All bat species are also priority species within the SBL and LBAP.

Data records showed four bat species to be found within 500m of The Site, with the most recent record from 2018. The records for bat species were shown to be from north of the River Doon, within Dalrymple.

The field survey found The Site to contain habitat with limited value for bat species. Features with potential to support bat roosts were limited to one house 180m west of The Site, and multiple ash trees 175m north east of The Site. Within The Site, hedgerows offer good commuting habitat for bats roosting in the wider environment.

The proposed development is considered unlikely to cause any disturbance during construction phase to any potential roosts within the building to the west and trees to north east. The proposed development does have potential to cause disturbance to commuting and foraging bats utilising hedgerows connecting to the River Doon and adjacent woodland. As such, the recommendations provided for the works relate to the prevention of noise and light pollution to commuting and foraging bats in the local area.

REPTILES AND AMPHIBIANS

No data records were returned for any reptiles or amphibians. The field survey found the habitats to be generally unsuitable to support reptiles and amphibians, limited to some hibernaculum value within the hedgerow. Within the wider Zol, the taller grassland and scrub to the north of the Zol offers greater potential to support reptiles and amphibians.

Due to the habitat within The Site offering limited potential to support reptiles and amphibians, and The Sites distance and lack of connectivity to habitat with greater potential to support reptiles and amphibians, it is considered unlikely that the proposed development causes any harm or disturbance to reptiles and amphibians. Best practise measures in avoiding harm or disturbance to reptiles and amphibians are recommended below as a precaution.

Discussion and recommendations

The following section provides a discussion of findings and recommendations for each compartment within the Site. Beyond this, general mitigations are given relating to all compartments regarding best practice mitigation and habitat creation.

Further Survey

No further dedicated surveys are required for protected or notable species within The Site or Zol.

Mitigation commitments

HABITATS

The works footprint should be minimised where possible as to avoid unnecessary removal or disturbance of adjacent habitats beyond what is required. Where appropriate, demarcation should be set up around these areas to prevent encroachment during the works.

PROTECTED AND NOTABLE SPECIES

Breeding birds

The following measures are provided to minimise the impacts to nesting birds within the Zol of the proposed development:

- In the first instance, it is recommended any vegetation removal / site clearance works are undertaken out with the breeding bird season.
- If this is not possible and vegetation removal and / or site clearance works are undertaken during the nesting season (March – August), the following is required:
 - Prior to any vegetation removal of hedgerows or grassland during the breeding bird season, an inspection for active nests should be undertaken by a suitable qualified ecologist.
 - If any nests are discovered with The Site, the nest must be left in place until the eggs have hatched and the chicks have fledged.

Bats

Additional lighting should be avoided where possible, and lighting used during the works should be limited in use and any light spill minimised, particularly onto broadleaved woodland adjacent the site, in accordance with Guidance Note 08/18 Bats and artificial lighting in the UK.

General mitigation

- Any excavations should be covered overnight to prevent animals falling into open excavations. Where pits and trenches cannot be closed or filled on a nightly basis, ensure that a plank is placed into the excavation at a 45° angle so that an animal can use this as a means of escape as necessary.
- Contractors should ensure all rubbish and construction materials are collected and removed from the work easement to prevent injury to wildlife.
- It is recommended that night works are avoided or minimised where possible, to minimise disturbance to nocturnal species.

Habitat creation and enhancement for biodiversity compensation.

The removal of habitat on site is to include the removal of improved grassland within the field, and approximately 10m of hedgerow. This will cause the removal of habitat that is abundant within the wider environment and should therefore not cause a significant impact on the species dependent on these habitats.

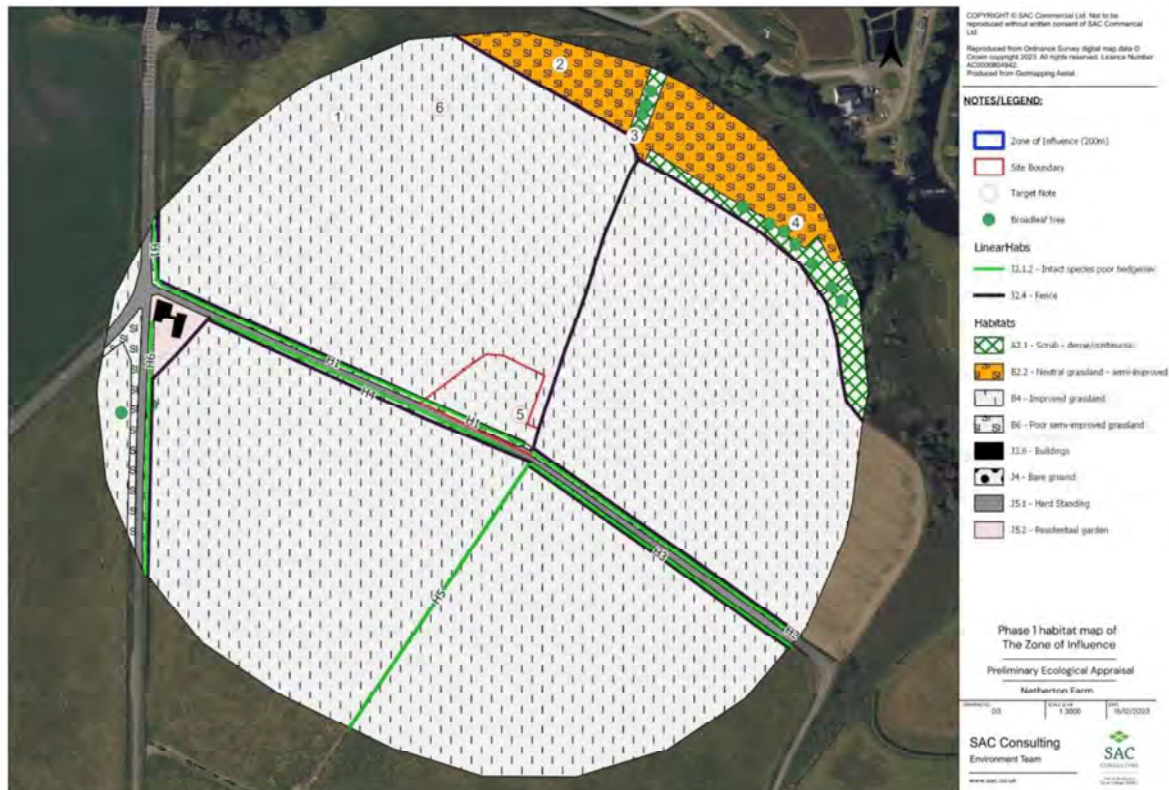
The proposed development is to include the planting of hedgerow around The Site Boundary. The following recommendations are recommended to be adhered to achieve that a no net loss in biodiversity is achieved:

- The species planted should consist of native, locally sourced species such as hawthorn, blackthorn, hazel, holly, dog rose and buckthorn. Hedges should be approximately 50% hawthorn, 25% blackthorn and the rest a mixture of the other species mentioned.
- If possible, one tree species should be planted every 10 meters, and left unmanaged to grow tall. This can include species such as oak or elm.
- Planting should be done to create a thick bushy hedge. The best way to do this is to plant a double row of trees and shrubs, spacing 20–30cm (~6 plants a meter). These should be equipped with tree guards as to reduce herbivore damage.
- The first year after planting, weeding should occur around the base of the shrubs. Any shrubs that have died should be replaced. In the first spring the shrubs should be cut down to 45–60cm above the ground to encourage shrubs to bush out.
- When the hedge has reached a height of >1.5m, further improvement can be achieved by leaving an undisturbed margin of 2m on either side of the hedge.

The proposed creation of hedgerow around the boundary of The Site will create over 100m of new species rich hedgerow valuable for wildlife. This creation of hedgerow is considered sufficient compensation for the removal of hedgerow and grassland within The Site.

Post development, enhancement measures including the installation of swift and bat boxes on the new building would provide valuable nesting and roosting habitat for these local notable species.

Appendix A



Appendix B

Target Note	Description
1	Pool of water in improved grassland field
2	Semi-improved neutral grass with public path running through.
3	Outflow pipe in scrub block
4	Mammal path running along northern side of scrub along fence line.
5	Embankment with creeping thistle along fence line.
6	Flock of ~ 30 skylark in improved grassland field

Roads and Transportation Services
Ayrshire Roads Alliance
Opera House
8 John Finnie Street
KILMARNOCK
KA1 1DD

F.A.O. Mr Adrian Porter

24 June 2024

Our Ref: 2414/SL

Dear Sirs

**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.

Application Ref: 24/00091/APP

**Change of use of agricultural land and erection of dwellinghouse and associated works
Netherton Farm - U55 from B742 Junction at Barnford Cottage South East to U35 Junction
near Kilmore Dalrymple, South Ayrshire, KA6 6AX**

We refer to the observation from Ayrshire Roads Alliance on the above planning application and, in particular, to the proposed condition regarding appropriate visibility splays for a driveway access to a proposed dwellinghouse on the U55 at Netherton Farm, Dalrymple.

"That junction access visibility sightline splays of 2.4 metres by 215 metres 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."

CD123 (Geometric Design of At-Grade Priority and Signal Controlled Junctions) of the Design Manual for Roads and Bridges (DMRB) states the following (on page 23):

3.8 The minimum distance used to locate point X shall satisfy one of the following

- 1) for direct access:
 - a) 4.5 metres; or,
 - b) 2.0 metres.

3.8.1 The minimum distance used to locate point X should be in accordance with a) for each junction/access type.

3.8.2 Where it is not feasible to locate point X fully in accordance with a), the minimum distance used to locate point X should be as close to a) as practicable, but no less than b).

It should be noted though that ARA quote an "x" value of 2.4m in their proposed condition, which is what Designing Streets states for "x", rather than what DMRB states, a "x" value of 2.4m will be applied.

CD123 also states on page 23 the following in terms of the “y” value:

- 3.5 The speed of the major road for determining point Y in the visibility splay shall be based on:
- 1) design speed only for direct accesses and priority junctions on new major roads;
 - 2) design speed only for priority junctions that form part of a through route on existing major roads; and,
 - 3) design speed or speed measurement for direct accesses and priority junctions that do not form part of a through route on existing major roads.

NOTE Speed measurement of an existing major road involves calculating the 85th percentile speed of traffic.

Therefore, in order to determine the appropriate visibility splays as per the above extract, a speed survey on the U55 was commissioned to obtain the 85th percentile speeds of passing traffic over the section close to the proposed location of the driveway.

U55 Speed Survey

The speed survey, using inductive loops, was carried out over a 7 day period from Tuesday 4th until Monday 10th June 2024. The full results of the speed survey are attached to this letter.

From these results, the 85th percentile speed of both eastbound and westbound traffic was 27.1mph (43.4kph).

The 85th percentile speeds are below 30mph (50kph) so mentioned in the Designing Streets extract above and also below the lowest design speed set out in Table 2.10 (Design Speed Related Parameters) of CD109 (Highway Link Design) of DMRB which sets out the desirable minimum Stopping Sight Distances used for the “y” visibility splay.

Appropriate Visibility Splays

Assessing the measured 85th percentile speeds against Table 2.10 of CD109, the desirable minimum SSD should be 70m for a design speed of 50kph (31mph) or less, therefore 2.4m x 70m visibility splays would be appropriate.

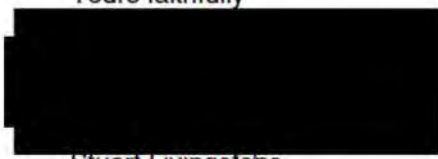
These visibility splays of 2.4m x 70m are shown on MA+P's drawing no. 2252(2-) 104b appended to this letter.

We trust that the above, the results of the speed survey on the U55 at Netherton Farm, Dalrymple and the attached sketch provide the necessary supporting information to amend the proposed condition on visibility splays to read “2.4 metres by 70 metres” rather than “2.4 metres x 215 metres”.

However...

However, should you require any further information or clarification on the above, please do not hesitate to contact either Mhairi Shaw at Mhairi Shaw Planning or myself.

Yours faithfully



Stuart Livingstone
Director

E stuart@lpltd.co.uk

c.c. Mhairi Shaw, Mhairi Shaw Planning

Encl

U55 Speed Survey Results
MA+P's drawing no. 2252(2-) 104b

Time		Priority		10-15	15 Minutes On-Side Traffic	45-60	Cycles		Master Cylinder	Car Valve Timing	2-4 Mile Run	4-6 Mile Run	6-8 Mile Run	4-6 Mile Run	6-8 Mile Run	8-10 Mile Run	Double Wheel Time	Triple Wheel Time	MPH 10-15	MPH 15-45	MPH 45-60	MPH 60-75	MPH 75-90	MPH 90-100	MPH 100-110	MPH 110-120	MPH 120-130	MPH 130-140	MPH 140-150	MPH 150-160	MPH 160-170	MPH 170-180	MPH 180-190	MPH 190-200	MPH 200-210	MPH 210-220	MPH 220-230	MPH 230-240	MPH 240-250	MPH 250-260	MPH 260-270	MPH 270-280	MPH 280-290	MPH 290-300	MPH 300-310	MPH 310-320	MPH 320-330	MPH 330-340	MPH 340-350	MPH 350-360	MPH 360-370	MPH 370-380	MPH 380-390	MPH 390-400	MPH 400-410	MPH 410-420	MPH 420-430	MPH 430-440	MPH 440-450	MPH 450-460	MPH 460-470	MPH 470-480	MPH 480-490	MPH 490-500	MPH 500-510	MPH 510-520	MPH 520-530	MPH 530-540	MPH 540-550	MPH 550-560	MPH 560-570	MPH 570-580	MPH 580-590	MPH 590-600	MPH 600-610	MPH 610-620	MPH 620-630	MPH 630-640	MPH 640-650	MPH 650-660	MPH 660-670	MPH 670-680	MPH 680-690	MPH 690-700	MPH 700-710	MPH 710-720	MPH 720-730	MPH 730-740	MPH 740-750	MPH 750-760	MPH 760-770	MPH 770-780	MPH 780-790	MPH 790-800	MPH 800-810	MPH 810-820	MPH 820-830	MPH 830-840	MPH 840-850	MPH 850-860	MPH 860-870	MPH 870-880	MPH 880-890	MPH 890-900	MPH 900-910	MPH 910-920	MPH 920-930	MPH 930-940	MPH 940-950	MPH 950-960	MPH 960-970	MPH 970-980	MPH 980-990	MPH 990-1000	MPH 1000-1010	MPH 1010-1020	MPH 1020-1030	MPH 1030-1040	MPH 1040-1050	MPH 1050-1060	MPH 1060-1070	MPH 1070-1080	MPH 1080-1090	MPH 1090-1100	MPH 1100-1110	MPH 1110-1120	MPH 1120-1130	MPH 1130-1140	MPH 1140-1150	MPH 1150-1160	MPH 1160-1170	MPH 1170-1180	MPH 1180-1190	MPH 1190-1200	MPH 1200-1210	MPH 1210-1220	MPH 1220-1230	MPH 1230-1240	MPH 1240-1250	MPH 1250-1260	MPH 1260-1270	MPH 1270-1280	MPH 1280-1290	MPH 1290-1300	MPH 1300-1310	MPH 1310-1320	MPH 1320-1330	MPH 1330-1340	MPH 1340-1350	MPH 1350-1360	MPH 1360-1370	MPH 1370-1380	MPH 1380-1390	MPH 1390-1400	MPH 1400-1410	MPH 1410-1420	MPH 1420-1430	MPH 1430-1440	MPH 1440-1450	MPH 1450-1460	MPH 1460-1470	MPH 1470-1480	MPH 1480-1490	MPH 1490-1500	MPH 1500-1510	MPH 1510-1520	MPH 1520-1530	MPH 1530-1540	MPH 1540-1550	MPH 1550-1560	MPH 1560-1570	MPH 1570-1580	MPH 1580-1590	MPH 1590-1600	MPH 1600-1610	MPH 1610-1620	MPH 1620-1630	MPH 1630-1640	MPH 1640-1650	MPH 1650-1660	MPH 1660-1670	MPH 1670-1680	MPH 1680-1690	MPH 1690-1700	MPH 1700-1710	MPH 1710-1720	MPH 1720-1730	MPH 1730-1740	MPH 1740-1750	MPH 1750-1760	MPH 1760-1770	MPH 1770-1780	MPH 1780-1790	MPH 1790-1800	MPH 1800-1810	MPH 1810-1820	MPH 1820-1830	MPH 1830-1840	MPH 1840-1850	MPH 1850-1860	MPH 1860-1870	MPH 1870-1880	MPH 1880-1890	MPH 1890-1900	MPH 1900-1910	MPH 1910-1920	MPH 1920-1930	MPH 1930-1940	MPH 1940-1950	MPH 1950-1960	MPH 1960-1970	MPH 1970-1980	MPH 1980-1990	MPH 1990-2000	MPH 2000-2010	MPH 2010-2020	MPH 2020-2030	MPH 2030-2040	MPH 2040-2050	MPH 2050-2060	MPH 2060-2070	MPH 2070-2080	MPH 2080-2090	MPH 2090-2100	MPH 2100-2110	MPH 2110-2120	MPH 2120-2130	MPH 2130-2140	MPH 2140-2150	MPH 2150-2160	MPH 2160-2170	MPH 2170-2180	MPH 2180-2190	MPH 2190-2200	MPH 2200-2210	MPH 2210-2220	MPH 2220-2230	MPH 2230-2240	MPH 2240-2250	MPH 2250-2260	MPH 2260-2270	MPH 2270-2280	MPH 2280-2290	MPH 2290-2300	MPH 2300-2310	MPH 2310-2320	MPH 2320-2330	MPH 2330-2340	MPH 2340-2350	MPH 2350-2360	MPH 2360-2370	MPH 2370-2380	MPH 2380-2390	MPH 2390-2400	MPH 2400-2410	MPH 2410-2420	MPH 2420-2430	MPH 2430-2440	MPH 2440-2450</
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Time		Hourly Totals		15 Minute Bin Drags		pACh		Cycles		Motor Cycles		Car Turn Transfers		1st Arm Transfers		2nd Arm Transfers		3rd Arm Transfers		4th Arm Transfers		5th Arm Transfers		6th Arm Transfers		7th Arm Transfers		8th Arm Transfers		9th Arm Transfers		10th Arm Transfers		11th Arm Transfers		12th Arm Transfers		13th Arm Transfers		14th Arm Transfers		15th Arm Transfers		16th Arm Transfers		17th Arm Transfers		18th Arm Transfers		19th Arm Transfers		20th Arm Transfers		21st Arm Transfers		22nd Arm Transfers		23rd Arm Transfers		24th Arm Transfers		25th Arm Transfers		26th Arm Transfers		27th Arm Transfers		28th Arm Transfers		29th Arm Transfers		30th Arm Transfers		31st Arm Transfers		32nd Arm Transfers		33rd Arm Transfers		34th Arm Transfers		35th Arm Transfers		36th Arm Transfers		37th Arm Transfers		38th Arm Transfers		39th Arm Transfers		40th Arm Transfers		41st Arm Transfers		42nd Arm Transfers		43rd Arm Transfers		44th Arm Transfers		45th Arm Transfers		46th Arm Transfers		47th Arm Transfers		48th Arm Transfers		49th Arm Transfers		50th Arm Transfers		51st Arm Transfers		52nd Arm Transfers		53rd Arm Transfers		54th Arm Transfers		55th Arm Transfers		56th Arm Transfers		57th Arm Transfers		58th Arm Transfers		59th Arm Transfers		60th Arm Transfers		61st Arm Transfers		62nd Arm Transfers		63rd Arm Transfers		64th Arm Transfers		65th Arm Transfers		66th Arm Transfers		67th Arm Transfers		68th Arm Transfers		69th Arm Transfers		70th Arm Transfers		71st Arm Transfers		72nd Arm Transfers		73rd Arm Transfers		74th Arm Transfers		75th Arm Transfers		76th Arm Transfers		77th Arm Transfers		78th Arm Transfers		79th Arm Transfers		80th Arm Transfers		81st Arm Transfers		82nd Arm Transfers		83rd Arm Transfers		84th Arm Transfers		85th Arm Transfers		86th Arm Transfers		87th Arm Transfers		88th Arm Transfers		89th Arm Transfers		90th Arm Transfers		91st Arm Transfers		92nd Arm Transfers		93rd Arm Transfers		94th Arm Transfers		95th Arm Transfers		96th Arm Transfers		97th Arm Transfers		98th Arm Transfers		99th Arm Transfers		100th Arm Transfers		101st Arm Transfers		102nd Arm Transfers		103rd Arm Transfers		104th Arm Transfers		105th Arm Transfers		106th Arm Transfers		107th Arm Transfers		108th Arm Transfers		109th Arm Transfers		110th Arm Transfers		111th Arm Transfers		112th Arm Transfers		113th Arm Transfers		114th Arm Transfers		115th Arm Transfers		116th Arm Transfers		117th Arm Transfers		118th Arm Transfers		119th Arm Transfers		120th Arm Transfers		121st Arm Transfers		122nd Arm Transfers		123rd Arm Transfers		124th Arm Transfers		125th Arm Transfers		126th Arm Transfers		127th Arm Transfers		128th Arm Transfers		129th Arm Transfers		130th Arm Transfers		131st Arm Transfers		132nd Arm Transfers		133rd Arm Transfers		134th Arm Transfers
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Monday 08 June 2022																																				
Time	Hourly Traffic	SO-15	15 Minute Brd Spd SO-15	60-60	Cyber	Micro Cycle	Car Van	Car Van Trailing	2 Aids Light	3 Aids Light	4 Aids Light	3 Aids Light	4 Aids Light	3 Aids Light	5 Aids Light	Double Red Tree	Triple Red Tree	MPN 15 <10mph	MPN 15 <15mph	MPN 15 <20mph	MPN 15 <25mph	MPN 15 <30mph	MPN 15 <35mph	MPN 15 <40mph	MPN 15 <45mph	MPN 15 <50mph	MPN 15 <55mph	MPN 15 <60mph	MPN 15 <65mph	MPN 15 <70mph	P-Tra MPN	Average Speed	Standard Deviation			
0000-0100	0	0	0	0	0																															
0100-0200	0	0	0	0	0																															
0200-0300	0	0	0	0	0																															
0300-0400	0	0	0	0	0																															
0400-0500	0	0	0	0	0																															
0500-0600	0	0	0	0	0																															
0600-0700	0	0	0	0	0																															
0700-0800	0	0	0	0	0																															
0800-0900	0	0	0	0	0																															
0900-1000	0	0	0	0	0																															
1000-1100	0	0	0	0	0																															
1100-1200	0	0	0	0	0																															
1200-1300	2	0	1	0	0		0	0		0	0	0	0	0	0																					
1300-1400	0	0	0	0	0		0	0		0	0	0	0	0	0																					
1400-1500	3	1	1	0	1		0	0		0	0	0	0	0	0																					
1500-1600	0	0	0	0	0		0	0		0	0	0	0	0	0																					
1600-1700	0	0	0	0	0		0	0		0	0	0	0	0	0																					
1700-1800	0	0	0	0	0		0	0		0	0	0	0	0	0																					
1800-1900	1	0	0	0	1		0	0		1	0	0	0	0	0																					
1900-2000	1	0	1	0																																
2000-2100	2	0	1	0	1		0	0		2	0	0	0	0	0																					
2100-2200	0	0	0	0	0		0	0		0	0	0	0	0	0																					
2200-2300	0	0	0	0	0		0	0		0	0	0	0	0	0																					
2300-0000	0	0	0	0	0		0	0		0	0	0	0	0	0																					
0000-0100	19	2	7	4	6		0	16		1	0	0	0	0	2				1	1	1	6	10	0	0	0	0	0	0	0	0	26.4	26.7	5.5		
0100-0200	19	2	7	4	6		0	16		1	0	0	0	0	2				1	1	1	6	10	0	0	0	0	0	0	0	0	26.5	26.1	5.5		
0200-0300	19	2	1	4	6		0	16		1	0	0	0	0	2				1	1	1	6	10	0	0	0	0	0	0	0	0	26.5	25.1	5.8		

[illegible]

Monday 10 June 2024

[illegible]

Virtual Day (7:30)

Actual Day (7/20)			Hourly		35-45		45-55		55-65		65-75		75-85		85-95		95-105		105-115		115-125		125-135		135-145		145-155		155-165		165-175		175-185		185-195		195-205		205-215		215-225		225-235		235-245		245-255		255-265		265-275		275-285		285-295		295-305		305-315		315-325		325-335		335-345		345-355		355-365		365-375		375-385		385-395		395-405		405-415		415-425		425-435		435-445		445-455		455-465		465-475		475-485		485-495		495-505		505-515		515-525		525-535		535-545		545-555		555-565		565-575		575-585		585-595		595-605		605-615		615-625		625-635		635-645		645-655		655-665		665-675		675-685		685-695		695-705		705-715		715-725		725-735		735-745		745-755		755-765		765-775		775-785		785-795		795-805		805-815		815-825		825-835		835-845		845-855		855-865		865-875		875-885		885-895		895-905		905-915		915-925		925-935		935-945		945-955		955-965		965-975		975-985		985-995		1000		1001-1010		1010-1020		1020-1030		1030-1040		1040-1050		1050-1060		1060-1070		1070-1080		1080-1090		1090-1100		1100-1110		1110-1120		1120-1130		1130-1140		1140-1150		1150-1160		1160-1170		1170-1180		1180-1190		1190-1200		1200-1210		1210-1220		1220-1230		1230-1240		1240-1250		1250-1260		1260-1270		1270-1280		1280-1290		1290-1300		1300-1310		1310-1320		1320-1330		1330-1340		1340-1350		1350-1360		1360-1370		1370-1380		1380-1390		1390-1400		1400-1410		1410-1420		1420-1430		1430-1440		1440-1450		1450-1460		1460-1470		1470-1480		1480-1490		1490-1500		1500-1510		1510-1520		1520-1530		1530-1540		1540-1550		1550-1560		1560-1570		1570-1580		1580-1590		1590-1600		1600-1610		1610-1620		1620-1630		1630-1640		1640-1650		1650-1660		1660-1670		1670-1680		1680-1690		1690-1700		1700-1710		1710-1720		1720-1730		1730-1740		1740-1750		1750-1760		1760-1770		1770-1780		1780-1790		1790-1800		1800-1810		1810-1820		1820-1830		1830-1840		1840-1850		1850-1860		1860-1870		1870-1880		1880-1890		1890-1900		1900-1910		1910-1920		1920-1930		1930-1940		1940-1950		1950-1960		1960-1970		1970-1980		1980-1990		1990-2000		2000-2010		2010-2020		2020-2030		2030-2040		2040-2050		2050-2060		2060-2070		2070-2080		2080-2090		2090-2100		2100-2110		2110-2120		2120-2130		2130-2140		2140-2150		2150-2160		2160-2170		2170-2180		2180-2190		2190-2200		2200-2210		2210-2220		2220-2230		2230-2240		2240-2250		2250-2260		2260-2270		2270-2280		2280-2290		2290-2300		2300-2310		2310-2320		2320-2330		2330-2340		2340-2350		2350-2360		2360-2370		2370-2380		2380-2390		2390-2400		2400-2410		2410-2420		2420-2430		2430-2440		2440-2450		2450-2460		2460-2470		2470-2480		2480-2490		2490-2500		2500-2510		2510-2520		2520-2530		2530-2540		2540-2550		2550-2560		2560-2570		2570-2580		2580-2590		2590-2600		2600-2610		2610-2620		2620-2630		2630-2640		2640-2650		2650-2660		2660-2670		2670-2680		2680-2690		2690-2700		2700-2710		2710-2720		2720-2730		2730-2740		2740-2750		2750-2760		2760-2770		2770-2780		2780-2790		2790-2800		2800-2810		2810-2820		2820-2830		2830-2840		2840-2850		2850-2860		2860-2870		2870-2880		2880-2890		2890-2900		2900-2910		2910-2920		2920-2930		2930-2940		2940-2950		2950-2960		2960-2970		2970-2980		2980-2990		2990-3000		3000-3010		3010-3020		3020-3030		3030-3040		3040-3050		3050-3060		3060-3070		3070-3080		3080-3090		3090-3100		3100-3110		3110-3120		3120-3130		3130-3140		3140-3150		3150-3160		3160-3170		3170-3180		3180-3190		3190-3200		3200-3210		3210-3220		3220-3230		3230-3240		3240-3250		3250-3260		3260-3270		3270-3280		3280-3290		3290-3300		3300-3310		3310-3320		3320-3330		3330-3340		3340-3350		3350-3360		3360-3370		3370-3380		3380-3390		3390-3400		3400-3410		3410-3420		3420-3430		3430-3440		3440-3450		3450-3460		3460-3470		3470-3480		3480-3490		3490-3500		3500-3510		3510-3520		3520-3530		3530-3540		3540-3550		3550-3560		3560-3570		3570-3580		3580-3590		3590-3600		3600-3610		3610-3620		3620-3630		3630-3640		3640-3650		3650-3660		3660-3670		3670-3680		3680-3690		3690-3700		3700-3710		3710-3720		3720-3730		3730-3740		3740-3750		3750-3760		3760-3770		3770-3780		3780-3790		3790-3800		3800-3810		3810-3820		3820-3830		3830-3840		3840-3850		3850-3860		3860-3870		3870-3880		3880-3890		3890-3900		3900-3910		3910-3920		3920-3930		3930-3940		3940-3950		3950-3960		3960-3970		3970-3980		3980-3990		3990-4000		4000-4010		4010-4020		4020-4030		4030-4040		4040-4050		4050-4060		4060-4070		4070-4080		4080-4090		4090-4100		4100-4110		4110-4120		4120-4130		4130-4140		4140-4150		4150-4160		4160-4170		4170-4180		4180-4190		4190-4200		4200-4210		4210-4220		4220-4230		4230-4240		4240-4250		4250-4260		4260-4270		4270-4280		4280-4290		4290-4300		4300-4310		4310-4320		4320-4330		4330-4340		4340-4350		4350-4360		4360-4370		4370-4380		4380-4390		4390-4400		4400-4410		4410-4420		4420-4430		4430-4440		4440-4450		4450-4460		4460-4470		4470-4480		4480-4490		4490-4500		4500-4510		4510-4520		4520-4530		4530-4540		4540-4550		4550-4560		4560-4570		4570-4580		4580-4590		4590-4600		4600-4610		4610-4620		4620-4630		4630-4640		4640-4650		4650-4660		4660-4670		4670-4680		4680-4690		4690-4700		4700-4710		4710-4720		4720-4730		4730-4740		4740-4750		4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Virtual Week (1.00)

[illegible]

Total

[illegible]



Proposed Access Road Junction Plan

Scale: 1:1000

LOCAL DEVELOPMENT

REFUSAL OF APPLICATION FOR PLANNING PERMISSION (Delegated)

Ref No: 24/00091/APP

SOUTH AYRSHIRE COUNCIL

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

To: I & C Campbell
per Mhairi Shaw Planning
Mhairi Shaw
4 Old Station Wynd
Troon
KA10 6RR

With reference to your **Application for Planning Permission** dated 9th February 2024, under the aforementioned Regulations, for the following development, viz:-

Change of use of agricultural land and erection of dwellinghouse and associated works

at: **Netherton Farm U55 From B742 Junction At Barnford Cottage South East To U35 Junction Near Kilmore Dalrymple South Ayrshire KA6 6AX**

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 reason(s) for the Council's decision are as follows:

NOTE: Reasons will be numbered and prefixed with an 'R'
--

- (1R) That the development proposal is contrary to National Planning Framework 4 (NPF4), specifically National Policies 14 Design, Quality and Place; 15 Local Living and 20-minute neighbourhoods; 17 Rural Homes; 13 Sustainable Transport; South Ayrshire Local Development Plan (LDP2) Core Principle B8, LDP policies Rural Housing and Landscape Quality; South Ayrshire Council's Rural Housing Guidance and the provisions of Scottish Planning Advice Note PAN 72 in relation to Housing in the Countryside, as the proposed dwellinghouse is remotely located and physically isolated from the steading and farming enterprise which is it intended to serve, and does not form or complement a coherent group of buildings so as to reinforce the existing operational base of the farming enterprise at Netherton Farm, and has the potential to result in frequent vehicle trips. Additionally, the remote and isolated positioning of the dwellinghouse is considered to be visually prominent and uncharacteristic, and to the detriment of the rural landscape setting at the locality. No robust justification has been provided for a departure from these policies to the satisfaction of the Council, as planning authority.
- (2R) That the development proposal is contrary to the Adopted South Ayrshire Local Development Plan Rural Housing policy and the related provisions of the Planning Guidance entitled Rural Housing due to the proposed dwellinghouse not being sited so as to form or complement a coherent group of buildings so as to reinforce the existing operational base of the farming enterprise at Netherton Farm, and due to not constituting development within an existing cluster or the sensitive infilling of an available gap site which consolidates existing properties within a cluster, and due to being visually prominent, intrusive and uncharacteristic of the rural setting intrusive. No robust justification has been provided for a departure from these policies to the satisfaction of the Council, as planning authority.

List of Refused Plans:

Plan Type	Reference	Version No.	Received Date
Supporting Information	Design Access Statement		09.02.2024
Supporting Information	Labour Requirement	Confidential	09.02.2024
Supporting Information	Planning Statement		09.02.2024
Supporting Information	Ecological Appraisal		09.02.2024
Supporting Information	Speed survey		09.02.2024
Drawing	2308(2-)101a		
Drawing	2308(2-)102a		
Drawing	2308(2-)103a	a	09.02.2024
Drawing	2308(2-)104a	a	09.02.2024
Drawing	2308(2-)105a	a	09.02.2024
Drawing	2308(2-)106a	a	09.02.2024
Drawing	2308(2-)107a	a	09.02.2024
Drawing	2308(2-)108a	a	09.02.2024
Other	2326(2-)109		09.02.2024

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

Dated: 31st July 2024

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

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

From: Davidson, Jenny [REDACTED]
Sent: Tuesday, February 27, 2024 9:20 AM
To: Sharp, Fiona [REDACTED]
Cc: Marshall, Tony [REDACTED]; Goldie, Erin [REDACTED]
Subject: South Ayrshire Council Planning Consultation - 24/00091/APP

 External email >

Dear Fiona,

Please find attached our ecological review of 24/00091/APP - Change of use of agricultural land and erection of dwellinghouse and associated works at Netherton Farm, Dalrymple, South Ayrshire, KA6 6AX.

Let me know if you have any questions.

Kind regards,

Jenny

Jenny Davidson

Senior Ecologist

M [REDACTED]
[REDACTED]

AECOM

1 Tanfield

Edinburgh, EH3 5DA

aecom.com

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27 February 2024

Your Reference
24/00091/APPFiona Sharp
South Ayrshire Council
County Buildings
Wellington Square
Ayr
KA7 1DR**Ecological review of 24/00091/APP – Change of use of agricultural land and erection of dwellinghouse and associated works at Netherton Farm, U55 From B742 Junction At Barnford Cottage South East To U35 Junction Near Kilmore, Dalrymple, South Ayrshire, KA6 6AX.**

Dear Fiona

On 16 February 2024, South Ayrshire Council requested that AECOM conduct an ecological review of the above planning application. The proposal for 'change of use of agricultural land and erection of a dwellinghouse' is referred to hereafter in this letter as the 'Proposed Development'. We have reviewed the information available. Please see a summary of our ecological review in Table 1 below.

Where we refer to 'protected and notable' habitats and species, these may include the following ecological features which are of conservation concern:

- the qualifying / notified features of sites designated for nature conservation;
- woodland listed on the Ancient Woodland Inventory (AWI);
- habitats listed on Annex I of the Habitats Directive¹;
- animal species listed on Annex II of the Habitats Directive;
- bird species listed on Annex I of the Birds Directive²;
- animal species listed on Schedules 2 and 4 of the Conservation (Natural Habitats, & c.) Regulations 1994 (as amended) (more commonly referred to as the 'Habitats Regulations');
- species listed on Schedules 1, 5 and 8 of the Wildlife and Countryside Act 1981 (as amended) (the 'WCA');
- badger, which is afforded protection under the Protection of Badgers Act 1992;
- species on the Scottish Biodiversity List (SBL) which are thus identified as being of principal importance for biodiversity conservation in Scotland;
- bird species on the Red List (and in some circumstances those on the Amber List) of Birds of Conservation Concern³; and,
- invasive non-native species listed on Schedule 9 of the WCA (although this no longer legally applies in Scotland) and those considered to be of European concern under the European Union Invasive Alien Species (IAS) Regulation.

¹ Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora, more commonly referred to as the 'Habitats Directive'.

² Directive 2009/147/EC of the European Parliament and of the Council of 30 November 2009 on the conservation of wild birds, more commonly referred to as the 'Birds Directive'.

³ Stanbury, A.J., Eaton, M.A., Aebischer, N.J., Balmer, D., Brown, A.F., Douse, A., Lindley, P., McCulloch, N., Noble, D.G. and Win, I. (2021). The status of our bird populations. The fifth birds of conservation concern in the United Kingdom, Channel Islands and Isle of Man and second IUCN Red List assessment of extinction risk for Great Britain. *British Birds* **114**, pp 723-747.

Table 1. Ecological review summary

Category	Outcome of ecological review		
Has an ecology report been submitted?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	
Is the proposal within or potentially connected to any sites designated for nature conservation?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Request clarification <input type="checkbox"/>
Is there potential for protected or notable habitats and species?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	Uncertain <input type="checkbox"/>
All relevant surveys completed using appropriate methods?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	Request clarification <input type="checkbox"/>
Evidence of protected or notable habitats and species found?	Habitats <input type="checkbox"/>	Species <input type="checkbox"/>	Uncertain <input type="checkbox"/> No <input checked="" type="checkbox"/>
Will protected or notable habitats and/or species be impacted?	Habitats <input type="checkbox"/>	Species <input type="checkbox"/>	Uncertain <input type="checkbox"/> No <input checked="" type="checkbox"/>
Are mitigation measures adequate to avoid offences?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	Uncertain <input type="checkbox"/>
Have proposals for ecological enhancement been made?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	

The Proposed Development involves the erection of a dwellinghouse in the corner of an agricultural field, and may result in the loss of improved grassland and, potentially, a very short length of hedgerow.

A Preliminary Ecological Appraisal Report⁴ (PEAR) was provided with the application and this has been reviewed by AECOM.

We consider that the assessment described in the PEAR is sufficient for a development of this nature and size.

In accordance with local and national planning policy, the Proposed Development should seek to deliver enhancements for biodiversity. The PEAR makes several suggestions for ecological enhancement. For example, the PEAR suggests that the proposed boundary hedge should comprise “*native, locally sourced species*”. We agree with this statement and would add that hedgerow, shrub or tree species to be planted would ideally be native species as defined by the Forestry Commission⁵ and BSBI Online Plant Atlas 2020⁶. This would exclude “*buckthorn*”, which was suggested in the PEAR and is not native to the locale, however we agree with the other species suggested. The PEAR also suggests the post-development installation of swift and bat boxes on to the new building. The applicant may wish to consider the opportunity to incorporate such features into the dwellinghouse during construction. For example, swift bricks or bat tiles are easily installed into new walls/roofs. Further guidance on these and other potential measures are provided by NatureScot (<https://www.nature.scot/doc/developing-nature-guidance>). Further details of the biodiversity enhancement to be provided by the Proposed Development should be provided to South Ayrshire Council, for example in the form of a clear plan with accompanying statement describing the measures to be provided. South Ayrshire Council may wish to secure this through suitable planning condition.

Yours sincerely,

Jenny Davidson
Senior Ecologist
AECOM Limited

M: [REDACTED]
E: [REDACTED]

cc: Tony Marshall (AECOM)
Erin Goldie (South Ayrshire Council)

⁴ SAC Consulting (2023). Netherton Farm – Preliminary Ecological Appraisal Report.

⁵ Forestry Commission (2006). Guidance: Seed Sources for Planting Native Trees and Shrubs in Scotland. Accessed: <https://forestry.gov.scot/forests-environment/biodiversity/native-woodlands/seed-sources>.

⁶ P.A. Stroh, T. A. Humphrey, R.J. Burkmar, O.L. Pescott, D.B. Roy, & K.J. Walker. (2020). BSBI Online Plant Atlas 2020. Accessed: <https://plantatlas2020.org/>.

From: ARA.TransportationPlanningConsultations

Sent: Wednesday, February 28, 2024 11:10 AM

To: Sharp, Fiona

Subject: RE: South Ayrshire Council Planning Consultation - 24/00091/APP [PUBLIC]

External email >

CLASSIFICATION: PUBLIC

Morning Fiona,

Please find attached the ARA's response to this application.

Regards,

Aidan

From:

Sent: 16 February 2024 10:11

To: ARA.TransportationPlanningConsultations

Subject: South Ayrshire Council Planning Consultation - 24/00091/APP

Please find consultation request attached.

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<https://eastayrshi.re/provostcharitydonation>

Contact: [REDACTED]
ARA Case Officer: AP
Planning Case Officer: F Sharp
Planning Application No: 24/00091/APP
Location: Netherton Farm U55, Dalrymple

Date Received: 16/02/2024
Date Returned: 28/02/2024
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.

Conditions:**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. 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.

From: Mhairi Shaw [REDACTED]
Sent: Tuesday, May 21, 2024 12:42 PM
To: Sharp, Fiona [REDACTED]
Cc: Ronald & Janice Campbell [REDACTED]
[REDACTED] Stuart [REDACTED]
James McGinlay [REDACTED]
Subject: 24/00091/APP | Change of use of agricultural land and erection of dwellinghouse and associated works | Netherton Farm U55 From B742 Junction At Barnford Cottage South East To U35 Junction Near Kilmore Dalrymple South Ayrshire KA6 6AX

Good afternoon Fiona,

I refer to your e-mail of 14 May in connection with the application as above and thank you for your detailed explanation regarding roads matters. I have now obtained information regarding the required speed survey and am now awaiting confirmation of instruction from my client. Notwithstanding, the speed survey will be carried out over a week commencing on 28/5 (ie next Tuesday, due to the holiday weekend). This means that the survey will end on 4/6. The transport consultant will then require time to prepare his report for submission. He has indicated that this may take up to another week. Therefore the information relating to the outcome of the speed survey and adjusted sightline standard cannot, in all probability, be submitted until w/b 10/6, which is beyond the current period of clock-stopping. I would therefore request that a further period of clock-stopping be agreed, to enable the completion and submission of the transport report, until w/b 17/6/24.

I am somewhat perplexed as to why it was not evident at the time of the previous application, 23/00331/APP that the 2.4 metres by 215 metres sightline is not technically achievable at this location, since the road junction/access design, as shown on the relevant drawing for both the previous and current applications, is identical. You will appreciate that the emergence and conveyance of this issue late in the assessment of the current application has caused significant delay and distress to my client. There does seem to have been a lack of a conscientious approach applied when considering this matter, since it should be evident to anyone visiting the site that the 60mph standard is not achievable, especially to an ARA staff member. If this matter had been identified and raised, as it should have been at the time of the previous application 23/00331/APP, then it could have been addressed and the required information submitted to support the current application, as in the case of the Ecology report. The delay and associated confusion could therefore have been avoided.

I would be grateful if you could please confirm agreement to the extended period of clock-stopping as requested.

Kind regards,
Mhairi.

NB : Please note that I work flexible hours, normally on Tuesday, Wednesday & Thursday. I will respond to any enquiries/e-mails as soon as possible.

mhairishawplanning

Mhairi Shaw
Planning Consultant
BA (Hons) MRTPI

4 Old Station Wynd
Troon
South Ayrshire
KA106RR
tel: [REDACTED]

<image003.png>

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<https://eastayrshi.re/provostcharitydonation>

On 23 May 2024, at 16:05, Sharp, Fiona [REDACTED] wrote:

Good afternoon Mhairi,

Thanks for your correspondence in relation to the above. I note that you are arranging for the speed survey to be undertaken and anticipate the report to be submitted by 17th June. The Service is happy to agree an extended period of clock-stopping, however, please note that I will be on leave until the week of the 24th June, so it might be more practicable to extend the clock-stopping period until then, if you/ your client are in agreement.

Regards

Fiona

From: Mhairi Shaw [REDACTED]
Sent: Tuesday, June 25, 2024 4:01 PM
To: Sharp, Fiona [REDACTED]
Subject: Re: 24/00091/APP | Change of use of agricultural land and erection of dwellinghouse and associated works | Netherton Farm U55 From B742 Junction At Barnford Cottage South East To U35 Junction Near Kilmore Dalrymple South Ayrshire KA6 6AX

Good afternoon Fiona,

I hope you have had a good break. I refer to the planning application as above. Please see attached a letter from LPL Transport Consultants regarding the outcome of the speed survey which was conducted 4th-10th June including supporting information, as previously discussed. If you could forward this on to Aidan Porter at ARA and also forward on any feedback you receive from ARA regarding this matter, that would be appreciated.

Kind regards,
Mhairi.

NB : Please note that I work flexible hours, normally on Tuesday, Wednesday & Thursday. I will respond to any enquiries/e-mails as soon as possible.

mhairishawplanning

Mhairi Shaw
Planning Consultant
BA (Hons) MRTPI

4 Old Station Wynd
Troon
South Ayrshire
KA106RR
tel: [REDACTED]

[REDACTED]

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From: Sharp, Fiona
Sent: Thursday, June 27, 2024 11:33 AM
To: Porter, Aidan [REDACTED]
Subject: FW: 24/00091/APP | Change of use of agricultural land and erection of dwellinghouse and associated works | Netherton Farm U55 From B742 Junction At Barnford Cottage South East To U35 Junction Near Kilmore Dalrymple South Ayrshire KA6 6AX

Hi Aidan,

Hope you are well. I've received the attached speed survey in relation to the application – you might recall the access doesn't meet the visibility splays, and the agent has opted to submit a survey. I'd be grateful if you could review the attached and advise if a reduction in splays is acceptable, along with any additional conditions and advisory notes.

Many thanks

Fiona

From: Sharp, Fiona [REDACTED]
Sent: 18 July 2024 12:02
To: Porter, Aidan [REDACTED]
Subject: FW: 24/00091/APP | Change of use of agricultural land and erection of dwellinghouse and associated works | Netherton Farm U55 From B742 Junction At Barnford Cottage South East To U35 Junction Near Kilmore Dalrymple South Ayrshire KA6 6AX

Hi Aidan,

Sorry for chasing you, but I wondered if you have had a chance to review the attachments in relation to the above? This is only remaining aspect which is needed to conclude on the application proposals.

Please let me know if there are any difficulties from your side, so that I can keep the agent advised.

Regards

Fiona

From: Porter, Aidan [REDACTED]
Sent: Thursday, July 18, 2024 1:49 PM
To: Sharp, Fiona [REDACTED]
Subject: RE: 24/00091/APP | Change of use of agricultural land and erection of dwellinghouse and associated works | Netherton Farm U55 From B742 Junction At Barnford Cottage South East To U35 Junction Near Kilmore Dalrymple South Ayrshire KA6 6AX [PUBLIC]

 External email >

CLASSIFICATION: PUBLIC

Hi Fiona,

Apologies for missing this one. Happy for the visibility condition to be omitted on the basis of this further information.

Regards,

Aidan

From: Simpson1, Victoria [REDACTED]
Sent: Thursday, February 29, 2024 8:52 AM
To: Planning Development [REDACTED]; Sharp, Fiona
[REDACTED]
Cc: Idox DMS [REDACTED]
Subject: Netherton Farm

Good morning.

Please find attached the Planning consultation document from Environmental Health in reference to the above mentioned application.

Kind Regards

Vicky Simpson
Graduate Trainee Environmental Health Officer | Environmental Health | Chief Executive's Office |
Tel. [REDACTED] | Off. [REDACTED] | e-mail – [REDACTED] | South
Ayrshire Council | 5-7 River Terrace | Ayr | KA8 0BJ | www.south-ayrshire.gov.uk

Vicky Simpson1 | Neach-trèanaidh Ceumnaiche / Oifigear Slàinte Àrainneachd | Co-
Bhòrd Luachadh Siorrachd Àir | Ceannard
River Terrace | [REDACTED]
Tel: [REDACTED] www.south-ayrshire.gov.uk

MEMORANDUM

Tel: [REDACTED]
Our Ref: 7VS/24/00488/PLNAPP
Your Ref:
Date: 29 February 2024

From: 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.

**THE TOWN AND COUNTRY PLANNING (SCOTLAND) ACTS
PROPOSAL: CHANGE OF USE OF AGRICULTURAL LAND AND ERECTION OF
DWELLINGHOUSE AND ASSOCIATED WORKS
SITE ADDRESS: NETHERTON FARM U55 FROM B742 JUNCTION AT BARNFORD
COTTAGE
SOUTH EAST TO U35 JUNCTION NEAR KILMORE DALRYMPLE SOUTH
AYRSHIRE KA6 6AX
GRID REFERENCE: (E) 237221 (N) 613571
Planning application 24/00091/APP**

I refer to the above planning application consultation submitted to this section on 16 February 2024 and can advise as follows.

There are no objections to this application so far as this Service is concerned.

This response with recommendation(s) was prepared by **Vicky Simpson**, to whom any further enquiries can be made on [REDACTED].

Planning Application Consultation

Environmental Health Reference:	24/00488/PLNAPP		
Planning Application Reference:	24/00091/PLNAPP		
Planning Case Officer:	Fiona Sharp	Email:	
Name/Address of Applicant:	I & C CAMPBELL Netherton Farm U55 From B742 Junction At Barnford Cottage South East To U35 Junction Near Kilmore Dalrymple South Ayrshire KA6 6AX		
Address of Proposed Works:	Netherton Farm U55 From B742 Junction At Barnford Cottage South East To U35 Junction Near Kilmore Dalrymple South Ayrshire KA6 6AX		
Nature of Proposed Works:	THE TOWN AND COUNTRY PLANNING (SCOTLAND) ACTS PROPOSAL: CHANGE OF USE OF AGRICULTURAL LAND AND ERECTION OF DWELLINGHOUSE AND ASSOCIATED WORKS SITE ADDRESS: NETHERTON FARM U55 FROM B742 JUNCTION AT BARNFORD COTTAGE SOUTH EAST TO U35 JUNCTION NEAR KILMORE DALRYMPLE SOUTH AYRSHIRE KA6 6AX GRID REFERENCE: (E) 237221 (N) 613571 Planning application 24/00091/APP		

Date Received:	16.02.2024
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OBSERVATIONS:

Existing Premises & Locality:	THE DWELLING HOUSE HAS BEEN PROPOSED TO SIT ON AGRICULTURAL LAND AND USED AS A FARMHOUSE ASSOCIATED WITH THE BUSINESS ALREADY ESTABLISHED. EXISTING BUILDINGS ON THE LAND ARE UNSUITABLE FOR RENOVATION. BUSINESS OWNERS CURRENTLY LIVE OFF SITE AND WISH TO LIVE ONSITE TO MEET WITH DEMANDS OF THE BUSINESS. NEAREST NEIGHBOURS WOULD BE BARNFORD COTTAGE AND CASSILIS MILL WHICH SHOULD NOT BE IMPACTED BY ANY ADDITIONAL NOISE.		
Implications:	NOISE	FOOD HYGIENE	HEALTH & SAFETY
	POLLUTION	HOUSING	NONE ✓
Additional Comments:	EXISTING BUSINESS ON THE LAND, NO ADDITIONAL NOISE CONCERNS		

Recommendations:	
------------------	--

Consultations:	Pollution Control	HMO	Private Water
	Animal Health	Food Safety	Health & Safety
Others:	CONNECTING TO MAINS WATER SUPPLY SUDS ARRANGEMENTS INCLUDED IN PLANS CONSULTED WITH ARA ALREADY REGARDING ROAD ACCESS AECOM CONSULTED FOR ECOLOGICAL REVIEW		

Enforcement of Major Legislation	Health & Safety:	SAC	HSE
	Food Hygiene:	SAC	N/A

Attached Documents:	
---------------------	--

Letter to Applicant?	YES			NO		
Template:	Memo 1 No Objections ✓	Memo 2 Conditions prior to consent	Memo 3 Conditions post consent	Memo 4 Further information required	Memo 5 Recommend refusal!	Memo 6 Windfarms
Officer Name:	VICKY SIMPSON		Date:		28 February 2024	

From: Planning Development [REDACTED]
Sent: Wednesday, February 28, 2024 4:38 PM
To: Sharp, Fiona [REDACTED]
Subject: FW: SW Ref: DSCAS-0104620-77D - Your Ref: 24/00091/APP

From: Planning Consultations [REDACTED]
Sent: 28 February 2024 16:18
To: Planning Development [REDACTED]
Subject: SW Ref: DSCAS-0104620-77D - Your Ref: 24/00091/APP

Dear Local Planner,

Please see the attached letter regarding SW Case: **DSCAS-0104620-77D - Your Ref: 24/00091/APP**

If you have any questions then please do not hesitate to contact Scottish Water.

Kind Regards,

Ruth Kerr.

Ruth Kerr

Technical Analyst
North Regional Team

Strategic Development
Development Services
Dedicated Freephone Helpline: [REDACTED]
[REDACTED]

Scottish Water.

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Scottish Water

www.scottishwater.co.uk

Wednesday, 28 February 2024



Local Planner
Planning Service
South Ayrshire Council
Ayr
KA7 1UT

Development Operations
The Bridge
Buchanan Gate Business Park
Cumbernauld Road
Stepps
Glasgow
G33 6FB

Development Operations

E-Mail -

www.scottishwater.co.uk



Dear Customer,

Netherton Farm, Near Kilmore Dalrymple, South Ayrshire, KA6 6AX
Planning Ref: 24/00091/APP
Our Ref: DSCAS-0104620-77D
Proposal: Change of use of agricultural land and erection of dwellinghouse and associated works

Please quote our reference in all future correspondence

Audit of Proposal

Scottish Water has no objection to this planning application; however, the applicant should be aware that this does not confirm that the proposed development can currently be serviced. Please read the following carefully as there may be further action required. Scottish Water would advise the following:

Drinking Water Protected Areas

A review of our records indicates that there are no Scottish Water drinking water catchments or water abstraction sources, which are designated as Drinking Water Protected Areas under the Water Framework Directive, in the area that may be affected by the proposed activity.

Surface Water

For reasons of sustainability and to protect our customers from potential future sewer flooding, Scottish Water will not accept any surface water connections into our combined sewer system.

There may be limited exceptional circumstances where we would allow such a connection for brownfield sites only, however this will require significant justification from the customer taking account of various factors including legal, physical, and technical challenges.

In order to avoid costs and delays where a surface water discharge to our combined sewer system is anticipated, the developer should contact Scottish Water at the earliest opportunity with strong evidence to support the intended drainage plan prior to making a connection request. We will assess this evidence in a robust manner and provide a decision that reflects the best option from environmental and customer perspectives.

General notes:

- ▶ Scottish Water asset plans can be obtained from our appointed asset plan providers:
 - ▶ Site Investigation Services (UK) Ltd
 - ▶ Tel: [REDACTED]
 - ▶ Email: [REDACTED]
 - ▶ www.sisplan.co.uk

I trust the above is acceptable however if you require any further information regarding this matter please contact me on [REDACTED] or via the e-mail address below or at [REDACTED]

Yours sincerely,

Ruth Kerr.
Development Services Analyst
[REDACTED]

Scottish Water Disclaimer:

"It is important to note that the information on any such plan provided on Scottish Water's infrastructure, is for indicative purposes only and its accuracy cannot be relied upon. When the exact location and the nature of the infrastructure on the plan is a material requirement then you should undertake an appropriate site investigation to confirm its actual position in the ground and to determine if it is suitable for its intended purpose. By using the plan you agree that Scottish Water will not be liable for any loss, damage or costs caused by relying upon it or from carrying out any such site investigation."

Comments for Planning Application 24/00091/APP

Application Summary

Application Number: 24/00091/APP

Address: Netherton Farm U55 From B742 Junction At Barnford Cottage South East To U35 Junction Near Kilmore Dalrymple South Ayrshire KA6 6AX

Proposal: Change of use of agricultural land and erection of dwellinghouse and associated works

Case Officer: Ms Fiona Sharp

Customer Details

Name: Mr Henry Simpson

Address: Cassillis Mill Farmhouse Dalrymple

Comment Details

Commenter Type: Neighbour

Stance: Customer made comments neither objecting to or supporting the Planning Application

Comment Reasons:

Comment: I objected to their original proposal and am glad that they have relocated the proposed site across the field next to Netherton Road.

In Appendix A and B they refer to our property in target note 2 as being scrubland with a public footpath. There has never been a public footpath through our land so can you get Harry Fisher of SAC Consulting to explain why he has reached that conclusion as a mistake has been made and I don't want the public to enter land and disturb the wildlife including 6 deer which have made our land their home.

Thank you,

Henry Simpson

From: henry simpson [REDACTED]
Sent: Friday, August 23, 2024 12:02 PM
To: Local Review Body [REDACTED]
Subject: Re: LRB/24/00091/APP - Netherton Dalrymple

Good afternoon Karen,
Thank you for letting me know as an interested party about Mr Campbell's appeal against refusal of planning permission for a farm workers house at the proposed location. It is up to the Local Review Body to decide whether it meets Policy requirements so I have nothing to say on the matter except that Mongomerieston may also appeal against refusal of their application for a farm workers house remote from their main steading which bears similarities to the Netherton case. It will be interesting to see what the LRB decide as it could open the floodgates!

Regards
Henry Simpson

On Wed, 21 Aug 2024 at 15:13, Local Review Body [REDACTED] wrote:

Good afternoon,

Please see attached letter for your attention.

Kind regards,

South Ayrshire Council Local Review Body

County Buildings, Wellington Square, Ayr, KA7 1DR

E: [REDACTED]

T: [REDACTED]

W: www.south-ayrshire.gov.uk

This email and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed. If you have received this email in error please notify South Ayrshire Council, [REDACTED]

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

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

24/00091/APP – Case Officer's Comments and Photographs.

From: Sharp, Fiona [REDACTED]
Sent: Thursday, September 5, 2024 7:35 AM
To: Local Review Body [REDACTED]
Subject: LRB/24/00091/APP

Hello,

Please see attached in relation to the above noted appeal.

Regards

Fiona

Planning application 24/00091/APP – Netherton Farm

Response to appeal submission

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 Planning Service considered the planning application on this basis, and against the provisions of National Planning Framework 4 and the Adopted South Ayrshire Local Plan. Due consideration and weight was also attached to the Council's Adopted Rural Housing Policy.

Planning application 24/00091/APP sought planning permission for the change of use of agricultural land and erection of dwellinghouse and associated works. The assessment of the application is fully set out and clarified in the Report of Handling that accompanies the decision to refuse planning permission under application 24/00091/APP. The determining factor in the consideration of this application is the proposed location of the dwellinghouse relative to the existing farmsteading and its operational base which is located approximately 1.3 km to the south-east, and whether the applicant has made a reasoned and evidential justification for the siting of the proposed development. The onus is on the applicant to submit a robust case that is supported by evidential information that clearly indicates that the chosen location is the only possible location for the development. The Planning Service does not consider that the case has been sufficiently evidenced and notes that the location chosen, otherwise provides for a most exposed and remote location for a dwellinghouse in terms of its relationship to the steading which it would serve, and in terms of visual impact within the countryside.

As part of the consideration of the above application, and also the earlier application (23/00331/APP) for the same proposals on land a short distance away (approximately 280 metres to the north-west of the site of application 24/00091/APP) the applicant's agent was advised of the locational concerns in relation to the proposals, and in particular, regarding the siting of a dwellinghouse in the isolated location proposed, and in particular due to it being remote from the operational base of the farm, its associated buildings, and also from a landscape setting perspective. As such, the applicant/ agent were made aware of the Council's Rural Housing policy which states that "any proposed buildings or structures form or complement a coherent group of buildings and are not visually intrusive", and therefore the locational preference for the siting of any new dwelling would require to be sited closer to the existing steading so as to reinforce the existing operational base and building grouping, rather than in a stand-alone, isolated location remote from the steading, and at the periphery of the farmland. The applicant/ agent were therefore recommended to explore the potential to re-site a dwellinghouse within, or in close proximity of the existing steading at Netherton Farm. In providing the aforementioned advice, it was considered that the setting of Netherton Farm, the farmhouse and out-buildings, along with the nearby Netherton Cottages were considered to form a building grouping, and that a repositioned dwellinghouse in and around the aforementioned locale, would likely be more acceptable in planning terms.

Where a dwellinghouse is required in connection with the operation of an existing rural based business, then it is reasonable to expect that any new dwelling would be sited adjacent to the existing steading so as to form and/ or reinforce a compact operational base. In contrast, the proposed new house is not located within or adjacent to the existing steading and operational base at Netherton Farm, but is located approximately 1.3 km to the north-west metres in a location where no agricultural buildings are currently present. Under the current proposals, the applicant seeks to form a second dwellinghouse in a disparate location remote from the farmsteading as the operational hub of the farming enterprise.

It is considered that the applicant's operational needs could be equally fulfilled, if not better met by locating an additional dwelling around, or closer to the vicinity of Netherton Farm, and Netherton Cottages. Therefore, for the purposes of assessing the application, it was not considered that the proposal is justified on the basis of the need for a dwellinghouse to be provided in the location proposed. An appropriately sited dwellinghouse would also be preferential from a landscape setting perspective, due to being less sensitive and less exposed than the site proposed under the current application site which stands alone in isolation from the steading, and bound by agricultural land on three sides, and by the public road on the remaining side. In this regard, it is considered that there is sufficient land closer to the vicinity of Netherton Farm, and Netherton Cottages so as to enable the applicant to provide for an additional dwelling, as required. The application has been considered in this context.

Given the above, the applicant/ agent has not demonstrated why the proposed additional dwellinghouse could not be sited in the locality of Netherton Farm, and Netherton Cottages. As such, it is considered by the Planning Service, that the proposed development does not need to be as remotely located from the steading as the applicant/ agent suggests.

For completeness, the Service also considered if the proposal could be considered to represent development within a cluster of existing properties. As noted in the Report of Handling, given the exposed and isolated nature of the site, it was not considered that the proposed site could be considered to represent a cluster for the purposes of considering the application. Similarly, and for the reasons noted within the Report of Handling it was not considered that the proposed dwellinghouse was reflective of the pattern of development in the immediate area.

Paragraph 4.15 of the appeal statement "anticipates that an additional animal management facility, in the form of a new agricultural shed, may be established within Zone 2", and that "This facility would be overseen and managed from the proposed dwellinghouse." There is no guarantee that any additional operational buildings in this location will be forthcoming, and/ or if approved, that the development would be implemented and managed accordingly. At the time of the decision, there was no record of any submissions relating to the provision of operational buildings in the vicinity of the application site; the application was considered in this context.

Overall, the LRB will wish to carefully consider whether or not the locational requirement to site a dwellinghouse remote from the existing and established operational steading at Netherton Farm, has been fully justified.

24.00091.APP - Case Officer's Comments and Photographs

Application 24/00091/APP

Netherton Farm, by Dalrymple
(Site visit photo's provided by case officer)

24.00091.APP - Case Officer's Comments and Photographs



View of application site and surroundings, as taken from site access in south-eastern corner

24.00091.APP - Case Officer's Comments and Photographs



Application in part (left) and view of adjacent field to east/ south-east
Taken from site access

24.00091.APP - Case Officer's Comments and Photographs



View from neighbouring land to north
Arrow indicates site access

24.00091.APP - Case Officer's Comments and Photographs



Public road to south of site – looking north-westwards

24.00091.APP - Case Officer's Comments and Photographs



Partial view of larger agricultural holding – note sloping topography
Application site out of view beyond brow of hill. Arrow denotes approximately location.

24.00091 APP - Case Officer's Comments and Photographs



Partial view of Netherton Farm steading (A) and Netherton Cottages (B), as viewed from public road to east

24/00091/APP – Interested Party AECOM – Response from AECOM, following Case Officer's Comments and Photographs.

From: Davidson, Jenny

Sent: Friday, September 20, 2024 11:09 AM

To: [REDACTED]

Cc: Goldie, Erin [REDACTED] Marshall, Tony [REDACTED]
Boston, Emma [REDACTED]

Subject: South Ayrshire Council Planning Consultation - Comment on Refusal of 24/00091/APP

Dear Fiona,

Please find attached our comment on the Appointed Officers response to the refusal of 24/00091/APP - Change of use of agricultural land and erection of dwellinghouse and associated works at Netherton Farm, Dalrymple, South Ayrshire, KA6 6AX.

This is in response to the attached Letter to Interested Parties for Comment.

Let me know if you have any questions.

Kind regards,

Jenny

Jenny Davidson

Senior Ecologist
[REDACTED]
[REDACTED]

Note I will be on annual leave from 25 September until 21 October.

AECOM

1 Tanfield
Edinburgh, EH3 5DA
aecom.com

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AECOM Limited
1 Tanfield
Edinburgh EH3 5DA
United Kingdom


aecom.com

20 September 2024

Your Reference
24/00091/APP

Fiona Sharp
South Ayrshire Council
County Buildings
Wellington Square
Ayr
KA7 1DR

Comment on Appointed Officer's response to Refusal of Application For Planning Permission 24/00091/APP – Change of use of agricultural land and erection of dwellinghouse and associated works at Netherton Farm, U55 From B742 Junction At Barnford Cottage South East To U35 Junction Near Kilmore, Dalrymple, South Ayrshire, KA6 6AX.

Dear Fiona

On 16 February 2024, South Ayrshire Council requested that AECOM conduct an ecological review of the above planning application. This review was issued to South Ayrshire Council on 27 February 2024¹.

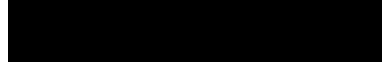
A Refusal of Application For Planning Permission was issued to the applicant by South Ayrshire Council on 31 July 2024.

On 16 September 2024, South Ayrshire Council requested that AECOM provide comment on the Appointed Officer's response.

AECOM have no further comment on this response, and refer back to their ecological review.

However, AECOM would like to advise that any future applications which involve the erection of a dwellinghouse and associated works in a different location, for example, nearer the existing steading at Netherton Farm (as suggested in the Appointed Officer Response to Appeal) may require further ecological assessment.

Yours sincerely,

Jenny Davidson
Senior Ecologist
AECOM Limited


cc: Tony Marshall (AECOM)
Emma Boston (AECOM)
Erin Goldie (South Ayrshire Council)

¹ AECOM (2024). Ecological review of 24/00091/APP – Change of use of agricultural land and erection of dwellinghouse and associated works at Netherton Farm, U55 From B742 Junction At Barnford Cottage South East To U35 Junction Near Kilmore, Dalrymple, South Ayrshire, KA6 6AX. Produced for South Ayrshire Council.

From: Mhairi Shaw [REDACTED]
Sent: Tuesday, September 24, 2024 4:04 PM
To: Local Review Body [REDACTED]
Cc: Ronald & Janice Campbell [REDACTED]
Subject: Re: LRB/24/00091/APP - Netherton Dalrymple

Good afternoon,

I refer to the e-mail below. Please see attached comments and photographs submitted in response to the Appointed Officer comments and photographs. Please note all future correspondence should be forwarded to the e-mail address as follows;

[REDACTED]

Kind regards,
Mhairi Shaw.

NB : Please note that I work flexible hours, normally on Tuesday, Wednesday & Thursday. I will respond to any enquiries/e-mails as soon as possible.

mhairishawplanning

Mhairi Shaw
Planning Consultant
BA (Hons) MRTPI

4 Old Station Wynd
Troon
South Ayrshire
KA106RR
[REDACTED]
[REDACTED]



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Planning application 24/00091/APP – Netherton Farm

Response to Appointed Officer's Comments : 24 September 2024

It is considered that the applicant has presented a robust case in support of the location of the proposed house as set out in detail within the Planning Statement which accompanied the planning application (24/00091/APP). It is not incumbent on the applicant to demonstrate that the proposed location is the “only” possible location for a new house, rather the case presented relates to the optimal location in relation to the operational requirements of the farming enterprise. For the reasons state in the Appeal Statement , it is also not considered that the proposed location is either exposed or remote. The proposed location, as described in full in previous submissions, being adjacent to the road and accessed via an existing, historical access will not result in any significant visual impact with the surrounding countryside.

It is acknowledged that as part of the consideration of the above application, and also the earlier application (23/00331/APP) on land a short distance away (approximately 280 metres to the north-west of the site of application 24/00091/APP) the applicant's agent was advised of the locational concerns in relation to the proposals. It was for this reason that the proposed house was relocated to the appeal site which is adjacent to the road thereby following the typical pattern of development for rural houses throughout Ayrshire.

The reasoning behind the proposed location is set out in detail within the Planning statement and appeal Statement previously submitted site and is based on the operational requirements of the business. As explained the intention is to establish a satellite operational base in order to provide oversight this area of land and increase security in terms of animal welfare and management. Therefore the advice of the Planning service was taken into account in the assessment of an alternative location following the withdrawal of the previous application applicant (23/00331/APP) and the propsed site was chosen by the applicant as a viable alternative which reflected the surrounding pattern of development being adjacent to the roadside.

It is not for the Planning Service to offer advice as to the operational needs of the business since this is not their area of expertise. The applicant has given careful consideration as to the requirements and challenges currently facing the business in terms of the management of livestock and animal welfare and it is for these reasons that there is a desire to establish a separate operational base within the extensive landholding at Netherton.

Given the above, and for all the reasons previously stated in the Planning, Appeal and other supporting statements, it is considered that the applicant has clearly demonstrated why the proposed additional dwelling house should be sited as per the appeal site.

Please also refer to the photographs which accompany this note which it is considered give a comprehensive understanding of the site and its environs.

Conditions and Reasons:

1. That the development hereby permitted shall be begun within three years of the date of this permission.

Reason:

To be in compliance with Section 58 of The Town and Country Planning (Scotland) Act 1997 as amended by Section 20 of The Planning Etc. (Scotland) Act 2006.

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.

Reason:

To ensure that the development is carried out in accordance with the approved plans unless otherwise agreed.

3. 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. 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.

4. That, prior to the commencement of works on-site, details shall be submitted for the prior written approval of the Council, as planning authority of the location, height and materials of all new boundary fences, gates or other means of enclosure shall be submitted to the Planning Authority for written approval.

Reason:

In the interests of residential amenity.

5. 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 Classes 1A, 1B, 3A, 3B, 3C, 3D, 3E, and 7 shall be undertaken within the land to the curtilage of the dwellinghouse, which forms the application site, without the prior written permission of the Planning Authority.

Reason:

To ensure that any further development at this site is assessed as part of a further planning permission, and in the interests of amenity.

6. That the discharge of water onto the public road carriageway shall be prevented by drainage or other means.

Reason:

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

7. That the proposed hedgerow boundary treatment shall comprise of native, locally sourced species, as defined by the Forestry Commission and BSBI Online Plant Atlas 2020, the details of which shall be submitted to, and for the written agreement of the planning authority, prior to the commencement of works on-site. Thereafter, the development shall be implemented as per the agreed written specification.

Reason:

In the interests of visual amenity and biodiversity.

8. That, prior to the commencement of development on site, details shall be submitted of biodiversity enhancement measures to be undertaken at the site for the written agreement of the planning authority. Thereafter, the development shall be implemented as per the agreed written specification.

Reason:

In the interest of biodiversity.

9. That, prior to the commencement of development on site, details in the form of existing and proposed sectional drawings shall be submitted detailing any groundworks required to facilitate the development, including how the groundworks are to be undertaken and details of the ground and finished floor levels of the proposed dwellinghouse, for the prior written approval of the planning authority. Thereafter, the development shall be implemented as per the agreed written specification.

Reason:

So as to clarify the terms of this permission.

Advisory Notes:

1. That a Road Opening Permit shall be applied for, and obtained from the Council as Roads Authority, for any work within the public road limits, prior to works commencing on site.
2. The Council as Roads Authority advises that all works on the carriageway to be carried out in accordance with the requirements of the Transport (Scotland) Act 2005 and the Roads (Scotland) Act 1984.
3. In order to comply with the requirements of the New Roads and Street Works Act 1991, all works carried out in association with the development on the public road network, including those involving the connection of any utility to the site, must be co-ordinated so as to minimise their disruptive impact. This co-ordination shall be undertaken by the developer and his contractors in liaison with the local roads authority and the relevant utility companies.
4. The Council as Roads Authority advises that any costs associated with the relocation of any street furniture shall require to be borne by the applicant / developer.
5. Scottish Water asset plans can be obtained from our appointed asset plan providers:
Site Investigation Services (UK) Ltd
Tel: 0333 123 1223
Email: sw@sisplan.co.uk
www.sisplan.co.uk

List of Plans:

Type	Reference	Version No.
Drawing	2308-(2-)101a	a
Drawing	2308-(2-)102a	a
Drawing	2308-(2-)103a	a
Drawing	2308-(2-)104a	a
Drawing	2308-(2-)105a	a
Drawing	2308-(2-)106a	a
Drawing	2308-(2-)107a	a
Drawing	2308-(2-)108a	a
Other	2308-(2-)109	
Supporting information	Design Access Statement	
Supporting information	Labour Requirement	
Supporting information	Planning Statement	
Supporting information	Ecological Statement	
Supporting information	Speed survey	