

County Buildings
Wellington Square
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26 November 2025



To:- Councillors Lamont (Chair), Cavana, Clark, Hogg, Kilbride, Kilpatrick, Mackay, Townson, and Weir.

All other Members for Information Only

Dear Councillor

SOUTH AYRSHIRE LOCAL REVIEW BODY

You are requested to participate in the above Panel to be held in County Hall, County Buildings, Ayr on **Tuesday, 2 December 2025 at 2.00 p.m.** for the purpose of considering the undernoted business.

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

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

Yours sincerely

Catriona Caves
Chief Governance Officer

B U S I N E S S .

1. Declarations of Interest.
2. Minute of previous meeting of 24 June 2025.
3. New Case for Review – 25/00034/APP – Application for the Erection of a Dwellinghouse and Agricultural Shed at U96 from C138 Junction near Low Wardneuk to A719 Junction near Bourtreebush, Monkton, South Ayrshire (copy herewith).

[Application Summary](#)

4. New Case for Review – 25/00115/APP – Application for the Change of Use of Class 3 Restaurant to Form Class 11 Dance Studio at 38 North Harbour Street, Ayr, South Ayrshire, KA8 8AH (copy herewith).

[Application summary](#)

5. New Case for Review – 25/00042/APP - Application for the Erection of Agricultural Shed and Formation of Access Track and Yard (in partial retrospect) at Land Adjacent to Dykehead Cottage C53 from A719 Junction at Fiveways House North to Council Boundary North West of East Mossie, Kilmarnock, South Ayrshire, KA1 5JR (copy herewith).

[Application summary](#)

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e-mail: localreviewbody@south-ayrshire.gov.uk
www.south-ayrshire.gov.uk

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SOUTH AYRSHIRE LOCAL REVIEW BODY.

Minutes of a hybrid webcast meeting held on
24 June 2025 at 2.00 p.m.

Present: Councillors Alan Lamont (Chair), Ian Cavana, Alec Clark, Martin Kilbride, and Mary Kilpatrick.

Remote: Councillors Mark Dixon and Lee Lyons.

Apologies: Councillors Craig Mackay and Duncan Townson.

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

Opening Remarks.

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

1. Declarations of Interest.

The Legal Adviser called the sederunt and, having called the roll, confirmed that there were no declarations of interest by Members of the Body in terms of Council Standing Order No. 17 and the Councillors' Code of Conduct.

2. Minutes of Previous Meetings.

As Councillors Kilbride and Kilpatrick were not present at the meeting of 6 May 2025, they were not eligible to vote on this item.

The [minutes](#) of 6 May 2025 (issued) were submitted and approved.

3. **New Case for Review – 24/00914/FUR - Further Application to Remove Planning Condition 3 from Planning Permission Ref. 23/00594/APP at 23 Adamton Road North, Prestwick, South Ayrshire, KA9 2HY.**

There were submitted the relevant [papers](#) (issued) relating to a request to review the decision to refuse Further Application to Remove Planning Condition 3 from Planning Permission Ref. 23/00594/APP at 23 Adamton Road North, Prestwick, South Ayrshire, KA9 2HY.

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

Councillor Lee Lyons, seconded by Councillor Martin Kilbride, moved to overturn the Appointed Officer's decision, and grant Planning Permission for the Further Application to Remove Planning Condition 3 from Planning Permission Ref. 23/00594/APP.

By way of Amendment, Councillor Mark Dixon, seconded by Councillor Ian Cavana, moved to continue the application for a hearing session into specified matters relating to parking and road safety.

On a vote being taken by electronic means, three Members voted for the Amendment and four members voted for the Motion. The Motion was accordingly carried and the Body

Decided:

To overturn the Appointed Officer's decision and grant Planning Permission for Further Application to Remove Planning Condition 3 from Planning Permission Ref. 23/00594/APP at 23 Adamton Road North, Prestwick, South Ayrshire, KA9 2HY, subject to the following conditions:-

Conditions

1. That the development hereby permitted must be begun within **three years** of the date of this permission.
2. That the development hereby granted shall be implemented in accordance with the approved plan(s) as listed below and as forming part of this permission unless a variation required by a condition of the permission or a non-material variation has been agreed in writing by the Planning Authority.

Reasons:

1. To be in compliance with Section 58 of The Town and Country Planning (Scotland) Act 1997 as amended by Section 32 of The Planning (Scotland) Act 2019.
2. To ensure that the development is carried out in accordance with the approved plans unless otherwise agreed.

List of Approved Plans

List of Plans determined: Date: Plan Type	Reference:	Version No:	Received
Drawing	Location Plan		18.12.2024
Drawing	01	Rev. C	18.12.2024
Drawing	KK/FP1		18.12.2024
Drawing	KK/FP-02		18.12.2024
Supporting Information	Planning Services UK Supporting Statement		18.12.2024
Supporting Information	Appeal Statement		18.12.2024
Supporting Information	Original Application Noise Impact Report		18.12.2024
Supporting Information	Original Application Planning Statement		18.12.2024

Advice Notes:

1. 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.

2. 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.
3. 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.
4. The Council as Roads Authority advises that promotion of Traffic Regulation Orders resulting from this development shall require to be fully funded by the applicant – including any relevant road signs and markings.

Reason for Decision:

The development hereby approved is considered to accord with the provisions of the Local Development Plan and would have no significant adverse impact on the amenity of the residential area.

The meeting ended at 2.44pm.

SOUTH AYRSHIRE COUNCIL

LOCAL REVIEW BODY

NOTE OF CURRENT POSITION

Site Address:	U96 from C138 junction near Low Wardneuk to A719 junction near Bourtreebush Monkton, South Ayrshire
Application:	25/00034/APP- Erection of Dwellinghouse and agricultural shed

Appointed Officer's Decision:	Refused
Date Notice of Review Received:	22 August 2025

Current Position:	New Case for Review
Documentation:	<p>The following documents in relation to the review are attached:</p> <p>Pages 1 to 17 - Report of Handling.</p> <p>Pages 18 to 22 - Notice of Review (August 2025).</p> <p>Pages 23 to 31 - Review Statement – (August 2025).</p> <p>Pages 32 to 39 - Original Planning Application (January 2025).</p> <p>Pages 40 to 56 – Design and Access Statement (August 2024).</p> <p>Pages 57 to 68 - Supporting Information (Agricultural Appraisal – December 2024).</p> <p>Pages 69 to 92 - Supporting Information (Preliminary Ecological Appraisal – January 2025).</p> <p>Pages 93 to 102 - Planning Application Designs/Plans (Aug 2024 to March 2025).</p> <p>Pages 103 to 107 - Decision Notice (May 2025)</p>

	<p>Pages 108 to 117 - Consultation responses</p> <ul style="list-style-type: none"> • Page 108 – SGN (04.02.2025) • Page 109 Scottish Water (10.02.2025) • Page 112 – AECOM (12.02.2025) • Page 115 – Prestwick Airport (13.02.2025) • Page 117 - Ayrshire Roads Alliance (26.02.2025) • Page 118 – Environmental Health (06.03.2025) • Page 119 - Ayrshire Roads Alliance (23.04.2025) <p>Pages 121 to 122 – Interested Party response following initial letter for comment from Local Review Body – Prestwick Airport - 12.09.2025.</p> <p>Pages 123 to 124 – Applicant’s Representations on Interested Party Comments – 17.11.2025.</p> <p>Pages 125 to 129 – Applicant’s Correspondence with Interested Party – 17.11.2025.</p> <p>Pages 130 to 132 – Case Officer Comments - 12.09.2025.</p> <p>Pages 133 to 136 - Case Officer Photographs (with comments) – 03.10.2025.</p> <p>Pages 137 to 142 - Applicant’s Representations on Case Officer Photographs – 9.10.2025.</p> <p>Pages 143 to 144 – Applicant’s Representations on Case Officer Comments – 17.11.2025.</p> <p>Pages 145 to 146 – IP Responses - From SGN following Case Officer Photographs – 6.10.2025.</p> <p>Pages 147 to 148 – IP Responses – From AECOM following Case Officer Photographs – 20.10.2025.</p> <p>Pages 149 to 152 - Draft Conditions – 3.10.2025.</p>
New Material:	No
Additional Material Any other Comments:	N/A
Dated:	21 November 2025

Report of Handling of Application

Application Determined under Delegated Powers

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

Reference No:	25/00034/APP
Site Address:	Proposed New Dwelling House U96 From C138 Junction Near Low Wardneuk To A719 Junction Near Bourtreesbush Monkton South Ayrshire
Proposal:	Erection of dwellinghouse and agricultural shed
Recommendation:	Refusal

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 (as amended). 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 20 January 2025.
- The application was validated on 29 January 2025.
- A Site Visit was carried out by the Planning Authority on 25 February 2025.
- No Neighbour Notification was required.
- 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 4 February 2025.

1. Site Description:

The application site comprises part of a larger agricultural field located to the north-east of the village of Monkton, and approximately 50 metres to the south-west of residential cottage known as High Wardneuk. The site comprises of a large elongated area which extends to approximately 12,680 sq m (1.26 ha) (approximately 200 metres in length, by a depth of between 56 - 71 metres excluding the access points), and is currently used for the production of arable crops/ silage. The site is bound on two sides (north-east) and (south-east) by mature woodland, with the aforementioned woodland areas being partially being as ancient woodland, and partially within the application site. The remaining boundaries of the site to the south-west, and north-west are undefined due to forming part of the larger agricultural field. The site gently undulates towards the north-west, and occupies an elevated position approximately 85 - 95 metres AOD, with the land to the north, south and west being lower which results in the application site being visible from outwith the site and over a large area. Access to the site is obtained via an existing single track field access positioned outwith the application site to the north.

The site is understood to be associated with the agricultural holding of Raith Farm, which is located approximately 2 km to the south-east, with the submission suggesting the proposed house is intended as an additional dwelling for an agricultural worker. The application site is noted as being located towards the northern periphery of the landholding associated with Raith Farm. Raith Farm is noted to form the main operational base for the farming operation and enterprise which is a dairy and beef enterprise, along with some arable crop farming, and grass silage, with the addition of winter storage of sheep. The steading at Raith is noted to contain of a large dwellinghouse and additional farm workers cottage, along with various out-buildings ranging from small traditional out-buildings to much larger modern agricultural buildings. In addition, two agricultural buildings (cattle shed and general purpose store) serving the farming operation are located adjacent to Little Foulton, which lies to the north-east of Raith Farm (approximately 1km distant). The farm enterprise at Raith Farm is also understood to operate in conjunction with the applicant's existing dairy farm business in Northern Ireland, with the applicant and his two sons involved in operations and splitting time between the two farm enterprises in Northern Ireland and South Ayrshire. It is understood that the applicant purchased Raith Farm and the associated land holding in 2022.

2. Planning History:

- The following application history **at the site** is noted;

An earlier application 14/00271/PPP sought planning permission in principle for the erection of dwellinghouse and agricultural shed. The application boundary for application 14/00271/PPP partially overlapped the site of the current application. The application was withdrawn prior to being determined. As part of the assessment of application 14/00271/PPP there were concerns in relation to the proposals which were considered to be contrary to the provisions of the development plan and supplementary guidance in place at this time.

- The following **current applications on land adjacent to Little Foulton** are noted;

Application 25/00033/APP seeks planning permission for the erection of a dwellinghouse. Pending consideration.

Application 25/00138/APP seeks planning permission for the erection of a dwellinghouse. Pending consideration.

Both applications 25/00033/APP and 25/00138/APP are submitted by the same applicant as for the current application.

- The following **historic applications at Raith Farm and Little Foulton** are noted for completeness, although they are noted as pre-dating the applicant's ownership of the site;

Permission was granted under application 22/00083/APP in February for the erection of a dwellinghouse at Little Foulton. Not implemented and now expired.

Outline planning permission for the erection of a dwellinghouse at Little Foulton was permitted under application 08/00945/OUT, subject to the conclusion of a section 75 legal agreement. This was followed by a subsequent application (11/01605/MS) for the approval of matters specified in conditions of planning permission in principle 08/00945/OUT. The permission granted under application 11/01605/MS was not implemented, and superseded by application 22/00083/APP for the same site.

Outline planning permission for the erection of 2 agricultural workers houses at Raith Farm was permitted under application 08/00946/OUT, subject to the conclusion of a section 75 legal agreement. No further applications were submitted to agree the details of permission granted under application 08/00946/OUT and as such, the permission has now expired.

Each of the above applications were noted to be from the respective owner/ operator of the agricultural enterprise at Raith Farm, with the additional accommodation being required to support the on-going agricultural operations at Raith Farm. As noted above, Raith Farm and associated land holding has changed ownership since the submission of, and approval of the earlier application noted above, with the applicant for the current application understood to have owned the enterprise and land holding operating from Raith Farm since 2022.

3. **Description of Proposal:**

Planning permission is sought for the erection of a dwellinghouse and agricultural shed, and associated works. The submitted drawings show the proposed house positioned in the north-western corner of the site, with the proposed agricultural shed positioned over 100 metres away to the south-east. In terms of access, two new access points formed through the woodland to the north-east connecting with the public road are proposed. The north-western access is proposed to serve the dwellinghouse, with the access to the south-east serving the proposed agricultural shed. An inter-connected access connecting the proposed house and shed is also proposed. No details of the agricultural shed have been submitted.

The proposed house is a substantial detached L-shaped dwellinghouse formed principally over two storeys, and containing 5 - 6 bedrooms, office, 4 reception rooms, gym, kitchen, utility and boot room, with attached double garage, with upper floor storage accommodation. The proposed house, including patios and covered areas is shown to occupy a footprint of approximately 385 sq metres. The proposed house is modern in its design and appearance and utilises a palette of traditional contemporary materials, including; white rendered external walls, grey slates, dark brick basecourse, stone cladding feature detailing and quions, grey wood effect cladding, grey framed windows and doors, glazed balcony. The main portion of the proposed house is shown to reach a height of approximately 8.0 metres to the ridge of the hipped roof. Further details of the development are set out within the drawings and supporting information which accompany the application submission.

4. **Consultations:**

Ayrshire Roads Alliance – note that the visibility splays of 2.4 metres by 215 metres in both directions at the accesses of the site and the public road are necessary. No such justification for reduced visibility has been submitted.

AECOM – advise that; i. ancient woodland is likely to be affected by the proposals which is not considered and addressed within the PEAR, ii. there is no evidence of bat surveys of the adjacent woodland having been carried out, and iii. no mitigation measures are proposed to ensure that the proposals do not impact on nearby badgers.

Prestwick Airport – confirm the potential for the development proposal to present safeguarding issues due to an Infringement of the Runway 20 Obstacle Limitation Surfaces and the potential effect on Instrument Flight Procedures. Glasgow Prestwick Airport has subsequently confirmed the need for an Instrument Flight Procedure Stage 1 Assessment in order to provide the appropriate level of regulatory assurance on safeguarding grounds. No such information has been provided.

SGN Pipelines Maintenance – no objection.

Scottish Water – no objection.

Environmental Health – 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 design and access statement, agricultural appraisal, preliminary ecological appraisal and supplementary email in support of the development proposals, the main points of which are summarised as follows;

Design and Access statement, Agricultural Appraisal and email correspondence of 26th March 2025:

The applicant purchased Raith Farm in 2022 to operate in conjunction with the applicant's existing dairy farm in Northern Ireland. The business is operated by the applicant, and two sons splitting their time between the South Ayrshire and North Ireland. The main farmsteading is Raith Farm, with supplementary buildings at Little Foulton.

The existing farm at Raith, operates in conjunction with the farmland at Little Foulton and High Wardneuk, and together operate as a single farming enterprise. Raith is understood to operate as the milking unit.

Little Foulton is confirmed to operate as beef unit and for calves. High Wardneuk is proposed as the site for relocated calf unit.

The farming operation and enterprise which is a dairy (370) and beef enterprise (300), along with some arable crop farming (28 ha), and grass silage, with the addition of winter storage of sheep (500). The combined areas of Raith Farm, Little Foulton and High Wardneuk is 164 ha with a further rented area of 24 ha (location unspecified).

The steading at Raith is the central hub for business operations, and includes the farmhouse (occupied by the applicant and family) and a farm workers cottage (occupied by a herdsman). A part-time worker lives off-site. Additional supplementary buildings are located opposite the buildings at Little Foulton.

There are insufficient dwellings and farm buildings across the holding, and the business is financially viable with a labour requirement estimated to be 9.58.

The submission considers Little Foulton to be constrained by the presence of mains gas pipelines.

The proposals accord with the NPF4 policies (16 and 17) and the Council's Rural Housing policy guidance.

The proposed buildings at High Wardneuk shall be concealed from the public road by trees, which also offers shelter and seclusion for the proposed farm.

The site benefits from attractive unobscured views.

Historic planning applications for residential properties – the current landowner seeks to make use of earlier lapsed planning permissions (22/00083/APP and 08/00946/OUT) for residential dwellings in relocated positions on the wider agricultural land holding so as to meet the operational needs of the current farming enterprise.

Application 23/00695/APP – under which permission was granted for the siting of a slurry lagoon, which has been implemented, and strategically positioned approximately 300 metres to the east of Little Foulton and shall serve the larger agricultural landholding.

Details of achievable visibility splays in both directions from both site accesses are submitted.

No residential properties connected with the overall land holiday have been sold in the previous 5 years.

The size and configuration of the site is considered proportionate for the farming operations. Two accesses provide some form of amenity for the proposed house.

The current application (along with the two concurrent applications at Little Foulton application 25/00033/APP and application 25/00138/APP) are part of succession planning, providing for accommodation for family and so as to attract additional agricultural workers to the area. The existing Raith Farm cottage is suggested as being suitable for seasonal workers due to the proximity to the main farmhouse.

Preliminary Ecological Appraisal Report:

Seeks to establish a baseline of ecology for the site and adjacent buffer area, and to identify any ecological constraints, including a Phase 1 habitat survey and protected species survey (for water vole, otter, badger, bats and other protected species, and breeding bird assessment). No nationally designated sites are located within 1 km of the site. No protected species were identified as being present within the main grassland area of the application site. The PEAR notes the presence of badger in the area outwith the site.

The PEAR notes the site to comprise of prime quality agricultural grassland of limited ecological value, with wooded areas of ancient origin adjacent, where care must be taken to protect the ancient woodland and avoid disturbance. The PEAR assumes that access to the site would be through the existing track opposite High Wardneuk, and that no new access is to be created (para 4.1). The PEAR notes the potential for biodiversity improvements such as native tree planting, bat boxes, and bird nest boxes.

6. S75 Obligations:

In assessing and reporting on a Planning application the Council is required to provide a summary of the terms of any Planning obligation entered into under Section 75 of The Town and Country Planning (Scotland) Act in relation to the grant of Planning permission for the proposed development.

None.

7. Scottish Ministers Directions:

In determining a Planning application, the Council is required to provide details of any Direction made by Scottish Ministers under Regulation 30 (Directions requiring consultation), Regulation 31 (Directions requiring information), Regulation 32 (Directions restricting the grant of Planning permission) and Regulation 33 (Directions requiring consideration of condition) of The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013, or under Regulation 50 (that development is EIA development) of The Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2017.

None.

8. Representations:

No representations were received.

9. Development Plan:

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). 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 6 – Forestry, Woodland and Trees;
- National Policy 13 - Sustainable Transport;
- National Policies 14 and 15 - Design, Quality and Place and Local Living and 20-minute neighbourhoods;
- National Policy 16 - Quality Homes;
- National Policy 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.

With regard to Forestry, Woodland and Trees, Policy 6 of the NPF4 states that “development proposals will not be supported where they will result in any loss of ancient woodlands, ancient and veteran trees, or adverse impact on their ecological condition.” As noted elsewhere in this report, the application site partially contains ancient woodland. Further consideration of the impact of the proposals on ancient woodland is set out elsewhere in this report.

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. 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. 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 approximately 4 kilometres from Monkton, and also approximately 4 km from Symington which are the closest villages to the application site. There are no footpaths or street lighting on the rural road sections of the route in this locale 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 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 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.

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

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.

In addition to any considerations under i. - viii. above, proposals for any additional residential accommodation also require to be suitably sited and designed to be in keeping with the character of the area. For the reasons noted elsewhere in this report, 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 policies 5 and 17 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 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):

- B8 - Core Principle;
- Strategic Policy 1: Sustainable Development;
- Strategic Policy 2: Development Management;
- LDP Policy: Rural Housing;
- LDP Policy: Affordable Housing;
- LDP Policy: Natural Heritage;
- LDP Policy: Landscape Quality;
- LDP Policy: Preserving Trees;
- LDP Policy: Woodland and Forestry;
- 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.

The Council's Affordable Housing Policy seeks an on-site target contribution of 25% of the total of units from new housing developments of over 15 units or more, or a site size equal to, or more than 0.6 ha. The application site is noted to extend to 1.26 ha, however, the submission makes no provision for the provision of affordable housing. Therefore, the proposals do not align with the Council's policy in relation to affordable housing.

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 has been considered by the Council's ecological advisors. Notwithstanding, for the reasons noted within this report, there are concerns regarding the proposals.

In terms of LDP 2 Policy Landscape Quality, it is noted that the application site is not located within a scenic area, as defined by the LDP, or within one of the 11 Local Landscape Areas of South Ayrshire. Notwithstanding, the Landscape Quality Policy seeks to maintain and improve the quality of South Ayrshire's landscape and its distinctive local characteristics. Developments must conserve features that contribute to local distinctiveness, including historic/cultural landscape, patterns of woodland, fields, hedgerows and tree, special qualities of river, estuaries and coasts, skylines and hill features. Further consideration of the siting and design of the development relative to its landscape setting is set out below.

The Preserving Trees, and Woodland and Forestry policies acknowledge that woodland and forestry make an important contribution towards the rural and urban environment and are an essential part of the landscape, a significant economic resource and provide considerable opportunities for recreation. Specifically, the Preserving Trees policy sets out that in assessing development proposals involving loss of, or works to, trees the Council will consider the extent of any adverse impact on the locality, and will take measures to protect trees. As noted above, the application site is located adjacent to mature woodland to the north-east and south-east, with the aforementioned woodland areas being partially defined as ancient woodland. The proposed access to/ from the agricultural shed is contained within an area of ancient woodland, which would inevitably result in the loss of ancient woodland and potentially undermine the larger woodland area to serve the development proposals. Further consideration of the impact of the development on the woodland is set out below.

Further consideration of matters relating to road safety and land use and transport issues is set out below.

For the reasons noted within this report there are concerns in relation to the proposals, which are not considered to 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 and design of the proposed dwellinghouse.

As noted elsewhere in this report, the site occupies an elevated position approximately 85 - 95 metres AOD, with the land to the north, south and west being lower which results in the application site being visible from outwith the site and over a large area. The general character of the area is of elevated, visually prominent and undeveloped countryside, with extensive open views to the north, south and west.

As a consequence of the prominent siting of the development, along with the design of the house over two storeys, the proposals, if approved would be visually obtrusive due to the exposed and elevated location of the site, resulting in unnecessary engineering works to re-grade the site to facilitate the development of the house, two accesses, the internal access road, and agricultural shed, contrary to the provisions of Scottish Government Planning Advice Note PAN 72 and the LDP policy in relation to landscape quality, which seek to conserve the landscape and hill features. As such, there remains potential for the proposals to be viewed, outwith the confines of the application site. Further consideration of the design of the development is set out below.

- 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. The applicant has submitted a Preliminary Ecological Appraisal – while no protected species were identified as being present within the main grassland area of the application site, the PEAR notes the presence of badger in the area outwith the site. As noted above, the PEAR assumes that access to the site would be through the existing track opposite High Wardneuk, and that no new access is to be created (para 4.1).

The Council's ecological advisors (AECOM) has reviewed the submitted PEAR, and note that; i. ancient woodland is likely to be affected by the proposals which is not considered and addressed within the PEAR, ii. there is no evidence of bat surveys of the adjacent woodland having been carried out, and iii. no mitigation measures are proposed to ensure that the proposals do not impact on nearby badgers. The Council's ecological advisors are of the view that it is possible that the badgers could potentially be disturbed during construction. Without additional information and relevant specialise surveys, it is uncertain that the development proposals would not impact on protected species; as such, there are concerns in relation to the proposals.

- Scottish Government Policy on the Control of Woodland Removal:

As noted above, the application site is located adjacent to mature woodland to the north-east (the two site accesses lies within the woodland belt to the north-east) and south-east, with the aforementioned woodland areas being partially being defined as ancient woodland. Ancient woodland was designated by the former Scottish Natural Heritage (now NatureScot), and is defined as land which is currently wooded and has been continually wooded, since at least 1750. More specifically, in this instance, the site is characterised as long-established woodland of plantation origin, and likely dating from 1860. The trees covered by the ancient woodland designation are typically characterised as including a mixture of trees and species, including mature trees, with the woodland belt extending to an approximately depth of 36 metres.

The above Scottish Government Policy states that there is a strong presumption against removing ancient semi-natural woodland, or plantations on ancient woodland sites, among other types of woodland, with woodland removal only being allowed where it would achieve significant and clearly defined additional public benefits, and is materially significant in the determination of planning applications. Where woodland removal is required, the LDP policy, in line with the aforementioned Scottish Government policy applies the following criteria;

- a presumption in favour of protecting all woodlands of high nature conservation, or landscape value;
- the provision of compensatory planting where woodland would be removed, and
- encouraging the creation of new areas of woodland comprising of native species;

Additionally, where development proposals would be located close to ancient semi-natural woodland, or other woodland of high nature conservation, proposals should; make provision for an appropriate buffer zone, and where possible, prevent or manage public access to woodlands.

With regard to the development proposals, the vehicular access to/ from the agricultural shed is contained within the area of ancient woodland belt located to the north-east. Therefore, the formation of a new vehicular access would inevitably result in the loss of ancient woodland and trees required to facilitate the proposals which will, if approved alter the natural appearance of the site, through the presence of physical built development such as an access road, where currently there is none. It is also possible that trees adjacent to the site forming part of the larger woodland area could be adversely affected, particularly where their root systems or canopies encroach onto the site of the application. The submission is not accompanied by any supporting tree survey information which would justify the loss of ancient woodland.

In considering the above, the proposals are not considered to result in a public benefit. To the contrary, it is considered that the proposals would be to the disbenefit of the appearance, character, setting and amenity of the locale which will, if approved alter the natural appearance of the site. Given the ancient woodland designation which affect part of the site, the site, is considered to be sensitive in landscape terms. Given the sensitivities affecting the site, it is considered necessary and prudent to adopt a precautionary approach to the proposals, and to safeguard the woodland setting of the site from development. As noted above the depth of the woodland belt extends to approximately 36 metres, and the proposed new site access is noted as being approximately 4.3 metres in width therefore equating to approximately 155 sq metres of woodland to be lost as a direct result of the proposals. The application has been considered in this context.

- 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;

It is accepted that the farm enterprise might potentially benefit from an additional residential property, however, proposals for an additional residential dwelling require to be appropriately sited so as to consolidate and reinforce the farming operations, and to accord with the Council's Rural Housing related policy guidance. As noted above, there have been previous application permissions for additional residential dwellings to support the agricultural enterprise operated from Raith Farm – these permissions were located on land adjacent to Raith Farm (08/00946/OUT), and land at Little Foulton (08/00945/OUT). The aforementioned applications on land adjacent to the steading hub at Raith Farm, and supplementary existing operational buildings which are located at Little Foulton. The aforementioned permissions align with the Service's approach that 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. There is no provision within the planning legislation to 'relocate' a planning permission from one site to another without a further grant of planning permission for a suitably sited and designed dwellinghouse.

There have been no planning permissions granted for an agricultural dwelling, or otherwise on the site of the current application at High Wardneuk – this is considered to reinforce the locational approach that any new dwelling would be sited adjacent to the existing steading, or supplementary operational buildings so as to form and/ or reinforce a compact operational base. In contrast, the proposed new house and associated agricultural building is not located within or adjacent to the existing operational base at Raith or Little Foulton, but up to 2 km to the north-west, and in a location where no agricultural buildings are currently present, and which is open to long-distance views from north-west, west and south-west due to its elevated topography relative to the adjacent land.

Should there be a need for additional residential accommodation to support the operation of Raith Farm this could, in line with the earlier permissions be provided at the main operational hub at Raith Farm, or at Little Foulton, subject to any additional accommodation being appropriately positioned and designed.

The submission is noted as suggesting that the farm operates over three areas (Raith, Little Foulton, and High Wardneuk). However, the submitted information also states that the farm enterprise operates as a whole over a large holding, rather than as three separate farm enterprises. It is evident that the farming operations currently occur from a single farmsteading (Raith), with supplementary operational buildings comprising of a cattle shed and general purpose agricultural building at Little Foulton, and a recently installed slurry store a short distance to the east (approx. 300 m) of Little Foulton, and there is nothing to suggest that the current operations cannot continue, and that a disparately located dwelling and agricultural building remote from the operational base at Raith, and the additional operational buildings at Little Foulton is required. To the contrary, should there be an on-going need for an additional dwelling to support the operation of the business, this would be more appropriately site at Raith Farm, or at Little Foulton, where there are existing buildings associated with the farming enterprise, subject to any additional accommodation being appropriately positioned and designed.

For the reasons 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.

An assessment of the proposals relative to criterion b. is contained elsewhere within this section.

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 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(s) not being located so as to consolidate and reinforce the existing steading and building groupings at with Raith or Little Foulton Farms. The operational buildings at Little Foulton comprise of a cattle shed, a general purpose storage building, and most recently the addition of a slurry store to the east (granted under application 23/00695/APP), and which takes its access from the existing access positioned in-between the aforementioned cattle and storage buildings. A short distance separates the site of the application at High Wardneuk and Little Foulton (approx. 770 metres at the closest points).

Under the current proposals, the applicant seeks to form an additional, and disparately located dwellinghouse away from the main operational hub at Raith, and also from the supplementary operational buildings at Little Foulton. The application site at High Wardneuk stands alone and is isolated at the north-western extremity of the land holding, where no buildings are present. The existing steading at Raith and the associated operational buildings at Little Foulton are considered to form a compact building grouping which are well-located to meet the operational needs of the farming enterprise, and which could equally meet the applicant's needs in terms of providing additional on-site accommodation, as well as supporting the applicant's operational needs and agricultural aspirations, subject to any additional accommodation being appropriately positioned and designed.

The submission notes that the buildings at Little Foulton currently are utilised as the beef operation, with the application site at High Wardneuk proposed for the relocation of the calf rearing operation. So as to make best use of land and resources, in planning terms it would be preferable to retain Little Foulton as an additional operational hub, rather than for the proposals to result in greenfield development in sporadic locations across the land holding. The positioning of any additional buildings at Little Foulton provides an opportunity to reinforce the existing building grouping as an additional operational hub, rather than to result in the proliferation of isolated buildings in the countryside. The farmland around the area of Little Foulton is dissected by the existing road which provides a natural separation for livestock which could equally meet the applicant's operational needs.

It is noted that the applicant/ agent considers that Little Foulton is constrained by the presence of mains gas pipelines. However, the applicant/ agent have not sought to further evidence their view that the area around Little Foulton is constrained in this submission. As noted under the planning history above, the applicant has also submitted two applications (references 25/00033/APP and 25/00138/APP) for the erection of dwellinghouses on land at Little Foulton. The aforementioned applications are pending consideration, although it is noted that Scottish Gas Network (SGN) offers no objection to the aforementioned application references 25/00033/APP and 25/00138/APP. Given the position of SGN, it is considered that the land around Little Foulton does not appear to be as constrained as suggested; the application is considered in this context.

On visiting the site, it was also noted that the topography of the land holding from the application site is largely limited to the field in which the application site is set, and immediately adjacent areas of neighbouring fields, with views of the larger land holding being obscured by established tree belts. In contrast, the area around Little Foulton already contains existing buildings associated with the applicant's agricultural operations, and has been the subject of recent investment by the applicant in the form of a new slurry store to the east of the existing buildings. In addition, the area around Little Foulton is also more centrally located relative to the main steading at Raith, and the wider surrounding agricultural land-holding, unlike the application site which is positioned at the extremity of the land-holding.

There are also concerns regarding the proposals at High Wardneuk from a landscape setting perspective, as noted above, the site occupies an elevated position approximately 85 - 95 metres AOD, with the land to the north, south and west being lower which results in the application site being visible from outwith the site and over a large area. The general character of the area is of elevated, visually prominent and undeveloped countryside, with extensive open views to the north, south and west, and as such, there remains potential for the proposals to be viewed outwith the confines of the application site.

In contrast, it is considered that the existing steading and operational buildings at Raith, and also the associated operational buildings at Little Foulton are less visually obtrusive than the site of the current application. As per the planning history above, both Raith and Little Foulton have been the subject of planning permission approvals for additional houses in the past, with the land at High Wardneuk forming the application subjects not having been the subject of any application approvals. It is considered that the existing steadings at Raith and Little Foulton offer the best opportunity to consolidate and reinforce the building groupings at the steadings as the operational loci of farming activities, and, additionally, would also be preferential from a landscape setting perspective. For the above noted reasons, the proposals are not considered to accord with criteria b. and d. above. The application has been considered in this context.

In addition, consideration is also required of the design of the development being proposed. While the submission relates to the erection of a dwellinghouse and agricultural shed. No details of the agricultural shed have been submitted. For the reasons noted below, there are also concerns in relation to the contemporary design of the building.

With regards to design, the Council's Rural Housing Policy provides advice on the siting and design of new housing, which is materially significant in the consideration of the applications. The aforementioned policy guidance acknowledges that planning policies controlling the siting and design of new housing development in the countryside play an important role in maintaining its character, and that when considering new housing in the countryside, it is important that cognisance is taken of the heritage of an area in order to preserve and enhance the countryside of South Ayrshire's countryside. Other rural residential properties within the immediate locale are noted to typically reflect the simplicity of scale and form of traditional rural domestic architecture. Other rural residential properties within the wider area are noted to typically reflect the simplicity of scale and form of traditional rural domestic architecture. The rural vernacular of the houses in the wider area is characterised by two distinctive typologies; traditional stone built two-storey farmhouses (Low Wardneuk, Little Foulton, and Raith Farm) which are typical of their age (circa mid/ late 19th century) and reflective of their original purpose and status as farmhouses. The other typology being the converted out-building, which is present at High Wardneuk opposite the site and which comprises of single storey with accommodation formed entirely in the roofspace, and single storey accommodation at Little Foulton. The non-traditional design, and scale of the proposed dwelling along with the visual prominence of the locale give rise to concerns that the proposals are atypical and incongruous for the proposed location.

The submitted drawings propose a substantial dwellinghouse of a modern design and appearance, more akin to a suburban dwellinghouse, rather than being reflective of the more traditional scale, form and proportions of typical rural properties in the immediate locale. In contrast, the proposed house is substantial in size, and of a more elaborate and contemporary design. The proposed house has a hipped roof design which is not found among any of the aforementioned properties. The proposed house provides accommodation over two storeys and would be taller than the cottage at High Wardneuk which is close to the application site. Internally, the proposed house contains 5 - 6 bedrooms, office, 4 reception rooms, gym, kitchen, utility and boot room, with attached double garage, with upper floor storage accommodation. The proposed house, including patios and covered areas is shown to occupy a footprint of approximately 385 sq metres. The extensive scale, design and form of the dwellinghouse is not typical of the immediate locale.

While the Council's Rural Housing Policy does allow for innovative design solutions, this primary consideration is that the design requires to have cognisance of the surrounding environment. As noted above, the overwhelming character and rural vernacular of the houses in the immediate local is more typically formed by small to modest sized farmhouses, cottages and/or converted former out-buildings with a simple, traditional rectangular and elongated plan form; the application is considered in this context.

As noted above, no details of the agricultural shed have been submitted, and therefore, it has not been possible to consider this aspect further.

Given the above concerns, the applicant/ agent has been recommended to withdraw the current application so as to explore with the applicant, the potential to re-site an alternatively designed dwellinghouse in proximity of the existing farmsteading and operational buildings at Raith, or alternatively in proximity of the existing supplementary operational buildings at Little Foulton, so as focus and reinforce the existing building grouping as the operational base of the farming enterprise. As the application has not been withdrawn, it requires to be determined as submitted.

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

The Council's Planning Guidance (SPG) '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, agricultural shed and associated works. For the reasons noted elsewhere in this report, there are other over-riding concerns regarding the non-traditional design and extensive scale of the proposed dwelling, in addition to the siting of a dwellinghouse in the location proposed, and in particular due to it being remote from the operational base of the farm, its associated buildings both at Raith Farm, and also at Little Foulton, and also from a landscape setting perspective, including the impact on ancient woodland. There are also concerns regarding the potential for the proposals to adversely impact on the natural environment, and in particular, protected species within, and/ or in close proximity of the site.

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. While the submission is accompanied by various supplementary information, 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, the Adopted South Ayrshire Local Development Plan 2, the related policy guidance and also the consultation responses.

In addition to the above policy concerns regarding the proposals, there are also the following technical concerns regarding the proposals;

With regards to roads matters, the Ayrshire Roads Alliance have been consulted, and have identified a need for the accesses to the site to have visibility splays of 2.4 metres by 215 metres in both directions at the accesses of the site and the public road. The applicant/ agent has provided information in relation to the achievable visibility splays at the site entrances, both of which are noted to be less than the required visibility splays of 2.4 metres by 215 metres. Where the requisite visibility splays cannot be met, the onus is on the applicant/ agent to demonstrate through speed survey work, that reduced visibility splays are appropriate. No such justification for reduced visibility splays at the proposed accesses of the site with the public road has been submitted, and therefore it is necessary to adopt a precautionary approach to the potential for the proposals to result in road safety issues due to the visibility splays at the accesses to the site being less than required by the Ayrshire Roads Alliance; the application is considered in this context.

In addition, given the proximity of the application site to an operational airport, the airport are a statutory consultee with regards to air safety and safeguarding matters. In providing consultation comments, Glasgow Prestwick Airport has confirmed the potential for the development proposal to present safeguarding issues due to an Infringement of the Runway 20 Obstacle Limitation Surfaces and the potential effect on Instrument Flight Procedures. Glasgow Prestwick Airport has subsequently confirmed the need for an Instrument Flight Procedure Stage 1 Assessment in order to provide the appropriate level of regulatory assurance on safeguarding grounds. The aforementioned assessment is undertaken at the prospective developer's expense, with the onus being on the developer to undertake any necessary mitigation. No such information has been provided to demonstrate that the proposals would not be prejudicial to air safety and air safeguarding, and therefore it is necessary to adopt a precautionary approach; the application is considered in this context.

Irrespective of whether the applicant/ agent were to provide additional information in relation to the above concerns of the ARA and Glasgow Prestwick Airport, the remains fundamental concerns regarding the acceptability of the proposals for the reasons noted in this report.

Finally, in considering applications for planning permission, it is important that the planning authority have an accurate understanding of the proposals, so as to ensure that applications are considered in an open and transparent manner. In this instance, the application submission is noted to have been submitted under the applicant's name Mr John Beacom of Raith Farm. As noted above, the current submission, along with the applicant's concurrent applications at Little Foulton (references 25/00033/APP and 25/00138/APP) are each accompanied by a Preliminary Ecological Appraisal Report (PEAR) dated September 2024 prepared by Starling Learning. Each of the submitted PEARS is noted as confirming the appraisals as having been commissioned by a Mr Ron Turkington. Mr Turkington is not known as either the applicant, or agent for the current application (or the applicant's concurrent applications at Little Foulton (references 25/00033/APP and 25/00138/APP)). It is therefore unclear if there are other interested parties involved in the application submissions, and if so, what implications this might potentially have for the current application(s).

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; 16 Quality Homes, 17 Rural Homes; 13 Sustainable Transport; 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 Raith Farm, or the supplementary operational buildings at Little Foulton, and has the potential to result in increased rural 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 provision for affordable housing included. The proposals are also contrary to NPF4 Policies 3 and 4 Biodiversity and Natural Places, and Policy 6 Forestry, Woodland and Trees through the loss of ancient woodland, and the potential to adversely impact on protected species. 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 South Ayrshire Local Development Plan (LDP2) Core Principle B8, LDP Policies Rural Housing, Affordable Housing, Landscape Quality and Land Use and Transport; 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 Raith Farm, or the supplementary operational buildings at Little Foulton, and has the potential to result in increased rural 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 provision for affordable housing included. The proposals are also contrary to LDP Policies Preserving Trees, Woodland and Forestry and Natural Heritage through the loss of ancient woodland, and the potential to adversely impact on protected species. No robust justification has been provided for a departure from these policies to the satisfaction of the Council, as planning authority.
3. That the development proposal is contrary to Scottish Government Planning Advice Note 72 - Housing in the Countryside, and the Scottish Government Policy on the Control of Woodland Removal due to being visually prominent, uncharacteristic of the local, to the detriment of the rural landscape setting at the locality, and through the loss of ancient woodland. No robust justification has been provided for a departure from the aforementioned policy guidance to the satisfaction of the Council, as planning authority.
4. That the development proposal is contrary to South Ayrshire Council's Rural Housing Guidance 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 Raith Farm, or the supplementary operational buildings at Little Foulton. 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. In addition the contemporary design of the dwellinghouse is considered atypical, incongruous and unsympathetic, given the prominent location of the site. No robust justification has been provided for a departure from the aforementioned policy guidance to the satisfaction of the Council, as planning authority.

5. That the development proposal is contrary to the Adopted South Ayrshire Local Development Plan policy in relation to Land Use and Transport, in that the proposals as submitted do not meet the visibility sightline splay requirements of 2.4 metres by 215 metres in both directions at the accesses of the site and the public road, and no justification and evidence has been submitted which would demonstrate that reduced visibility splays are appropriate, and as such, the proposals are potentially prejudicial to road safety at this locus. No robust justification has been provided for a departure from the aforementioned policy guidance to the satisfaction of the Council, as planning authority.
6. That the development proposals are potentially prejudicial to air safety and air safeguarding grounds by virtue of an Infringement of the Runway 20 Obstacle Limitation Surfaces and the potential effect on Instrument Flight Procedures. No Instrument Flight Procedure Stage 1 Assessment has been submitted, and as such, the proposals are potentially prejudicial to air safety at this locus.

Advisory Notes:

None.

List of Plans Determined:

Plan Type	Reference	Version No.	Received Date
Drawing	L(00)001		20.01.2025
Drawing	L(00)003		20.01.2025
Drawing	L(01)001 rev E	E	20.01.2025
Drawing	L(01)002 rev E	E	20.01.2025
Drawing	L(02)003 rev A	A	20.01.2025
Drawing	L(02)004 rev A	A	20.01.2025
Drawing	L(00)002		29.01.2025
Drawing	L(00)003 Rev A	A	21.03.2025
Drawing	L(00)005		21.03.2025
Drawing	L(00)003 Rev B	B	26.03.2025
Supporting Information	Design and Access Statement		20.01.2025
Supporting Information	Preliminary Ecological Appraisal Report		20.01.2025
Supporting Information	Agricultural Appraisal	RS007 2025-01-09	20.01.2025

Reason for Decision (where approved):

N/A

Integrated Impact Assessment:

The consideration of this planning application sits within a policy framework of the Council's Local Development Plan 2 and National Planning Framework 4. These have been the subject of Equalities Impact Assessments which considered how the policies may impact on protected characteristics. Therefore, no separate Integrated Impact Assessment is required.

<i>Decision Agreed By:</i>	<i>Appointed Officer</i>
<i>Date:</i>	<i>22 May 2025</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 100723566-001

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.

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:	LMA Architects		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	LMA	Building Name:	
Last Name: *	Architects	Building Number:	100
Telephone Number: *		Address 1 (Street): *	100 West George Street
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	Glasgow
Fax Number:		Country: *	United Kingdom
		Postcode: *	G2 1PP
Email Address: *			

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

Individual Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:	Mr	You must enter a Building Name or Number, or both: *	
Other Title:		Building Name:	Raith Farm
First Name: *	John	Building Number:	
Last Name: *	Beacom	Address 1 (Street): *	Raith Farm Monkton
Company/Organisation	N/A	Address 2:	
Telephone Number: *		Town/City: *	Prestwick
Extension Number:		Country: *	Scotland
Mobile Number:		Postcode: *	KA9 2SN
Fax Number:			
Email Address: *			

Site Address Details

Planning Authority:

South Ayrshire Council

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

Address 1:

Address 2:

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

Post Code:

Please identify/describe the location of the site or sites

Land opposite to High Wardneuk

Northing

628466

Easting

239017

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)

Appeal application in response to refusal of application no 25/00034/APP.

Type of Application

What type of application did you submit to the planning authority? *

- Application for planning permission (including householder application but excluding application to work minerals).
- Application for planning permission in principle.
- Further application.
- Application for approval of matters specified in conditions.

What does your review relate to? *

- Refusal Notice.
- Grant of permission with Conditions imposed.
- No decision reached within the prescribed period (two months after validation date or any agreed extension) – deemed refusal.

Statement of reasons for seeking review

You must state in full, why you are seeking a review of the planning authority's decision (or failure to make a decision). Your statement must set out all matters you consider require to be taken into account in determining your review. If necessary this can be provided as a separate document in the 'Supporting Documents' section: * (Max 500 characters)

Note: you are unlikely to have a further opportunity to add to your statement of appeal at a later date, so it is essential that you produce all of the information you want the decision-maker to take into account.

You should not however raise any new matter which was not before the planning authority at the time it decided your application (or at the time expiry of the period of determination), unless you can demonstrate that the new matter could not have been raised before that time or that it not being raised before that time is a consequence of exceptional circumstances.

Full statement of review and reason are lined out in the support document, Appeal statement.

Have you raised any matters which were not before the appointed officer at the time the Determination on your application was made? *

Yes No

If yes, you should explain in the box below, why you are raising the new matter, why it was not raised with the appointed officer before your application was determined and why you consider it should be considered in your review: * (Max 500 characters)

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)

Appeal support statement and full planning pack

Application Details

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

25/00034/APP

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

30/01/2025

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

23/05/2025

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

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: LMA Architects LMA Architects

Declaration Date: 21/08/2025

Payment Details

Pay Direct

Created: 21/08/2025 10:53

25/00034/APP- Proposed New Dwelling House and agricultural shed U96 From C138 Junction Near Low Wardneuk To A719 Junction Near Bourtreebush Monkton South Ayrshire – Appeal Summary Document

Address: Land of High Wardneuk
Prestwick
Applicant: Mr John Beacom

Proposed Agricultural Workers Dwelling House and agricultural shed



SECTION 1

INTRODUCTION

SECTION 2

FURTHER INFORMATION

CONCLUSION

SECTION 1.

INTRODUCTION :

The following information is provided to assist in the consideration of the appeal for the refusal of the Planning Application 25/00034/APP by South Ayrshire Council.

The key reason planners refused the planning application are as follows:

Location & Policy Conflict

- The proposed dwelling is not located within or adjacent to the main operational sites (Raith Farm or Little Fulton).
- Council policy requires new dwellings to form or complement existing building groups, not be isolated or visually intrusive.
- The proposal does not align with the Council's Rural Housing policy or previous approvals.

Design & Visual Impact

- The dwelling has a non-traditional design.
- It is sited in a visually prominent location, creating negative impacts on the wider rural landscape.

Access & Roads (ARA Concerns)

- Required visibility splays (2.4m x 215m) at road junctions are not achievable.

Ecological Concerns (AECOM)

- Ancient woodland would be affected, not properly considered in the PEAR.
- Lack of bat surveys for adjacent woodland.
- No mitigation proposed for potential impacts on nearby badgers.

Aviation Safeguarding (Prestwick Airport)

- Potential infringement of Runway 20 Obstacle Limitation Surfaces.
- Possible impacts on Instrument Flight Procedures.
- Need for an Instrument Flight Procedure Stage 1 Assessment not yet addressed.

SECTION 2.

FURTHER INFORMATION

The below is a summary of information in response to key points reason to the refusal of the application.

Location & Policy Conflict

As noted in the supplementary planning statement the proposed dwelling is required at High Wardneuk to support the new calf rearing unit, which must operate separately from Raith's main dairy herd to ensure high standards of biosecurity and reduce the risk of disease transmission. Calf rearing is labour-intensive and demands a constant on-site presence for supervision, daily care, and rapid response to emergencies, making nearby accommodation essential. While Raith remains the primary hub and Little Fulton has been developed into a beef unit, further expansion at these sites is constrained—particularly at Little Fulton due to the mains gas pipeline. High Wardneuk therefore represents the only viable location with the capacity to accommodate new agricultural buildings and housing, while also reinstating its historic role as a standalone farm. Establishing a dwelling here not only safeguards animal welfare and operational efficiency but also supports the Beacom family's succession planning and long-term resilience of the farming enterprise.

Design & Visual Impact

The proposed dwelling has been carefully designed to comply with Design Policy 2: Design of New Housing of the Supplementary Guidance: Rural Housing, the South Ayrshire Rural Design Guidance, and the principles set out in NPF4. The house adopts a traditional storey-and-a-half form with a pitched roof of over 35°, finished in natural slate to reflect local vernacular building styles. Ridge heights are varied to clearly distinguish the main accommodation from the subordinate elements, ensuring the design reads as a coherent hierarchy of built form. Walls are finished predominantly in white render with natural stone detailing at the corners, entrance, and balcony gable, which adds texture and reinforces the building's traditional aesthetic. Windows are vertically proportioned with traditional margins, maintaining a solid-to-void ratio consistent with rural character, while dormers are modestly scaled, set below the ridgeline, and finished in materials to match the main roof. Timber-effect cladding is used sparingly for dormers and the link corridor, providing subtle contrast without detracting from the traditional form. The proposed canopy uses timber slats to soften the patio area and integrate naturally into the landscape. The dwelling avoids excessive underbuilding, ensuring it sits sensitively within the contours of the land, while landscaping proposals—stone walling and native hedging—further help it blend with the rural setting.

In addition, the design considers the broader policies set out in NPF4, which support development that is consistent with relevant local and national policy objectives. Specifically:

- National Policy 16 – Quality Homes: emphasises the importance of good quality homes at the heart of well-designed places, incorporating energy efficiency and high-quality design.
- National Policy 17 – Rural Homes: encourages, promotes, and facilitates the delivery of high-quality, affordable, and sustainable rural homes in suitable locations.

NPF4 also states that Local Development Plans should adopt tailored approaches to rural housing, reflecting locally appropriate delivery strategies. In this context, the South Ayrshire Local Development Plan 2 (SALDP2) Policy: 'Rural Housing' supports development where the site represents an appropriate extension to an existing, clearly defined and nucleated housing cluster, as well as replacement dwellings where demonstrated as suitable, including relocation where relevant.

Collectively, the scale, form, materials, detailing, and siting of the proposed dwelling embody a traditional rural character while aligning with NPF4 and national policy objectives, ensuring the development harmonises with its countryside surroundings and represents a high-quality, sustainable rural home.

The row of existing trees surrounding the proposed dwelling has been carefully retained to ensure the building sits naturally within its landscape setting, reducing its prominence in line with Design Policy 1: Siting of New Housing, and making use of existing landscape features as a setting to integrate the development (criterion b). These trees provide both seclusion and shelter, while the orientation of the house takes advantage of natural sunlight and open views to the west, consistent with criterion (c). The siting avoids ridge lines and skylines, ensuring the building does not conflict with the natural landform in accordance with criterion (a). At the southern corner of the site, a new agricultural shed is proposed, designed to fit sensitively within the landform with minimal changes to the topography, supported by a separate access road that follows the natural contours and passes discreetly through the tree belt before leading to a service yard, meeting the principles of criterion (d). Collectively, the layout and siting of the dwelling and sheds demonstrate a design solution that responds to and is inspired by the existing landscape features, ensuring the development integrates comfortably into its rural context while complying with the Supplementary Guidance on rural housing siting.

Access & Roads (ARA Concerns)

This requirement was never previously communicated; however, a speed survey can be easily conducted and submitted to supplement the application.

Ecological Concerns (AECOM)

It was noted in the accompanying preliminary ecological appraisal, that no local records of bats in the surrounding area, and the site itself offers only foraging opportunities for bats. It was noted as well that there are potentially roosting opportunities within adjacent farm buildings (quite far away from the site), and within the mature woodlands. Since both are beyond the site boundary, no impact is expected.

As per the preliminary ecological appraisal the mitigation proposed for potential impacts on nearby badgers was as follows: Given that there are no previous records of Badgers in the area, the record of Badgers in the area site is of note. Every effort must be made to minimise disturbance to these protected animals, both during and post-construction. Scottish Badgers should be notified.

Aviation Safeguarding (Prestwick Airport)

While planners initially raised concerns regarding a potential infringement of Runway 20 Obstacle Limitation Surfaces, possible impacts on Instrument Flight Procedures, and the need for an Instrument Flight Procedure Stage 1 Assessment, we consulted with Prestwick Airport, who confirmed there were no concerns and had no objection to the scheme due to the dwelling's low height and its location being well clear of flight infrastructure.

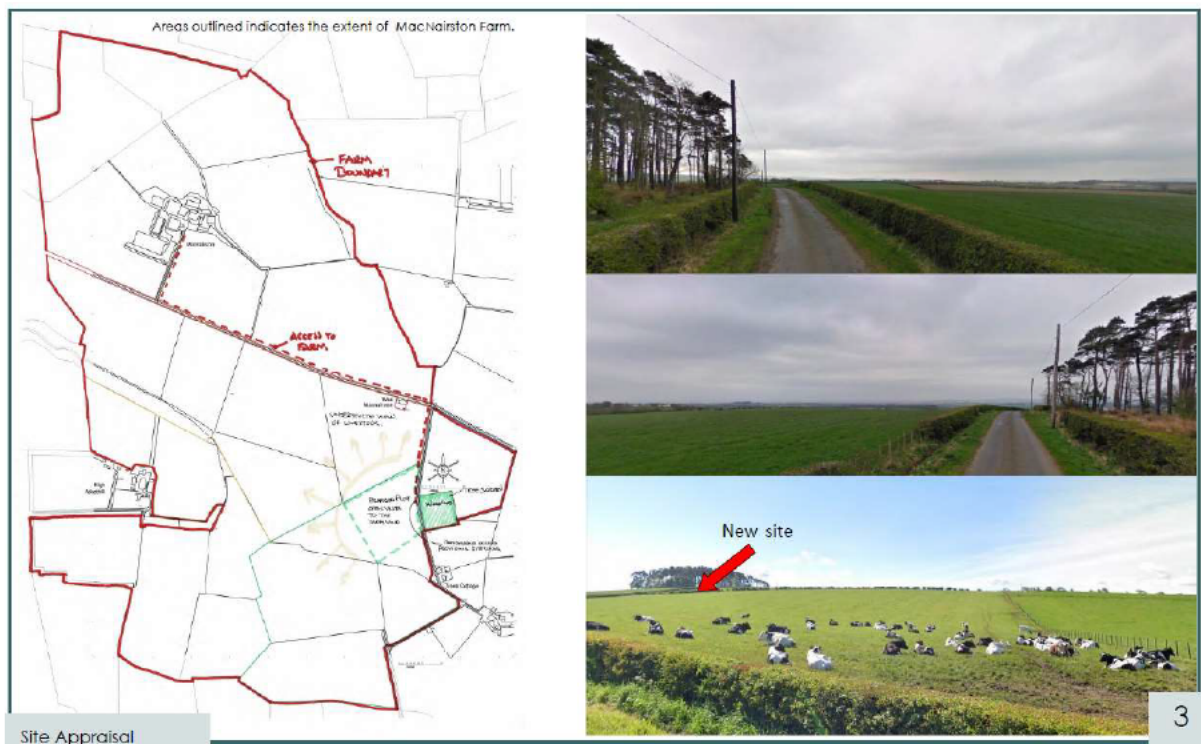


Proposed visual of front entrance.

Historical similar applications

In October 2021, a similar application (22/00074/APP) for the erection of a dwellinghouse, garage, and associated outbuildings at MacNairston Farm, C74 from B742 north-east of Bowmanston at A70, Old Toll, Ayr (KA6 6EN), was refused by the planning department. However, in August 2022, the South Ayrshire Council Local Review Body (LRB) overturned this decision on appeal. Following consideration, the LRB concluded that the proposal was acceptable within the context of the site and its surroundings. They found the development appropriate due to its agricultural justification, the building's design, and its fit within the locality. The LRB determined that the proposal aligned with the South Ayrshire Local Development Plan's rural housing policy, as the new dwelling was deemed essential to the rural business and suitably designed and located. As a result, planning permission was granted subject to conditions, overturning the officer's refusal.

Snapshots from the application statement below highlight the similarities in setting and design between the two applications. However, the current proposal benefits from greater vegetation screening from the main road, making it even more consistent with planning policies.



Site location and views, showing minimal vegetation screening.

A design thread was chosen after analysing the requirements of client and farm usage. (See previous pages)

The farm is expansive and as indicated by the labour report, an extension to residential accommodation within the farm is key to the longevity and growth of this agricultural farm business.

The location has been chosen to take advantage of its elevation and view over the entire farm. This shall assist policing the livestock from a vantage point that the current farmhouse cannot provide.

The existing woodland to the east also provides an excellent screen and backdrop. The entrance location also ensures sightlines can be achieved for vehicles joining and leaving the existing road.

From the entrance, the driveway shall be gravel chips which will assist natural drainage and SUDs. This leads to the dwelling ahead, grazing field access to the south and a secure calving paddock to the north.

The design of the dwelling is a contemporary view on a rural farmhouse format. Keeping the essence of a traditional courtyard but also ensuring farm functionality.

The dominant feature shall adopt a two storey main central structure. The northern wing drops to single storey with attic accommodation above.

This dwellinghouse provides living accommodation and bedrooms for the family and a domestic scale garage.

The outbuilding provides storage for agricultural vehicles, storage and maintenance facilities. It has been orientated to form a large external working area within a double entry zone to the fields.

One of the key elements to this site is to provide a secure calving area overlooked by the new dwelling.

A buffer zone has been formed to provide secure access to the calving area.



Design Process



Site setting





Visuals.

CONCLUSION.

In assessing an enquiry of this nature, there is a need to consider the proposal against the wider policy context. In this case, the requirement is to consider whether the proposed development is generally in accordance with the core of existing policy at national, strategic and local levels.

Taking into consideration all the information and submissions presented in this statement, it is considered that the proposals are in accordance with the relevant policy framework. A key consideration is that the proposed development would allow the continuation and growth of an existing sustainable business in the countryside which accords with the guidance contained within the LDP 2; the nature of which should be supported and encouraged by South Ayrshire Council.

The proposed dwelling at High Wardneuk is essential to support the new calf rearing unit, ensuring high standards of animal welfare, operational efficiency, and the long-term sustainability of the Beacom family's farming enterprise. Its location is justified as the only viable site capable of accommodating both agricultural buildings and housing without conflicting with existing infrastructure or operational constraints at Raith and Little Fulton.

The design of the dwelling fully aligns with South Ayrshire's Supplementary Guidance: Rural Housing, complying with Design Policy 1 (Siting of New Housing) and Design Policy 2 (Design of New Housing). The house adopts a traditional form, pitched roof, natural materials, and sensitively scaled dormers, ensuring it harmonises with the rural character of the area. Landscaping and retention of existing tree belts further integrate the dwelling into the surrounding landform, minimising visual impact and enhancing natural shelter and privacy.

Concerns raised by planners regarding access, ecological matters, and aviation safeguarding have been appropriately addressed. A speed survey can be readily provided to satisfy access requirements. Ecological appraisal demonstrates no significant impact on bats or badgers, and Prestwick Airport confirmed that the dwelling's low height and distance from flight infrastructure present no safeguarding issues. Therefore, the planners' stated reasons for refusal on these grounds are unfounded.

Importantly, there is precedent for such a proposal. In 2022, a similar application (22/00074/APP) for the erection of a dwellinghouse, garage, and associated outbuildings at MacNairston Farm was initially refused but subsequently approved on appeal by the South Ayrshire Council Local Review Body (LRB). The LRB concluded that the development was justified on agricultural grounds, appropriately designed, and consistent with rural housing policy—ultimately overturning the refusal. The current proposal shares these characteristics, and in fact, benefits from stronger integration with the landscape through enhanced vegetation screening from the main road, making it even more compliant with policy objectives.

Overall, the proposed development is consistent with policy guidance, carefully sited, and thoughtfully designed. It supports the operational needs of the farm while respecting the landscape and rural character, representing a fully justified and policy-compliant proposal.



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 100698436-001

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)

Proposal for erection of a workers' dwelling house and an agricultural shed.

Is this a temporary permission? * Yes No

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

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

No Yes – Started Yes - Completed

Applicant or Agent Details

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

Agent Details

Please enter Agent details

Company/Organisation:	<input type="text" value="LMA Architects"/>		
Ref. Number:	<input type="text"/>	You must enter a Building Name or Number, or both: *	
First Name: *	<input type="text" value="LMA"/>	Building Name:	<input type="text" value="the Townhouse"/>
Last Name: *	<input type="text" value="Architects"/>	Building Number:	<input type="text" value="276"/>
Telephone Number: *	<input type="text" value="██████████"/>	Address 1 (Street): *	<input type="text" value="Suite 11, The Townhouse, 276 St"/>
Extension Number:	<input type="text"/>	Address 2:	<input type="text"/>
Mobile Number:	<input type="text"/>	Town/City: *	<input type="text" value="Glasgow"/>
Fax Number:	<input type="text"/>	Country: *	<input type="text" value="United Kingdom"/>
		Postcode: *	<input type="text" value="G2 5RL"/>
Email Address: *	<input type="text" value="██"/>		

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

Individual Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:	<input type="text" value="Mr"/>	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text"/>	Building Name:	<input type="text" value="Raith Farm"/>
First Name: *	<input type="text" value="John"/>	Building Number:	<input type="text"/>
Last Name: *	<input type="text" value="Beacom"/>	Address 1 (Street): *	<input type="text" value="Raith Farm Monkton"/>
Company/Organisation	<input type="text"/>	Address 2:	<input type="text"/>
Telephone Number: *	<input type="text" value="██████████"/>	Town/City: *	<input type="text" value="Prestwick"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="Scotland"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="KA9 2SN"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text" value="██"/>		

Site Address Details

Planning Authority:

South Ayrshire Council

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

Address 1:

Address 2:

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

Post Code:

Please identify/describe the location of the site or sites

Land opposite to High Wardneuk

Northing

628466

Easting

239017

Pre-Application Discussion

Have you discussed your proposal with the planning authority? *

Yes No

Site Area

Please state the site area:

12538.00

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.

Assessment of Flood Risk

Is the site within an area of known risk of flooding? *

Yes No Don't Know

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

Do you think your proposal may increase the flood risk elsewhere? *

Yes No Don't Know

Trees

Are there any trees on or adjacent to the application site? *

Yes No

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

Waste Storage and Collection

Do the plans incorporate areas to store and aid the collection of waste (including recycling)? *

Yes No

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

Recycling and waste locations as per drawings.

Residential Units Including Conversion

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

Yes No

How many units do you propose in total? *

1

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

All Types of Non Housing Development – Proposed New Floorspace

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

Yes No

Schedule 3 Development

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

Yes No Don't Know

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

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

Planning Service Employee/Elected Member Interest

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

Yes No

Certificates and Notices

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

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

Are you/the applicant the sole owner of ALL the land? * Yes No

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

Do you have any agricultural tenants? * Yes 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: LMA Architects

On behalf of: Mr John Beacom

Date: 17/01/2025

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)

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)

Agricultural Appraisal

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: LMA Architects LMA Architects

Declaration Date: 17/01/2025

Payment Details

Created: 17/01/2025 13:09



NEW DWELLING - LAND OF HIGH WARDNEUK

DESIGN DEVELOPMENT

LMA
ARCHITECTS

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INTRODUCTION

This Design and Access Statement has been prepared to support a planning application for a new Agricultural Workers Dwelling as indicated on the location plan, on behalf of our client, Mr. John Beacom.

The statement outlines the initial design development process within the context of relevant local planning policies, NPF4, and documents from previously approved applications. It also summarises the client's ambitions and intent for the farm expansion.

The document captures key stages of the design process, including site analysis and design development. Furthermore, it provides a detailed explanation of the final proposals, demonstrates their appropriateness, and offers insight into the principles and concepts that have guided the design.

This statement has been produced in accordance with The Town and Country Planning (Development Management Procedure) (Scotland) Regulations and complies with the guidance outlined in PAN 68.

It should be read in conjunction with the submitted planning drawings.

BACKGROUND

The document is prepared on behalf of Mr John Beacom, the owner of the agricultural unit with associated land and currently trading as Beacom Farms run by him and his two sons. Mr Beacom has been trading from Raith Farm for number of years and recently bought land at High Wardneuk and Little Fulton in August 2022 to expand his business.

The main farm unit sits at Raith Farm with supplementary buildings at Little Fulton. High Wardneuk is a block of bare land with no steading or buildings present. The Beacom family, after purchasing Raith Farm, have invested in improving the dairy herd and operational machinery to reduce contractor reliance, though this requires adequate labour. The three farms, operating as one, have long depended on Raith's infrastructure, prompting plans to revive lapsed approvals for additional housing to meet operational needs and support succession planning.

Recent investments include constructing a slurry lagoon to service all three farms. The family aims to revive two lapsed housing approvals, pursuing concurrent applications to streamline development and provide long-term certainty. Little Fulton has been transformed into a beef unit, rearing calves for increased profitability. One lapsed dwelling approval may be relocated to build a farmhouse there, supplementing an existing approval for a worker's cottage (22/00083/app).

To address biosecurity and animal husbandry needs, a new calf unit is proposed at High Wardneuk, away from Raith's milking unit. The location offers biosecurity advantages and would be supported by relocating another lapsed dwelling approval (2 approved under application 08/00946/OUT and further approved in October 2024 under application 23/00695/app). These efforts aim to modernise infrastructure and support the growing business.

The proposed scheme is to provide dwelling for farmers on the land of High Wardneuk and a future farm. The application is for an additional dwelling required by the farm. The proposed sheds on the land is to be used for a calf rearing unit which would operate separately from the main farm at Raith which is required due to animal husbandry and disease minimisation. The farmyard at Little Fulton has no capacity for expansion and is constrained by a mains gas pipeline, preventing new sheds being constructed.

The farmland at High Wardneuk has the capacity to house this unit and would reinstate what historically was a standalone farm. The Beacom family have invested heavily in Ayrshire with the purchase of Raith and that this is a further investment to accommodate future plans and provide a resilient business for John Beacom and his two sons. The new proposals follow the established principles determined through this process, and generally line up with the concepts and design intent of the consented scheme.

Currently, the ownership area identified previously held consent for an additional three agricultural dwellings within the farm which have lapsed. This application seeks the consent for the three dwellings individually, with proposed adjustments to the location of two of the dwellings and a more detailed but does not increase the net gain. By treating each dwelling as a separate application within an overall masterplan, it's hoped that this approach streamlines the process and allows each unit to be considered on its own siting merits but within the overall labour report justification which was the basis of the original consents.

The proposal maintain the principles considered in line with the LDP Policy : Rural Housing, in particular under category d. A dwelling that is essential for the operation of a rural business

BACKGROUND AND CLIENT AMBITION

CLIENT AMBITION AND INTENT

The applicant's requirement for an additional agricultural workers dwelling has been substantiated within the Agronomist Labour Report and is supplemented with the additional two number of sheds to serve Raith Farms wider business growth.

Architectural intent - The new home is designed to be traditional, modern, and respectful to the landscape in scale, material and detail. It aims to enhance the character of the area adding a considered building of exemplar design, one that offers an exciting object in the landscape in line with the design guidance and countryside objective.

Energy and sustainability - The building design will exploit the natural and passive design principles, for a more sustainable model of living, with high insulation and performance levels, while maximising the views the site has to offer, the orientation and layout of the landscape. With the extent of land on site, below ground geothermal source would provide the main energy source to an efficient envelope and form. Similarly, drainage will be sustainable and self contained on site. Water harvesting is planned for reuse of surface water with localised soakaways for run-off where necessary.

Access - New access will be provided off existing track road running past High Wardneuk. A separated access road will be provided further down the site to the new agriculture sheds. The new access roads will run through the row of trees cornering the site with complete privacy from the track road. This would be a private turn-off at an existing location serving a single dwelling. The buildings will be concealed from the public road by the height of the trees. Internally in the house itself, all the living accommodation is on the ground floor. The upstairs accommodation consist of sleeping accommodation.

Landscape strategy - The land is relatively flat with row of trees surrounding the site from the east and south. The private garden is to the rear having no views from the main road. Driveway to be natural and some planting to the

POLICIES

POLICIES

The policy and design principles guiding this application are as follow.

LDP Policy: Rural Housing, d. A dwelling that is essential for the operation of a rural business.

The Council may consider on-site residential accommodation for workers in rural businesses if:

1. Continuous on-site attendance is essential, and no alternatives exist.
2. No existing accommodation is available to serve the business.
3. No dwelling connected to the business has been sold or separated in the past five years.
4. Proposed buildings complement existing structures and are not visually intrusive.

Temporary accommodation for workers in new rural businesses may be approved for two years if criteria 1-4 are met, along with a business plan demonstrating economic viability by year three. This plan must show the business can employ at least one full-time worker earning 50% of the South Ayrshire average wage and support the costs of its land, property, and assets. All proposals must align with the Council's design guidance.

DESIGN POLICY 1: Siting of New Housing

Design Language and Supplementary Guidance

'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'.

The design approach is to respond to the site with architecture appropriate for the setting, rather than trying to fit traditional forms in. The guidance encourages 'both traditional and innovative design which takes cognisance of the surrounding environment'. The following principles are adopted in the design proposals:

- Not located on ridge lines, hill tops, or disrupting a skyline.

- Existing landscape features such as treebelts, topography used as a setting to help reduce the prominence.
- Advantage taken of sunlight and aspect, with land-form providing natural shelter and outlook.
- Changes to the existing topography kept minimal.
- Distant and isolated from any nearby vernacular buildings.
- Large in size, discreet in appearance. Form and massing shaped to appear low-lying, simple and clean. The proposals reads as a storey and a half grouped in courtyard style with traditional rural domestic appearance.

NPF4

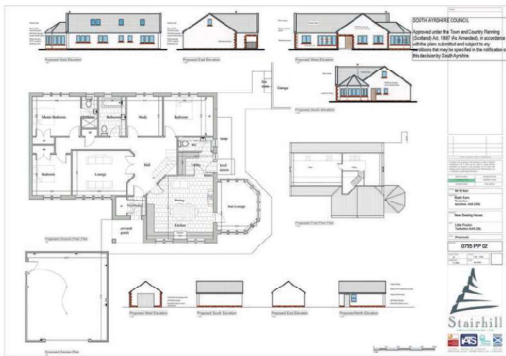
The broad policies support development where considerations are continuous with the relevant policies.

- National Policy 16 - Quality Homes
- National Policy 17 - Rural Homes;

Policy 16 seeks the importance of good quality homes at the heart of great places and making them more energy efficient.

Policy 17 Seeks to encourage, promote and facilitate the delivery of more high quality, affordable and sustainable rural homes in the right locations.

NPF4 also states that Local Development plans should set out a tailored approach to rural housing, and reflect locally appropriate delivery approaches. The Council's SALDP2 Policy: 'Rural Housing' is supportive of the development of rural housing where the site represents an appropriate extension to an existing 'clearly defined and nucleated housing cluster', as well as 'replacement dwellings' where demonstrated as appropriate, with relocation included where applicable to the relevant site and existing situation.



22/00083/APP – Farm Worker's Cottage at Little Fulton



08/00946/OUT – Outline Planning Permission For Two Agricultural Worker's Houses at Raith Farm

HISTORICAL APPLICATIONS

Planning Summary

22/00083/APP – Farm Worker's Cottage at Little Fulton

Approval for a farm worker's cottage on Little Fulton, initially granted in February 2022, has now lapsed. Little Fulton currently serves as the business's primary beef unit, with the steading and land supporting young stock operations. The previous owner had secured planning approval for a farm worker's cottage at the edge of the farm steading. Mr. Beacom intends to relocate one of the previously lapsed permissions from Raith Farm and construct a farmhouse at Little Fulton, which would complement the existing approval for a farm worker's dwelling.

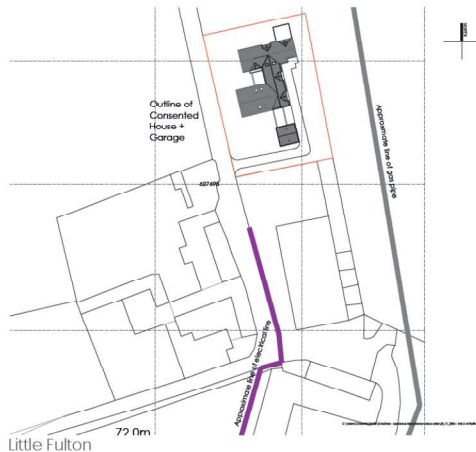
08/00946/OUT – Outline Planning Permission for Two Agricultural Worker's Houses at Raith Farm

Outline planning permission for the erection of two agricultural worker's houses at Raith Farm was approved in December 2009 but lapsed in early 2013. The previous owners of Raith Farm had identified the need for additional dwellings to support farm operations and submitted multiple applications to the local authority, all of which were approved but never acted upon. The current owner, recognizing the importance of these proposals, now has the opportunity to implement them. However, he seeks to take a more strategic approach to the positioning of these dwellings to ensure they best meet the operational needs of the farming enterprise.

23/00695/APP – Slurry Lagoon

Approval for the slurry lagoon was granted in October 2023. The lagoon has been strategically positioned to service all three farms efficiently, with construction works now completed.

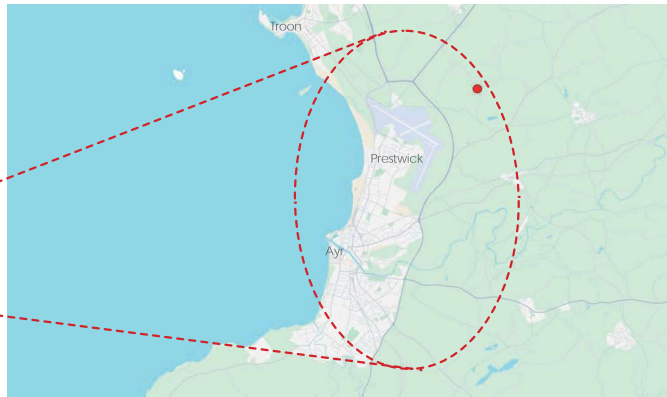
This strategic approach demonstrates a clear focus on enhancing operational efficiency across the farming enterprise while ensuring compliance with previous and current planning approvals.



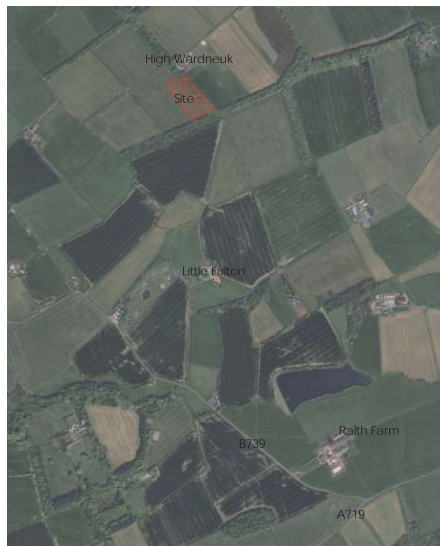
Technical Viability

The business requires new steading infrastructure to cope with the significant upscaling of calves before they are ready for the beef unit at Little Fulton. In the interest of good animal husbandry and minimisation of disease this requires to be away from the main milking unit at Raith. A potential location for this would have been next to the beef unit at Little Fulton.

However, there are 2 mains gas pipelines straddling the steading at Little Fulton and after consultation with SGN it has not proved possible to accommodate additional steading which would be safe and functionally attached to the current steading. The proposal is therefore to place the calf unit on the lands at High Wardneuk. The tree belt offers protection and screening as well as the distance from the other units creating a highly desirable biosecurity barrier reducing disease risk in newborn and young calves. To support the calf unit the 2nd lapsed approval for a dwelling at Raith would be moved to this location.



Maps showing location in broader context



Aerial view of site

LOCATION AND SITE EXTENTS

The site lies northeast of Prestwick, accessed via track road off B739 and A719, between the village of Tarbolton and Prestwick airport.

The site is a large area of land with a row of trees wrapping around the south and northeast corner of the site. The site can be accessed across from the High Wardneuk entrance. The site is well hidden behind the trees with a view over Prestwick and towards Isle of Arran.

The site is situated to the northeast of Prestwick, conveniently accessed via a track road branching from the B739 and A719, nestled between the village of Tarbolton and Prestwick Airport.

Containing a substantial area of land, the site is bordered by a mature row of trees that wrap around its southern and northeastern edges, creating a natural boundary that enhances privacy and blends seamlessly with the surrounding landscape. Access to the site is located directly across from the High Wardneuk entrance, ensuring straightforward connectivity while maintaining a sense of exclusivity.

The site benefits from being discreetly tucked away behind the tree line, offering both shelter and seclusion. Additionally, it boasts breathtaking, unobstructed views over Prestwick and extends westward towards the Isle of Arran, providing a stunning backdrop and a strong connection to the natural beauty of the area.



View 1



View 2



View 3

LMA ARCHITECTS

SITE PERCEPTION AND VIEWS

Approaching the site from the north, it is naturally concealed by a dense row of mature trees and the adjacent properties at High Wardneuk, providing an immediate sense of privacy and seclusion. The narrow single-track road leading to the site is framed by overgrown trees on either side, creating a picturesque, almost tunnel-like approach that reinforces the rural charm of the area.

At the northern edge of the site, a combination of trees and thick scrub provides complete privacy, effectively shielding the property from both the road and the nearby farmstead. This natural barrier enhances the secluded atmosphere while blending seamlessly with the surrounding landscape.

The site itself is predominantly flat, with a gentle, subtle slope leading away from the single-track road. This elevation change opens up sweeping, panoramic views of the coastline, encompassing Prestwick, the Isle of Arran, the Firth of Clyde, and even extending as far as the Kintyre Peninsula.

Thanks to the site's topography and the dense surrounding vegetation, it remains entirely hidden from view from any main roads, further emphasising its private and tranquil setting.



NEW DWELLING - LAND OF HIGH WARDNEUK - DESIGN DEVELOPMENT | AUGUST 24



PROPOSED SITE ARRANGEMENT

A new access road is proposed right before the junction at High Wardneuk, cutting through the existing row of trees to provide a seamless connection. This road leads directly to the new dwelling, which has been thoughtfully positioned parallel to the main road to integrate harmoniously with the site. Upon arrival at the dwelling, a courtyard-style entryway is proposed, creating a welcoming and functional approach to the property.

The row of trees surrounding the dwelling ensures complete privacy while offering uninterrupted, sweeping views to the west, enhancing both seclusion and scenic value.

At the southern corner of the site, one new agricultural sheds are proposed, each designed for optimal functionality and serviced by a separate access road branching off the existing track. This additional road will also pass through the tree line and lead into a dedicated service yard, providing practical and efficient access to the sheds.

SITE LAYOUT



Combination of stone, render and alternating slatted timber cladding, to give a variety of texture and define proportions

MATERIAL EXAMPLE MOOD IMAGES

The proposed materials have been carefully chosen to harmonise with the rural character of the surrounding countryside while enhancing the dwelling's traditional aesthetic. The design incorporates a combination of slate, white render, natural stone, and fibre cement timber-effect cladding, which together create a timeless yet refined appearance suited to the rural setting.

The storey-and-a-half dwelling features a traditional pitched roof finished in slate, complemented by white render walls. Distinctive natural stone accents are strategically placed at the corners, entrance, and the balcony gable, adding depth and texture to the design. Fibre cement timber-effect cladding is proposed for the dormer windows and the link corridor, lending a warm, rustic touch while maintaining durability and low maintenance.

To further enhance the outdoor living experience, the proposed canopy area will incorporate timber slats, adding a natural, tactile element that helps to visually soften and break up the patio space.

Every material has been carefully considered to not only create a cohesive and visually appealing design but also to seamlessly blend with the surrounding countryside, ensuring the dwelling sits comfortably within its rural environment.



PROPOSED SITE PLAN



NOTES
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0 25 50 75
 SCALE OF METRES 1:1250

— Site Boundaries

Revision	Date	Description	By
<p>Suite 11 276 Vincent Street Glasgow, G2 5RL Suite G1 18 Wellington Square Ayr, KA7 1EZ www.l-m-a.co.uk</p>			
Client			
Mr John Beacom			
Project			
New Dwelling Land of High Wardneuk Prestwick			
Description			
Proposed Site Plan Full site			
Status			
PLANNING			
Job Number	Drawing Number	Revision	
24_07_2558L(00)003			
Scale	Drawn / Checked By	Date	
1:1250@A3	CG	Aug '24	

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PROPOSED GROUND FLOOR PLAN

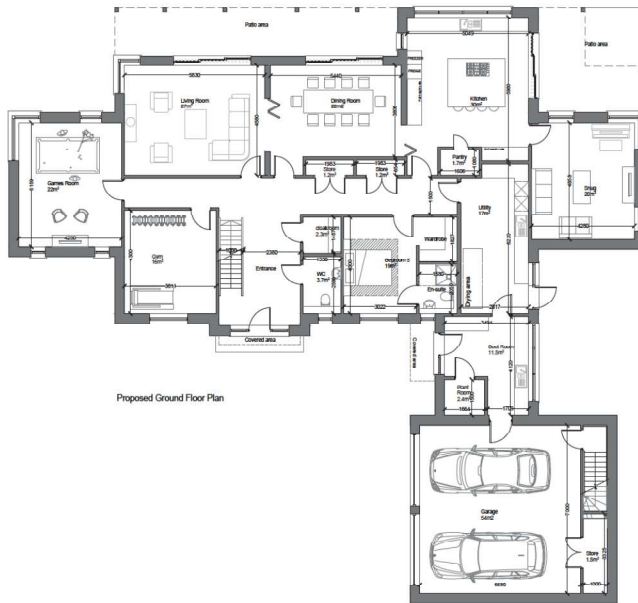


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Floor areas
 Ground floor: 300m²
 First floor: 172m²
 Total: 472m²



Proposed Ground Floor Plan

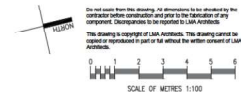
1	02.11.24	Permitted as per client's comments	000
2	06.11.24	Revisions to window to match elevation	000
3	02.12.24	Revisions to window position as per client's comments	000
4	11.12.24	Revisions to window position as per client's comments	000
5	18.12.24	Revisions to window position as per client's comments	000
6	18.12.24	Revisions to window position as per client's comments	000

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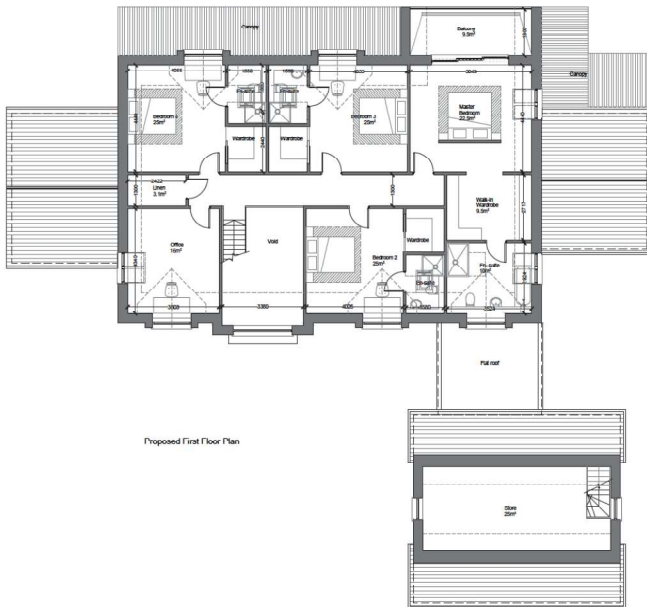
Client: Mr John Beacom
 Project: New Dwelling
 Land of High Wardneuk
 Frischwick
 Description: Proposed Ground Floor Plan

Issue PLANNING		
Job Number: 24_07_2558L(01)001	Drawing Number: E	Revision: E
Scale: 1:100@A2	Drawn / Checked by: GD	Date: Aug 24

PROPOSED FIRST FLOOR PLAN



Floor area
 Ground floor: 300m²
 First floor: 173m²
 Total: 473m²



Proposed First Floor Plan

E	22.11.24	Revised to per client comments	CG
D	08.11.24	Revisions to window and door schedule	CG
C	15.10.24	Revisions to window and door schedule	CG
B	15.10.24	Layout agreed as per client comments	CG
A	07.10.24	Layout agreed as per client comments	CG
Issue		Description	By

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 G11 1B Wellington Square | Ayr, KA7 1EZ
 www.l-m-a.co.uk

Client:
Mr John Beacom
 Project:
**New Dwelling
 Land of High Wardneuk
 Preswick**

Document:
Proposed First Floor Plan

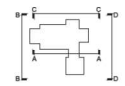
Date: PLANNING		
Job Number:	Quantity Number:	Revision:
24_07_25581(01)002		E
Scale:	Drawn / Checked By:	Date:
1:100&A2	CG	Aug 24

PROPOSED ELEVATIONS

NOTES

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MATERIALS KEY

- 1 - White Render
- 2 - Grey Wood effect vertical Cladding panels
- 3 - Grey Slate Roof tiles
- 4 - Base course - Dark Brick
- 5 - Architecture Stone cladding
- 6 - Grey aluminium windows and doors
- 7 - Solid Canopy with timber slats
- 8 - Glass balustrade
- 9 - Canopy over entrance



Proposed Elevation A-A



Proposed Elevation B-B

Revision	Date	Description	By
A	27.11.24	Revised as per client's comments	CG



Client
Mr John Beacom

Project
**New Dwelling
 Land of High Wardneuk
 Prestwick**

Description
**Proposed Elevation
 A & B**

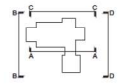
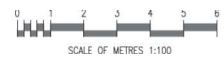
Job Number	Drawing Number	Revision
24_07_2558L(02)003		A
Scale	Drawn / Checked By	Date
1:100@A3	CG	Oct '24

PROPOSED ELEVATIONS

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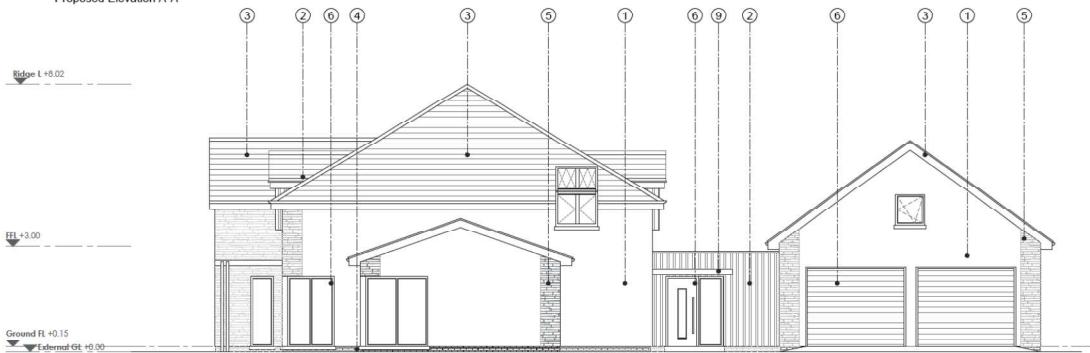


MATERIALS KEY

- 1 - White Render
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- 4 - Base course - Dark Brick
- 5 - Architecture Stone cladding
- 6 - Grey aluminium windows and doors
- 7 - Solid Canopy with timber slats
- 8 - Glass balustrade
- 9 - Canopy over entrance



Proposed Elevation A-A



Proposed Elevation B-B

Revision	Code	Description	By
A	01.11.24	Revised as per client's comments	CG



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 www.l-m-a.co.uk

Client
Mr John Deacom

Project
**New Dwelling
 Land of High Wardneuk
 Prestwick**

Description
**Proposed Elevation
 C & D**

Job Number	Drawing Number	Revision
24_07_2558	L(02)004	A
Scale	Drawn / Checked By	Date
1:100@A3	CG	Oct '24

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PROPOSED VISUALS



PROPOSED VISUALS



Agricultural Appraisal for:

Raith Farm

Mid Fulton
Ayrshire

December 2024

For and on Behalf of:

John Beacom
Raith Farm
Mid Fulton
Ayrshire

Prepared by:

Lewis Butlin
Agrovista Rural Consultancy
Agrovista UK Ltd
Rutherford House
Nottingham Science and Technology Park
University Boulevard
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NG7 2PZ

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1. INTRODUCTION

1.1. THE BRIEF

Agrovista Rural Consultancy have been instructed by Mr Beacom to prepare a report on the future business strategy of Raith Farm and the proposal for the development of two Agricultural Dwellings.

1.2. AGROVISTA RURAL CONSULTANCY – BUSINESS BACKGROUND AND EXPERIENCE

Agrovista Rural Consultancy is the farm business management and consultancy division of Agrovista UK Ltd. one of the leading agricultural distribution companies in the UK. In addition to the core Agricultural Chemical distribution, Agrovista UK Ltd provide business, seed, soil, amenity and research information to farmers, growers and land managers across the country.

The review has been undertaken by Lewis Butlin, a lead consultant in the business. Lewis has worked as a Farm, Environment and Rural Business Consultant with Agrovista since 2011 prior to which he worked for Andersons Farm Business Consultants from April 2007 to June 2011 and before that worked as a Farm Advisor for the Farming and Wildlife Advisory Group since 2005. Prior to that he gained a BSc Hons in Agriculture and Farm Business Management at Newcastle University. He is on the BASIS Environmental Advisers Register, a Professional Member of the Institute of Agricultural Management and a LEAF Endorsed Adviser.

1.3. METHOD OF UNDERTAKING THE REVIEW

The report has been produced using the following methodology:

- Lewis Butlin of Agrovista Rural Consultancy has been provided with the information related to the business at Raith Farm.
- Financial data and Labour Unit calculations have been calculated using standard industry data as printed in the SAC Farm Advisory Service Farm Management Handbook 2023/24 edition.
- Existing financial data has been made available to show the profitability of the business for the previous two financial years.

2. BACKGROUND INFORMATION

2.1. FARMING BACKGROUND

Raith Farm was brought by John Beacom and family in 2022 as a unit they could run in conjunction with their dairy farm in Northern Ireland. John has two sons who both work within the farming business and split their time between the two units.

The combined areas of Raith Farm, Mid Fulton and High Wardneuk is 405 acres (163.90ha). A further block of land, totalling 60 acres (24.28ha) has historically been rented in.

The business currently milks 370 cows and also keep around 300 head of youngstock which includes replacements for the dairy herd and beef which are sold at 18 months of age.

Each year around 500 head of sheep are brought in over-winter for which the family provide all the shepherding services.

There are three crops of grass silage taken each year to provide over-winter forage for the dairy and beef cattle, with all operations completed in house.

The farm also has around 70 acres 28.32ha of arable cropping, this year its Winter Wheat, with all establishment and husbandry carried out within the farm. The only operation that is contracted out is the combining as the area grown does not warrant the ownership and maintenance of their own machine.

2.2. RAITH FARM

The business has made a significant investment in the farming operation at Raith, which is the central hub for the farming operation. The business also incorporates the farms of Mid Fulton and High Wardneuk.

The steading at Raith is the central hub for business operations and includes the farmhouse and a single workers' cottage.

The other two units have suffered from a lack of investment over the years and the previous owner identified that there was potential to improve these units and invest in housing and buildings which would allow them to better integrate into the farming business. Planning permission was duly sought and under application 08/00946/OUT two dwellings were permitted to be built. Unfortunately, the previous owner never completed the builds and the planning permission for these houses lapsed in 2013.

Under the new ownership of Mr Beacom and Family, the business is looking to progress its improvements and re-establish these planning permissions to allow each of the units to operate as part of the overall farm business. This accommodation is essential to allow the business to attract the right quantity and quality of labour.

This report demonstrates that there is a justifiable need for the additional worker's accommodation based on the current farming activity.

3. FARM SET-UP

3.1. CURRENT FARMING SYSTEM

Raith Farm and associated farms at Mid Fulton and High Wardneuk make up a total area of 405 acres, (163.90ha). Historically a further 60 acres has been rented in on an annual basis. The farming business is currently milking 370 dairy cows with an additional 300 head of youngstock from calf up to the age of 18 months.

The farm also takes in a further 500 head of sheep during the winter months for which the family take care of all daily husbandry throughout this period.

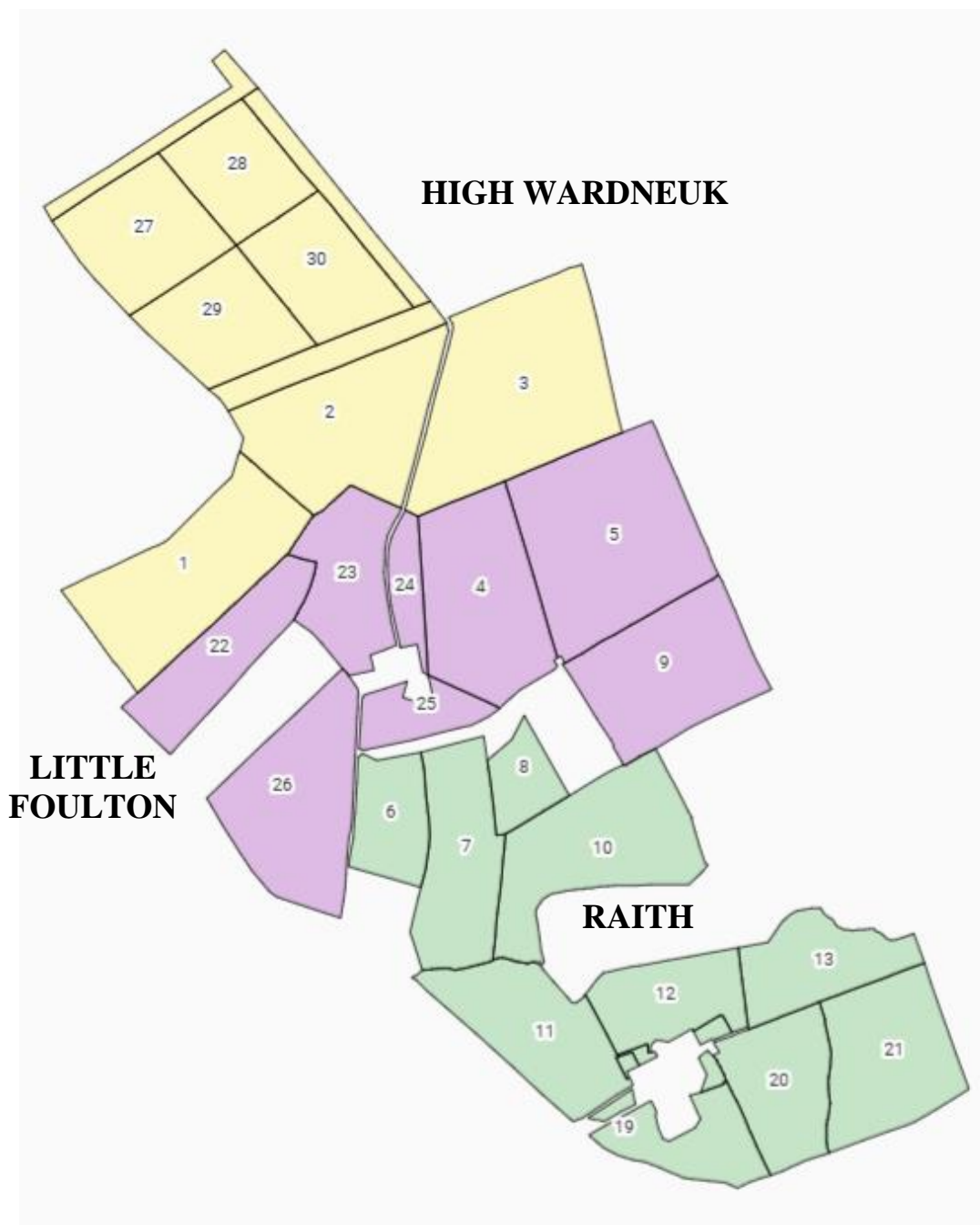
There are also 70 acres of winter arable cropping on the farm which is all carried out in-house except for the combining which is contracted out.

With an intensive grassland business, the grassland needs to be productive and there are 200 acres that are cut at least 3 times to make winter silage that is needed to feed the stock when they are not able to graze outside.

Since the considerable investment of purchasing Raith, the family have consolidated the existing operations and spent time and money improving the dairy herd. The family are now ready to continue their investment in the infrastructure that is required to keep this progressive business moving forward.

3.2. FARM LAYOUT

The Map below shows the current farm layout, and the location of the three units to each other.



3.3. FARM INVESTMENT

Over the past year there has seen significant investment in operational machinery which allows the business to cover most of the farm works without the need for contractors, whilst this does result in financial savings and operational independence it does require the appropriate amount of labour to succeed.

The three farms, as shown above, operate as one business, but have for too long relied on the housing and steading infrastructure purely at Raith. The previous owners of Raith had identified the need for additional dwellings to service the farm operations and made various applications to the local authority for additional dwellings, these applications were duly approved by the authority but never enacted due to a change in the previous owners' aspirations for the business at that time.

The current owner have the ability to bring these proposals to fruition but want to take a more strategic approach to their positioning that will best meet the operational need of the farming enterprise. Raith currently has two dwellings, with a further additional two approved under application 08/00946/OUT. These two approvals lapsed in early 2013 and the business that is now in place would now like to establish that there is still a current need for these dwellings to support the farming business and allow succession planning for the Beacom family.

Last year the business decided to further invest in the infrastructure of the property with planning application 23/00695/app was approved in October 2023 for a new slurry lagoon which is strategically positioned to service all three farms with construction works now complete.

The family are now turning their focus on further improving each of the three farms and particularly the farmhouse and workers accommodation. Historically there has been three dwelling approved by the planning department over the past 10 or so years, two have lapsed and one is still valid. The business now seeks to bring the two lapsed approvals back available based on a robust current argument for additional dwellings. We would seek these applications on a concurrent basis so that economies of scale would aid their development and to give the business and family certainty in the medium term that succession preparations are well established.

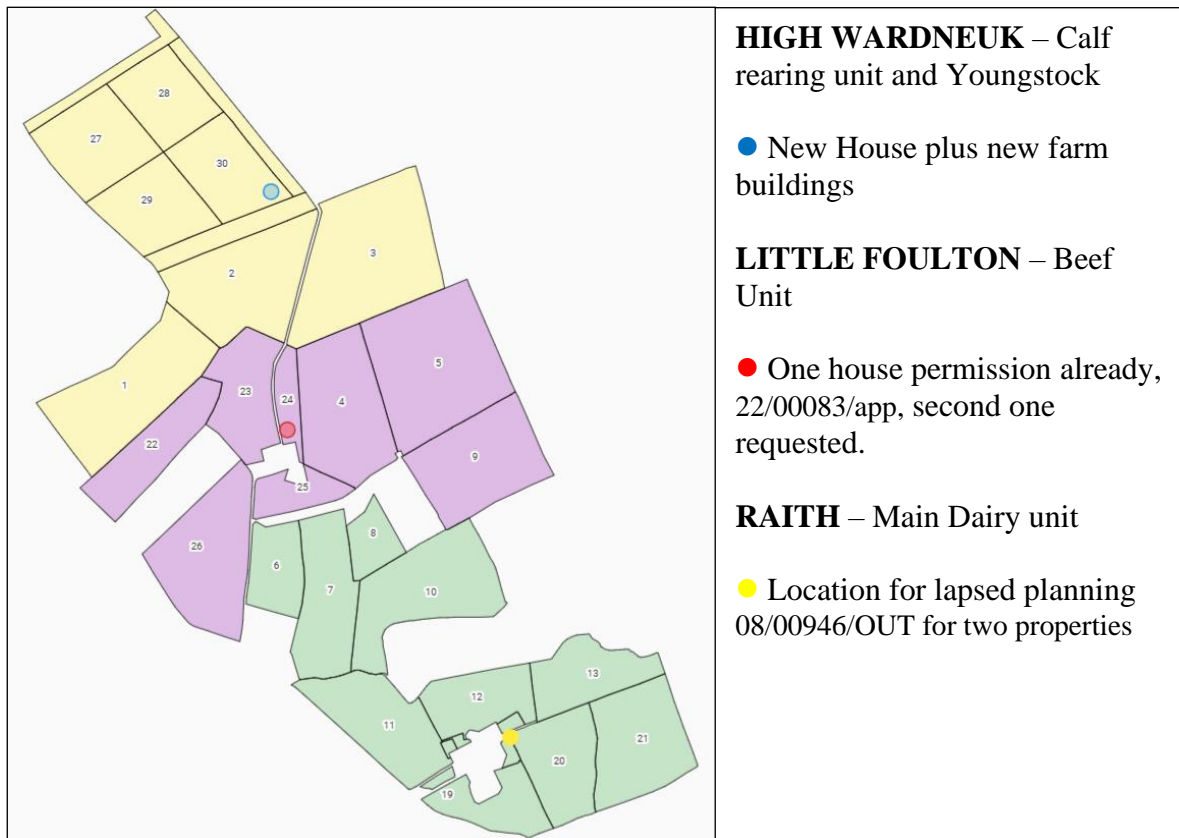
Little Fulton had historically not been a big part of the farming enterprise under the previous owners. However, the Beacom family have decided to rear all of their own calves in order to maximise profit potential. Little Fulton has become the businesses beef unit with the steading and land supporting the young stock. The previous owner had applied for and obtained authority approval for a farm single

workers cottage at the edge of the farm steading. Mr Beacom would now like to seek to relocate one of the previously lapsed permissions from Raith and build a Farmhouse at Little Fulton to supplement the current approval for a farm workers dwelling (22/00083/app).

The business also requires a new steading infrastructure to cope with the significant upscaling of calves before they are ready for the beef unit to be in full operation at Little Fulton. In the interest of good animal husbandry and minimisation of disease this is required to be away from the main milking unit at Raith.

A potential location for this would have been next to the beef unit at Little Fulton. However, there are two mains gas pipelines straddling the steading at Little Fulton and after consultation with SGN it has not proved possible to accommodate additional steading area which would be safe and functionally attached to the current steading. The proposal is therefore to place the calf unit on the land at High Wardneuk. The tree belt offers protection and screening as well as the distance from the other units creating a highly desirable biosecurity barrier reducing disease risk in newborn and young calves. To support the calf unit the 2nd lapsed approval for a dwelling at Raith would be moved to this location.

3.4. PROPOSED AND CURRENT LOCATION OF HOUSES



3.5. PROPOSED AND CURRENT LOCATION OF HOUSES

The proposals are key to future proofing the business to ensure the highest levels of animal welfare, animal husbandry, biosecurity and security of the farm as well as assisting with the growth of the business. Despite having gates at the entrance to the properties there has been an escalation of unauthorised vehicles entering the farms or blocking the entrance to the point that neighbours are frequently in contact worried about the safety of livestock, machinery and supplies housed at the other farm units.

In addition, there have been several occasions where dogs have been sighted running loose across the fields where livestock have been worried as a result. This can be fatal to livestock and their unborn due to stress levels and crushing incidents as they try to escape from the loose dogs.

Food security is a huge issue given the unprecedented times we are currently seeing. Food provenance goes hand in hand with biosecurity. The prevention of contaminants from entering the food chain or virus' jumping species will be the health issue of the next decade. There are already big issues in the livestock sector from pregnant animals aborting their young as a result of Neospora that is a parasite found in dog faeces.

To guarantee best practice and ensure animals are kept free from bio-security risks, it is essential that supervision of animal health, grazing, feed and environment is constant.

The requirement to have these two new agricultural dwellings on the farm is now therefore a necessity in order to protect the farm assets and livestock.

3.6. PLANNING REQUIREMENTS FOR AGRICULTURAL DEVELOPMENT

In consideration of the future developments of Raith Farm, time has been taken to consider local and national Planning Statements. These have been put into the context of the Beacom Family's Business Proposals and is a separate information source to support the submitted planning application.

3.7. CURRENT PLANNING SITUATION

3.5.1 There is insufficient full time, permanent agricultural dwellings across the holding

3.5.2 There are currently insufficient farm buildings for current and future stocking and activities on the farm

- 3.5.3 The plan for the new dwellings would be to site the dwelling near to existing buildings and built in a traditional local style in order that it should blend in with what is already there.
- 3.5.4 Wherever there is the rearing of youngstock there is a need for accommodation to be provided for a stockman to care for the animals on a round-the-clock basis. The accommodations will provide security and biosecurity for the livestock which is an essential part of all livestock farms in order to ensure animal welfare is upheld.

4. AGRICULTURAL REQUIREMENTS

There are significant farming activities already in place across the farming business. This is a family business that involves a number of generations, and they all need to be on-site to carry out their duties.

4.1. LABOUR REQUIREMENTS

For this section The SAC Farm Management Handbook 2023/24 has been used. The largest component of fixed costs on farm is labour and machinery and this is also the most variable between farms. For these reasons it is essential to fully understand and manage both labour and machinery costs as they can have a large bearing on the financial viability of the farm business. This section details the key elements including standard labour requirements by enterprise.

4.2 STANDARD MAN DAYS

The Standard Man Days (SMD) system can be used to provide a general estimate of the farm labour requirement. A labour unit of one person is assumed to work 1,900 hours per year. This figure obviously includes average overtime but can be increased by further overtime working.

Every enterprise on the farm requires a number of SMD's for each unit of production (per hectare, per cow etc.). The total SMD requirement for each enterprise is thus found by multiplying by the size of the operation. The total labour needed on the holding is the sum of all the individual enterprises. An additional 15-25% has then traditionally been added to account for general maintenance, repairs and management (*Note: this may be an under-estimate on many farms – see later*).

This system can work well when the labour requirement is fairly constant during the year – i.e. for more livestock enterprises. However, when labour use is seasonal, as with most field operations, it does not show the 'peaks and troughs' that are crucial in labour planning. It also fails to reflect that

daylight hours, soil conditions, rainfall etc. which will alter the amount of time available for fieldwork during the course of the year.

4.3 LABOUR REQUIRED AT RAITH FARM (HOURS/UNIT)

Livestock	No	Hr per Animal	Total Hours	Notes
Dairy Cows	370	28	10,360	Main Herd
Youngstock	12	300	3,600	Replacements
Total:			13,960	
Sheep Keep	500	2.9	605	Kept for 5 months of the year
Total:			605	
Management				
+ 25%			3,641	
Total:				
Business Total:			18,206	
Standard Man Days:			9.58	

This is equivalent to 18,206 Labour Hours and equates to 9.58 Standard Man Units.

4.4 CURRENT HOUSING AND LABOUR

There are only two houses servicing the three farms. These are currently occupied by one of the herdsmen in the dairyman's cottage and the Beacom Family in the main Farmhouse. Mr Beacom has two sons involved with the business who are both in their mid-twenties and will be wanting to settle down in their own properties very soon, and not living with their parents.

There is also a further part-time worker who lives off-farm and has to travel for work when they are on.

With a dairy livestock business, it is essential to have good labour, on-farm, to be able to ensure livestock are cared for as needed. The industry is struggling to attract dairy farm workers to jobs and therefore those that do have them need to ensure that they are looked after well, and providing appropriate accommodation is part of this.

5. OTHER CONSIDERATIONS

In reviewing the need for an agricultural dwelling at Raith Farm the business can already financially viable and can financially justify their current labour supply. The SMD calculation demonstrates that there is a significant labour requirement for the size of the unit.

The business has also considered whether there is other suitable affordable accommodation, and none has been found.

The Beacom Family need to be on site 24 hours a day to attend to livestock all year round. This is to ensure the highest standards of animal welfare are maintained as well as guaranteeing biosecurity which is critical for any livestock enterprise.

It should also be noted that this proposed development will significantly improve the character of the area and will continue to promote a sustainable rural enterprise.

6. CONCLUSION

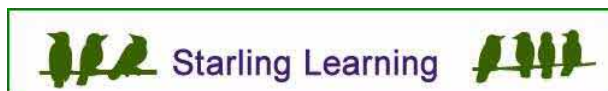
This report demonstrates that Raith Farm fully meets the requirements of a justifiable need for three additional dwellings, the one currently with permission at Fulton plus two additional dwellings.

Preliminary Ecological Appraisal

Land at High Wardneuk, Monkton, South Ayrshire



Carried out by



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Commissioned by

Ron Turkington

Document History

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1. Introduction

1.1 Background

Starling Learning was commissioned by Ron Turkington to carry out a Preliminary Ecological Appraisal (PEA) of an area of land at High Wardneuk Farm, by Monkton, South Ayrshire. The survey was commissioned to identify a baseline of ecology for the site, to identify any ecological constraints for a planning application for the site. Particular reference was made to National Planning Framework (NPF) 4 policies, and South Ayrshire Council's Local Development Plan (LDP2).

1.2 Site description

The survey was conducted on the site, and (where access permitted), a 100m buffer of surrounding area. The site extends to approximately 160m x 50m (8,000m², 0.8ha), and lies in South Ayrshire, on the unclassified road immediately south of High Wardneuk Farm and centered on Grid Reference NS 39076 28440. The site is bounded to the south and east by woodland and hedgerow; and to north and west by productive farmland.

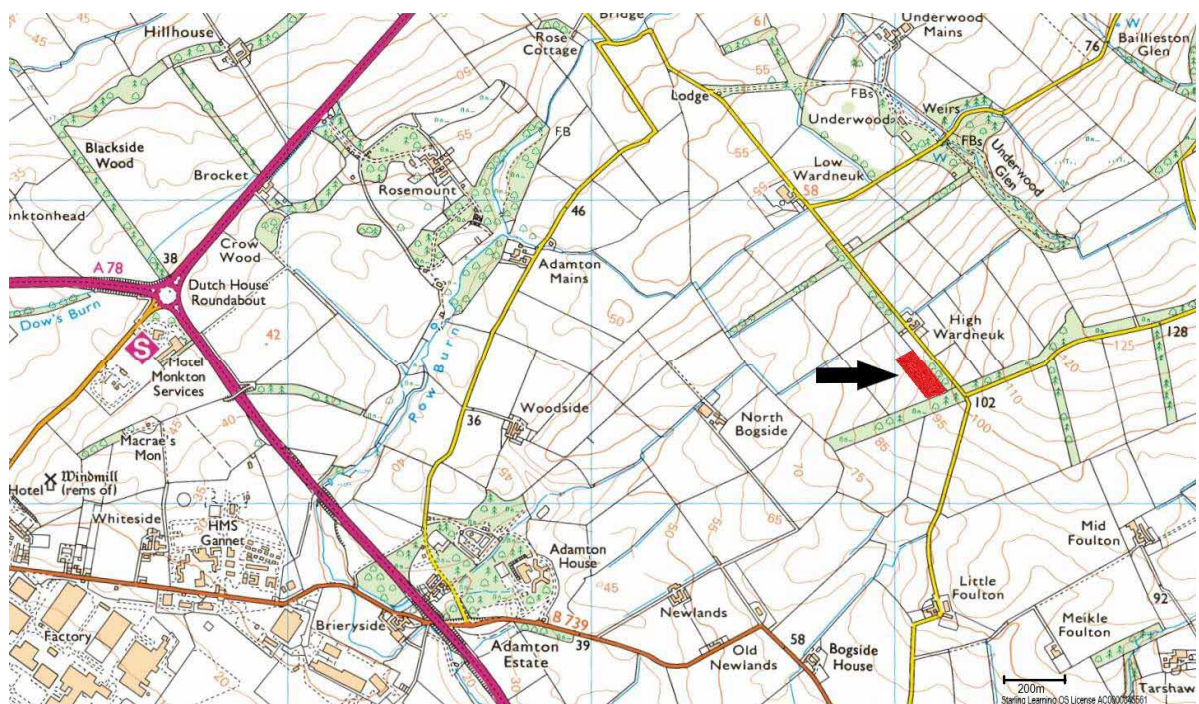


Figure 1. Location of site (arrowed), immediately south of High Wardneuk Farm.

2. Methodology

2.1 Desk Study

A brief desk study was carried out to investigate species, habitats, and nature conservation sites in the area.

This included:

- National Biodiversity Network Atlas (NBN Atlas)¹; and
- Data from Local Authority (South Ayrshire Council) records;
- Local data from *Bird Guides*² and *Ayrshire Birding*³.

2.2 Field Survey

2.2.1 The field survey work involved the following:

- Phase 1 Habitat Survey;
- Identification of notable and protected habitats;
- Walkover to assess site for potential for other protected species and identification of further survey requirements;
- Assessment of site for birds, mammals, and plants; and
- Target notes.

2.2.2 An Extended Phase 1 habitat survey was carried out on a single visit in following the standard methodology described in 'Guidelines for Baseline Ecological Assessment'⁴, which augments the methods described in the 'Handbook for Phase 1 Habitat Survey: a Technique for Environmental Audit'⁵. Standard Phase 1 mapping techniques are modified a little given the small size of the site.

2.2.3 Each habitat was classified in the field and its extent mapped onto an aerial view of the area. Notes were made in the field relating to dominant plants, structure of vegetation or points of general conservation/ecological interest, including the presence, or potential presence of notable or protected species on the site. Any evidence of invasive plants was searched for.

¹ <https://nbnatlas.org/>

² <https://www.birdguides.com/sites/europe/britain-ireland/britain/scotland/ayrshire/>

³ <https://www.ayrshire-birding.org.uk/category/locations/>

⁴ Spon. E & FN. Institute for Environmental Assessment (1995). Guidelines for Baseline Ecological Assessment

⁵ Joint Nature Conservation Committee JNCC (2010). Handbook for Phase 1 Habitat Survey –A Technique for Environmental Audit. JNCC, Peterborough

2.2.4 The protected species survey involved the following:

- Survey for evidence of Water Voles (*Arvicola amphibius*), Otters (*Lutra lutra*), *Badgers* (*Meles meles*), Bats, and other protected species;
- Breeding bird assessment; and
- All other species were considered and recorded.

2.2.5 The survey consisted of a search of the site for evidence with a surrounding 100m buffer, where access was permitted. All evidence was recorded including potential protected structures, dung, and paths.

2.2.6 The field visit took place on the 29th August 2024 by ecological surveyor Liam Anton of Starling Learning. Weather conditions were good for survey work: fair, 15°C, wind speed 25km/h from the south-west, no precipitation, cloud 4, and excellent visibility.

3. Baseline

3.1 Desktop Results

3.1.1 No Nationally designated sites are located within 1km of the survey area. The twice designated Afton Lodge SSSI and Geological Conservation Review site (designated for its important Quaternary marine fossil assemblage) lies within 4km, and Troon Foreshore SSSI (designated for its Sand Dunes) lies within 5km. The woodlands forming the eastern and southern boundaries of the site appear within the Ancient Woodland Inventory of Scotland – Wood ID 26,141. As such, planning policy recommends that these woodlands be “protected from adverse impacts resulting from development.” Location of the designated woodland in relation to the site is shown in Figure 2.



Figure 2. Outline of proposed development site, in relation to designated Ancient Woodland, High Wardneuk.

3.1.2 No specific reference to the site or immediate area was found within the South Ayrshire Council Local Development Plan (LDP2). However, in addition to Nationally designated sites (SSSI, SAC, SPA), the Council has within the LDP2 adopted a broad approach to protecting natural heritage and applied local designations to several areas. Around 2km south of the site, the Raith Burn and Ladykirk area has been locally designated as a “Wildlife Site” by the Scottish Wildlife Trust (SWT) and Local Nature conservation Site by South Ayrshire Council.

A previous Planning Application (14/00271/PPP) from 2014 was noted within the Council’s planning portal: this applying to erection of a dwelling house on a smaller parcel of land at the entrance to the field. This application was withdrawn.

3.1.3 Records for Protected Species within 2km of the area include the following:

- Otter (*Lutra lutra*) at Raith Burn to the south, and at Hansel Village to the north-west.
- Merlin (*Falco columbarius*) in the Underwood Glen area to the north.
- Tawny Owl (*Strix aluco*) in the Underwood Glen area to the north
- Barn Owl (*Tyto alba*) recorded at several sites within a 2km radius.
- Greater White-fronted Goose (*Anser albifrons*), five at Raith Reservoir, March 2021, 300m to the south;
- 26 Whooper Swans (*Cygnus cygnus*), Raith Reservoir, March 2021;
- Three Pintail (*Anas crecca*), Raith Reservoir, February 2021 and one in 2020;
- Greater Scaup (*Aythya marila*), Raith Reservoir, March 2020.

Surprisingly, there are no records for either Badger (*Meles meles*), nor any bat species within a 2km radius.

3.2 Field Survey Results

Habitat Survey

3.2.1 The site itself consists of prime agricultural grassland, uncut at the time of survey. Beyond the site boundaries lie further fields of grass and barley, an area of farm buildings, linear strips of hedgerow and mixed woodland, an area of bare ground used for equestrian activities, and road infrastructure (Figure 3).



Figure 3. The site itself (looking south) consists of agricultural improved grassland, uncut at time of survey. Hedgerow and woodland boundaries visible to south and east.

3.2.2 The following habitats were recorded within the site boundary:

- J1.1.1. Cultivated Land - Arable.

J.1.1 Cultivated Land – Arable.

Within the site boundary, grasses dominate - as would be expected from an area of intensively managed farmland (Figure 3). The following were recorded: Perennial Rye-grass (*Lolium perenne*), White Clover (*Trifolium repens*), Yorkshire Fog (*Holcus lanatus*), and Common Bent (*Agrostis capillaris*); with some encroachment of Broad-leaved Dock (*Rumex obtusifolius*), Common Nettle (*Urtica dioica*), and Creeping Thistle (*Cirsium arvense*). This assemblage of plants is consistent with a field managed for silage / cattle feed. A plant species list for the site is given in Appendix 1.

3.2.3 The following habitats were recorded beyond the site boundary:

- A.1.3.1 Mixed Woodland –Semi Natural
- A.1.3.2. Mixed Woodland –Plantation Origin
- A2.2. Scattered Scrub
- J1.1.1. Cultivated Land - Arable.
- J.2.1.1. Intact Hedge –Species Rich
- J.3.3. Domestic Buildings
- J.4. Bare Ground

A.1.3.1. Mixed Woodland –Semi Natural.

Within the 45m wide north-west / south-east lying strip of woodland, the northern portion of this made up of a diverse assemblage of woodland species, characterised by a wide variety of species and age groups. Noted within this area were Ash (*Fraxinus excelsior*), Sycamore (*Acer pseudoplatanus*), Rowan (*Sorbus aucuparia*), Hawthorn (*Crataegus monogyna*), Elder (*Sambucus nigra*), Downy Birch (*Betula pubescens*), Bird Cherry (*Prunus padus*), Goat Willow (*Salix caprea*), and Pedunculate Oak (*Quercus robur*). (Figure 4).



Figure 4. Woodland to the north of the access track to the site, showing greater diversity of species; and dense, scrubby margins.

This stretch of woodland is scrubbier in nature than the ancient woodland (see below), with less canopy shading. As a result, the understorey is thicker and more varied, and included Cleavers (*Galium aparine*), Wood Avens (*Geum urbanum*), Bramble (*Rubus fruticosus agg.*), Common Nettle, Gorse (*Ulex europaeus*), Ground Ivy (*Glechoma hederacea*), Honeysuckle (*Lonicera periclymenum*), Ground Elder (*Aegopodium podagraria*), Cocksfoot (*Tussilago farfara*), Red Fescue (*Festuca rubra*), and Common Vetch (*Vicia sativa*). (Figure 5.)

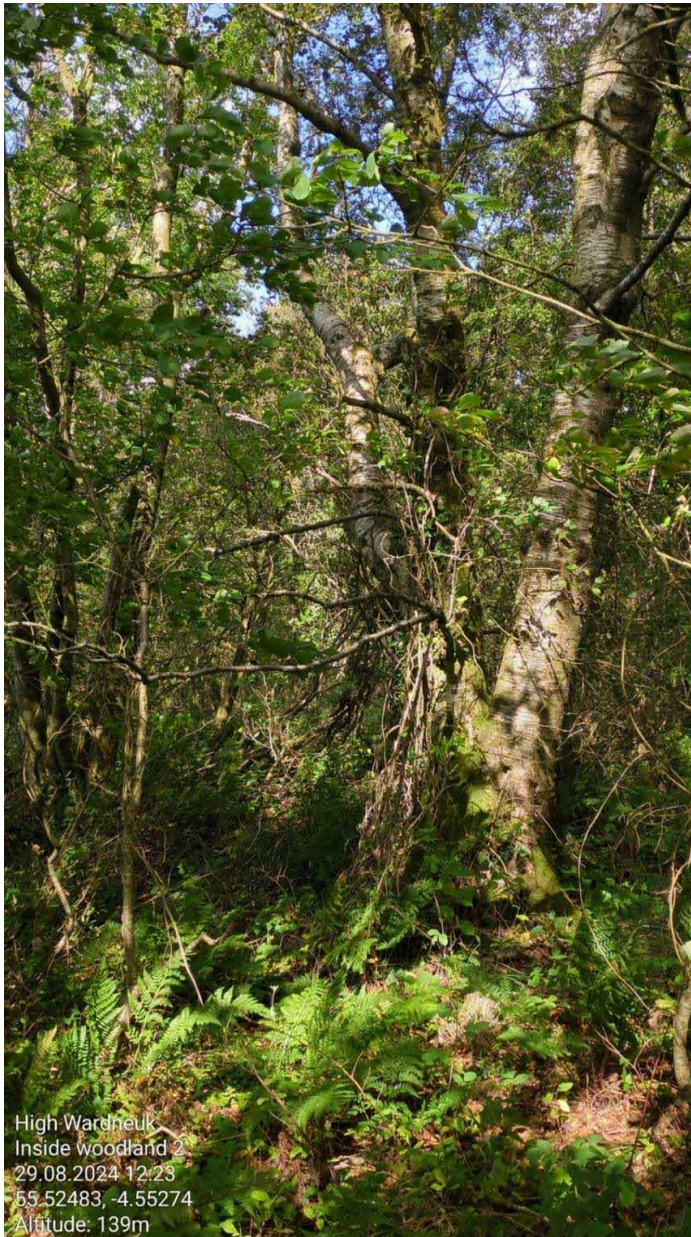


Figure 5. The woodland to the north-west of High Wardneuk has a wider variety of species, and a more pronounced understorey than the woodland of plantation origin.

A small group of Plum (*Prunus domestica*) trees exists to the north-west of the Farmhouse.

A.1.3.2. Mixed Woodland of Plantation Origin.

The south boundary, and 50% of the eastern boundary to the site, are made up of broad, linear strips of mature woodland, approximately 45m in width, and dominated by Beech (*Fagus sylvatica*), with some Scots Pine (*Pinus sylvestris*) and infrequent Pedunculate Oak trees. These linear strips are those categorised on the Ancient Woodland Inventory as being of long-established plantation origin. As is normal with mature beech woodlands, the understorey is significantly restricted due to the intense shading the beech canopy produces. Some small Holly (*Ilex aquifolium*) was recorded, along with Male-fern (*Dryopteris filix-mas*),

Common Ivy (*Hedera helix*), Grasses, and Honeysuckle. The woodland floor is characterised by leaf litter and mosses. (Figure 6).



Figure 6. Mature beech wood, with Holly and fern understorey.

The woodland contains a reasonable amount of deadwood –both standing and fallen (Figure 7). Of note in this compartment were considerable numbers of Chanterelle (*Cantharellus cibarius*) fungi.



Figure 7. Standing deadwood within the ancient woodland: Scots Pine (left) and Beech (right).

A2.2. Scattered Scrub.

Two small patches of scrub exist either side of the access track leading to the field within which the site lies. Together, the area is approximately 30m x 75m in extent and appears to have been cleared of woodland within the past decade or so –possibly to maintain views and open aspect to the south-west. A short avenue of Sycamore trees lies either side of the scrub area. Species recorded here include Great Willowherb (*Epilobium hirsutum*), Creeping Thistle, Common Nettle, Dog Rose (*Rosa canina*), Broad-leaved Dock, Wild Angelica (*Angelica sylvestris*), Hawthorn, Gorse, Bramble, Cleavers, Cocksfoot, False Oat-grass (*Arrhenatherum elatius*), Red Fescue, Redshank (*Persicaria maculosa*), Soft Rush (*Juncus effusus*), Rosebay Willowherb (*Chamerion angustifolium*), Creeping Buttercup (*Ranunculus repens*), and Privet (*Ligustrum sp.*) Ground conditions here were damper than elsewhere on the site or buffer zone. (Figure 8).



Figure 8. Species found within J.2.2. Scattered Scrub area: Redshank, Creeping Thistle, Broad-leaved dock.

J.1.1 Cultivated Land – Arable.

The bulk of the land within the buffer zone consists of intensely managed agricultural land cultivated for Rye-grass and White Clover as a hay / silage crop, and Barley (*Hordeum vulgare*). (Figure 9).



High Wardneuk
View from top of site, looking sw
29.08.2024 12:53
55.5226, -4.54937
Altitude: 149m

Figure 9. View from the top of the site looking south-west over farmland cultivated for hay / silage crop. A part of the ancient beech woodland can be seen on the left of the picture.

J.2.1.1. Intact Hedge–Species Rich.

Roadside boundaries, as well as the margins of the woodland compartments, are made up of mature hedging, graduating into scrubby margins. Although of variable quality, in places these are dense, and made up of a good number of species: Hawthorn, Beech, and Gorse, with infill of Bramble, Cleavers, Dog-rose, Cocksfoot, and Vetches. Hedges and margins in good condition such as this offer excellent nesting opportunities for birds. (Figure 10.)

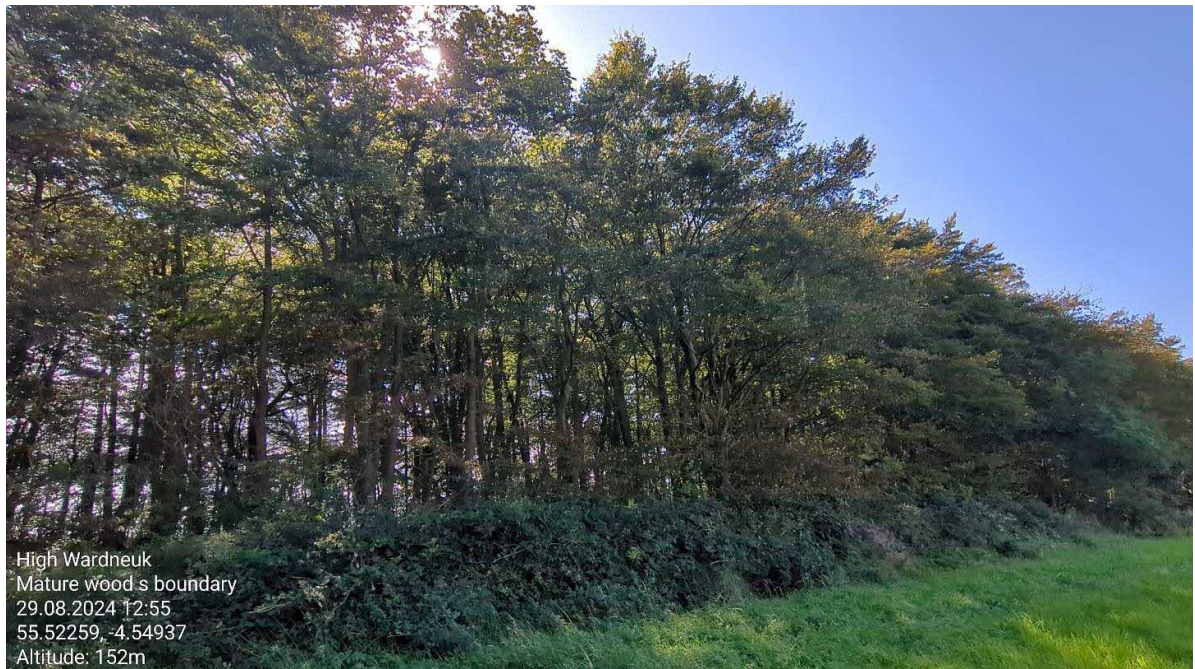


Figure 10. A section of hedging bounding the mature beech wood.

J.3.3. Domestic Buildings.

Several farm and domestic buildings of various ages exist within the buffer zone. These appear to be of traditional construction, but a detailed survey was not carried out.

J.4. Bare Ground

This site is bounded on one side by an unclassified road. An area of ground to the south of the farmyard has been cleared and levelled as an area for equestrian activities.

Phase 1 Habitats, including the 100m buffer zone, are mapped in Figure 11.

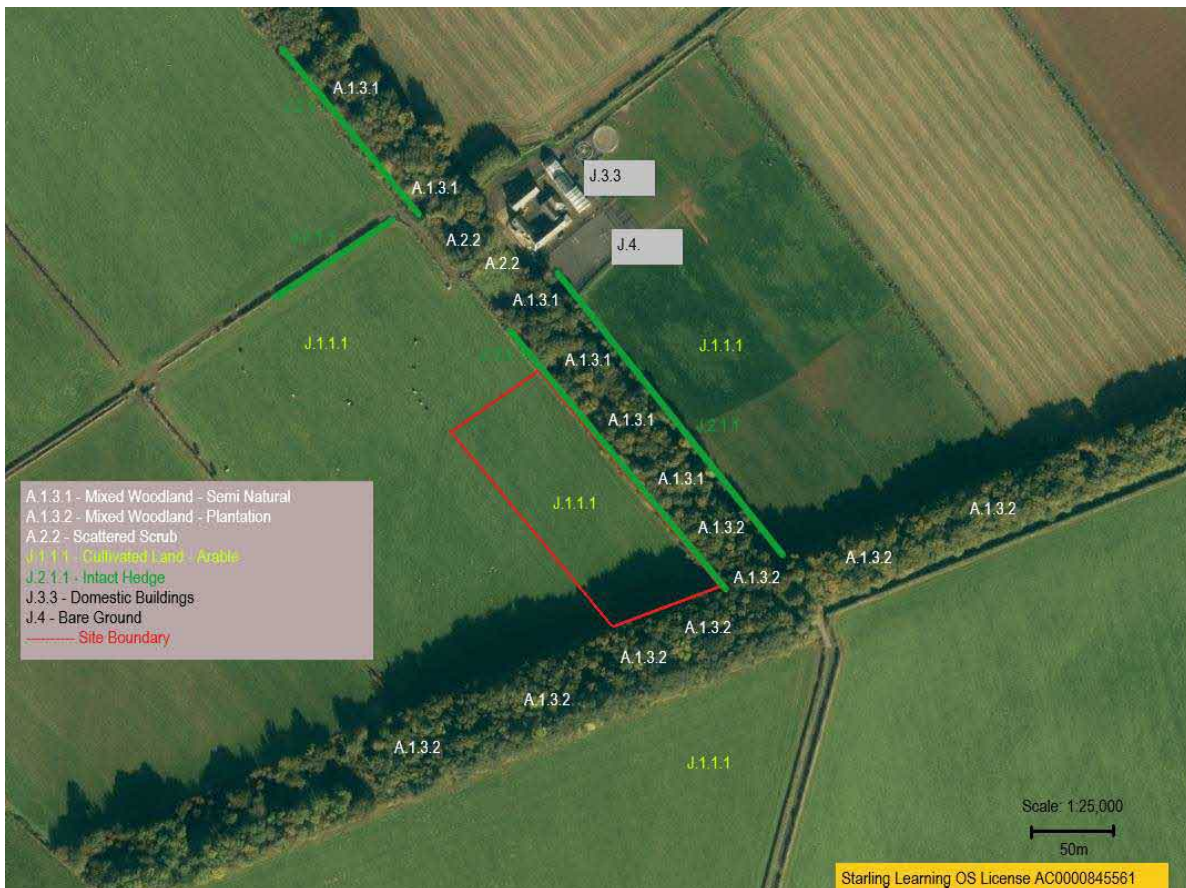


Figure 11. Phase 1 Habitats for site and 100m buffer.

3.2.2 Protected Species

Water Vole

No evidence of recent or historical Water Vole activity was recorded.

Bats

There are no local records of bats, and the site itself offers only foraging opportunities for bats. However, there are potentially roosting opportunities within adjacent farm buildings, and within the mature woodlands. Since both are beyond the site boundary, no impact is expected.

Badger

Details of Badger are given in the Confidential Annex.

Otter

Despite searching ditches and watercourses, no evidence of recent or historical Otter activity was recorded. However, recent torrential rains will have obscured all but the freshest and most obvious traces.

Other mammals

Signs of mole (*Talpa europaea*) activity (molehills) were noted in places.

Roe Deer (*Capreolus capreolus*) tracks were observed in muddy ground, and tree marking by bucks was noted on willow trees within woodland to the north of the buffer zone. (Figure 12).



Figure 12. Roe Deer scent marking on willow tree to north of the site.

Signs of Grey Squirrel (*Sciurus carolinensis*) were noted, principally discarded beech nut shells (Figure 13). What was interpreted as a disused squirrel drey was observed in a cracked and split dead beech tree (Figure 14).



Figure 13. Opened and discarded beech nut shells –signs of Grey Squirrel foraging.



Figure 14. Squirrel drey in dead beech tree.

Amphibians and Reptiles

There is no open freshwater habitat suitable for breeding amphibians, and none were recorded. No reptile activity was recorded.

3.2.3 Birds

The timing of the survey (late August) is not ideal for recording of birds: breeding and nesting activity is all but over, most species are largely quiet at this time of year, and migratory birds are beginning to move out. The site itself is of such a size as to provide limited habitat for nesting and foraging birds, although being uncut, this would offer some opportunity for ground-nesting birds such as Curlew (*Numenius arquata*). However, due to the nature of management of agricultural grasslands (cutting for silage), the level of disruption is likely to be way beyond what these birds would tolerate. Very few birds were recorded within the site itself.

Within the 100m buffer around the site, the woodland areas provide a more diverse and attractive habitat for birds, within the temporal constraints mentioned above. Species recorded on the site visit included:

Blackbird (*Turdus merula*)
Blue Tit (*Cyanistes caeruleus*)
Carrion Crow (*Corvus corone*)
House Sparrow (*Passer domesticus*)
Lesser Redpoll (*Acanthis cabaret*)
Raven (*Corvus corax*)
Robin (*Erithacus rubecula*)
Swallow (*Hirundo rustica*)
Swift (*Apus apus*)
Wood Pigeon (*Columba palumbus*)
Wren (*Troglodytes troglodytes*)

3.2.3 Other species of note

A single Peacock butterfly (*Aglais io*) was recorded, and as previously noted, Chanterelles were abundant in the old Beech woods.

3.2.4 Invasive non-native species

No evidence of invasive non-native species was recorded.

4. Evaluation and Recommendations

4.1 Habitats

In terms of habitat of the site itself, there is limited ecological value in an area of intensively managed agricultural grassland. Habitat enhancement and biodiversity gain in line with NPF4 can be achieved through post-development landscaping and planting. Efforts should therefore be

directed to ensuring that these are of the highest possible standard, to promote the greatest benefit for biodiversity, in line with the obligations of NPF4. Preservation and protection of the ancient woodland to the south and east of the site is critical. Boundary hedging and planting of native species around the north and west of the site boundaries would be an improvement. A low-impact management regime for hedging (infrequent cutting to allow the hedge to “bush”), and coppicing over time would provide some excellent habitat. Tree planting with native species is to be encouraged.

As much of the bordering woodland is designated as of ancient origin, care must be taken in protecting these and avoiding disturbance. Consideration should be given to root protection. It would be expected that access to the site would be through the existing track opposite High Wardneuk Farm, and that no new access created.

4.2 Species

Given that there are no previous records of Badgers in the area, the record of Badgers in the area site is of note. Every effort must be made to minimise disturbance to these protected animals, both during and post-construction. Scottish Badgers should be notified.

If ground clearance and construction commence out with the bird breeding season (March to August inclusive), there should be negligible impacts on birds. Otherwise, a pre-construction survey for nesting birds within the surrounding woodland and bordering access tracks would be required.

4.3 Biodiversity gain

Biodiversity gain could be brought onto the site itself with introduction of some native tree and shrub species - Silver Birch (*Betula pendula*), Whitebeam (*Sorbus aria*), Rowan, and Hawthorn, and Blackthorn (*Prunus spinosa*) being an easy way to improve the habitats. Depending on the nature of the development, ground-cover shrubs, Heathers (*Ericaceae*), and Juniper (*Juniperus communis*) would be favourable.

Mature trees should not be disturbed, in order that potential bat roosts are not disrupted. Placement of bat boxes in trees of the ancient woodland would be beneficial –particularly along the field margins, where clear lines of flight can be assured.

Bird nest-boxes could be included on suitable north and east facing elevations of any new buildings –sparrow communal boxes, and tit boxes would be beneficial. There is scope for placement of nest boxes within the beech woods: boxes suitable for both Tawny and Barn Owls would be of particular benefit in these woods. Smaller boxes for passerines would be useful in the denser areas of non-designated woodland.

Appendix 1. Plant Species List

Common Name	Scientific Name
Ash	<i>Fraxinus excelsior</i>
Beech	<i>Fagus sylvatica</i>
Bird Cherry	<i>Prunus padus</i>
Bramble	<i>Rubus fruticosus agg.</i>
Broad-leaved Dock	<i>Rumex obtusifolius</i>
Cleavers	<i>Galium aparine</i>
Cock's-foot	<i>Dactylis glomerata</i>
Common Bent	<i>Agrostis capillaris</i>
Common Ivy	<i>Hedera helix</i>
Common Nettle	<i>Urtica dioica</i>
Common Vetch	<i>Vicia sativa</i>
Creeping Buttercup	<i>Ranunculus repens</i>
Creeping Thistle	<i>Cirsium arvense</i>
Dog Rose	<i>Rosa canina</i>
Downy Birch	<i>Betula pubescens</i>
Elder	<i>Sambucus nigra</i>
False Oat-grass	<i>Arrhenatherum elatius</i>
Goat Willow	<i>Salix caprea</i>
Gorse	<i>Ulex europaeus</i>
Great Willowherb	<i>Epilobium hirsutum</i>
Ground Elder	<i>Aegopodium podagraria</i>
Ground Ivy	<i>Glechoma hederacea</i>
Hawthorn	<i>Crataegus monogyna</i>
Honeysuckle	<i>Lonicera periclymenum</i>
Holly	<i>Ilex aquifolium</i>
Male Fern	<i>Dryopteris filix-mas</i>
Pedunculate Oak	<i>Quercus robur</i>
Perennial Rye-grass	<i>Lolium perenne</i>
Plum	<i>Prunus domestica</i>
Privet	<i>Ligustrum sp.</i>
Red Fescue	<i>Festuca rubra</i>
Redshank	<i>Persicaria maculosa</i>
Rosebay Willowherb	<i>Chamerion angustifolium</i>
Rowan	<i>Sorbus aucuparia</i>
Scots Pine	<i>Pinus sylvestris</i>
Soft Rush	<i>Juncus effusus</i>
Sycamore	<i>Acer pseudoplatanus</i>
White Clover	<i>Trifolium repens</i>
Wild Angelica	<i>Angelica sylvestris</i>
Wood Avens	<i>Geum urbanum</i>
Yorkshire Fog	<i>Holcus lanatus</i>

Appendix 2. Legislation

Bats

A summary of the offences relating to species listed on Schedule 2 of the Habitats Regulations are given below. These offences relate to all life stages of the animal. This applies to all bats.

It is an offence to deliberately or recklessly:

- Capture, injure or kill such an animal;
- Harass an animal or group of animals;
- Disturb an animal while it is occupying a structure or place used for shelter or protection;
- Disturb an animal while it is rearing or otherwise caring for its young;
- Obstruct access to a breeding site or resting place, or otherwise deny the animal use of that place;
- Disturb an animal in a manner that is, or in circumstances which are, likely to significantly affect the local distribution or abundance of the species;
- Disturb an animal in a manner that is, or in circumstances which are, likely to impair its ability to survive, breed or reproduce, or rear or otherwise care for its young;
- Disturb an animal while it is migrating or hibernating; or
- Damage or destroy a breeding site or resting place of such an animal (this does not need to be deliberate or reckless to constitute an offence and is irrespective of whether an animal is present at that time).

Breeding Birds

Birds are protected by The Wildlife and Countryside Act 1981 (with Nature Conservation (Scotland) 2004 Act amendments).

It is illegal to intentionally or recklessly:

- kills, injure or take any wild bird;
- take, damage or destroy or otherwise interfere with any wild bird while that nest is in use or being built; or
- at any other time take, damage, destroy or otherwise interfere with any nest habitually used by any wild bird included in Schedule A1;
- obstruct or prevent any wild bird from using its nest

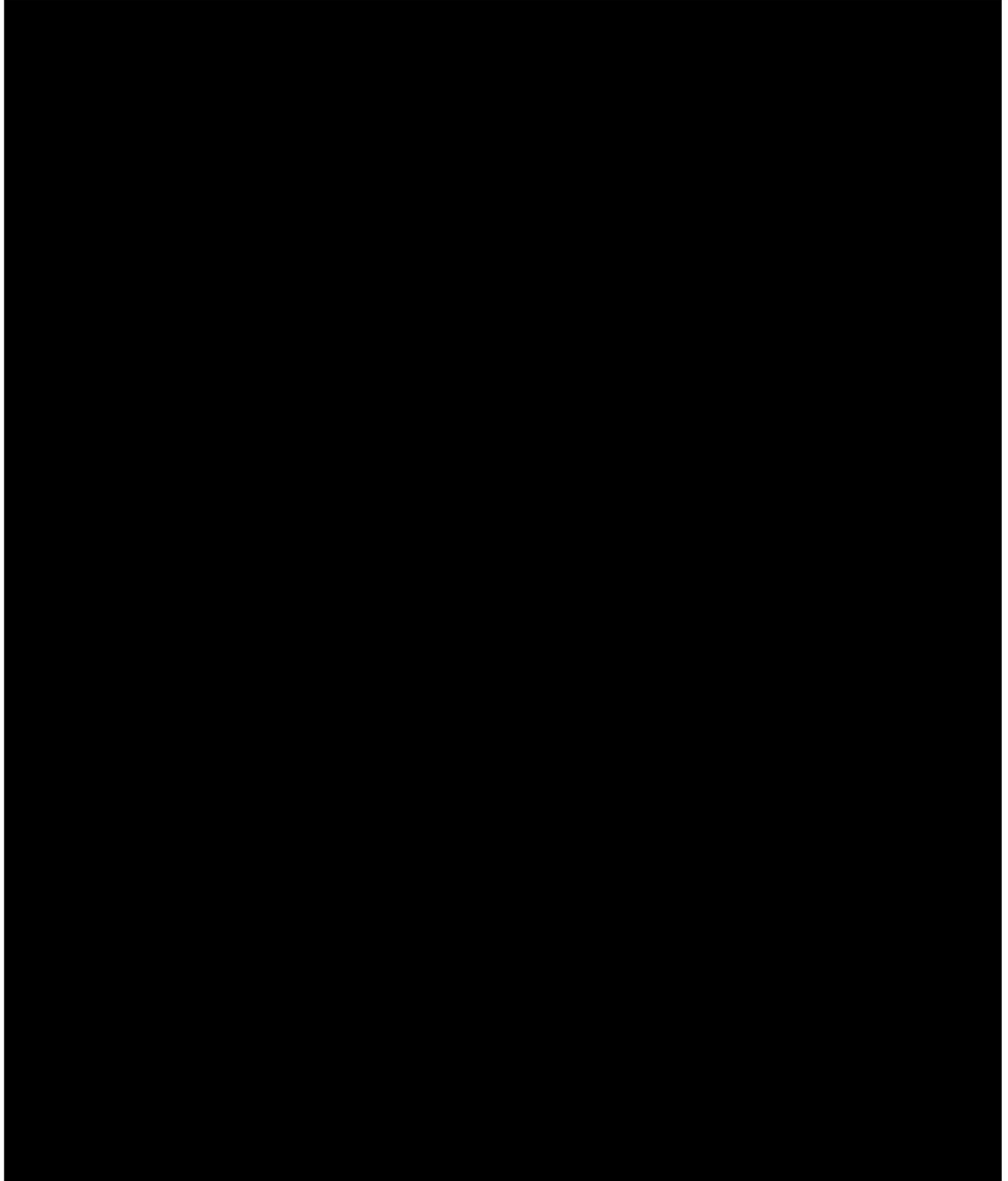
Badgers

Badgers and their setts are protected by the Protection of Badgers Act 1992. Offences relevant to development works include:

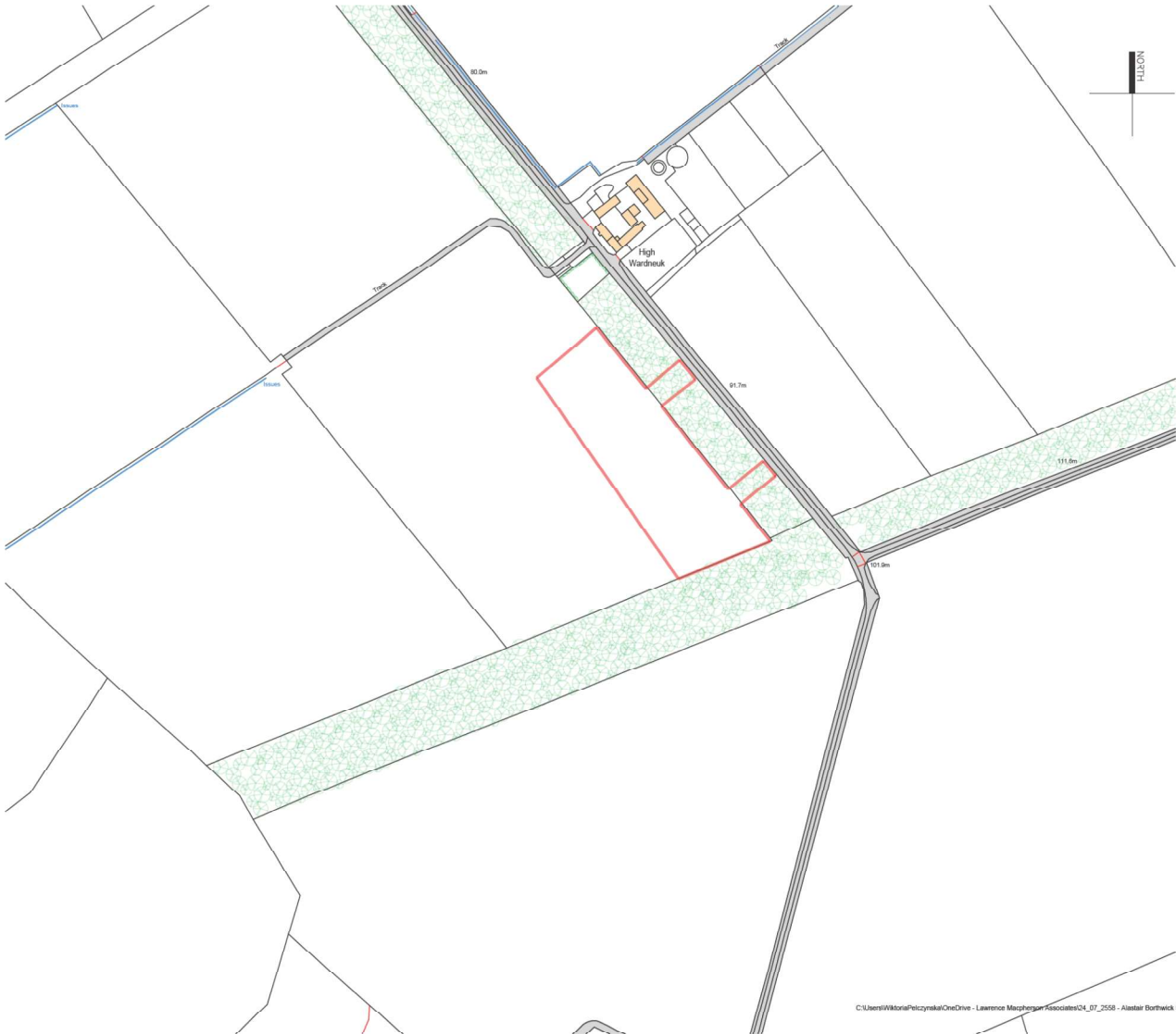
- Wilfully kill, injure, take, possess or cruelly ill-treat a Badger, or attempt to do so.
- Interfere with a sett by damaging or destroying it.
- Obstruct access to, or any entrance of, a Badger sett.
- Disturb a Badger when it is occupying a sett.

Confidential Annex

This Confidential Annex has been written by Starling Learning. It contains sensitive information relating to protected species and should not be released into the public domain due to the risk of persecution of these species.







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— Site Boundaries

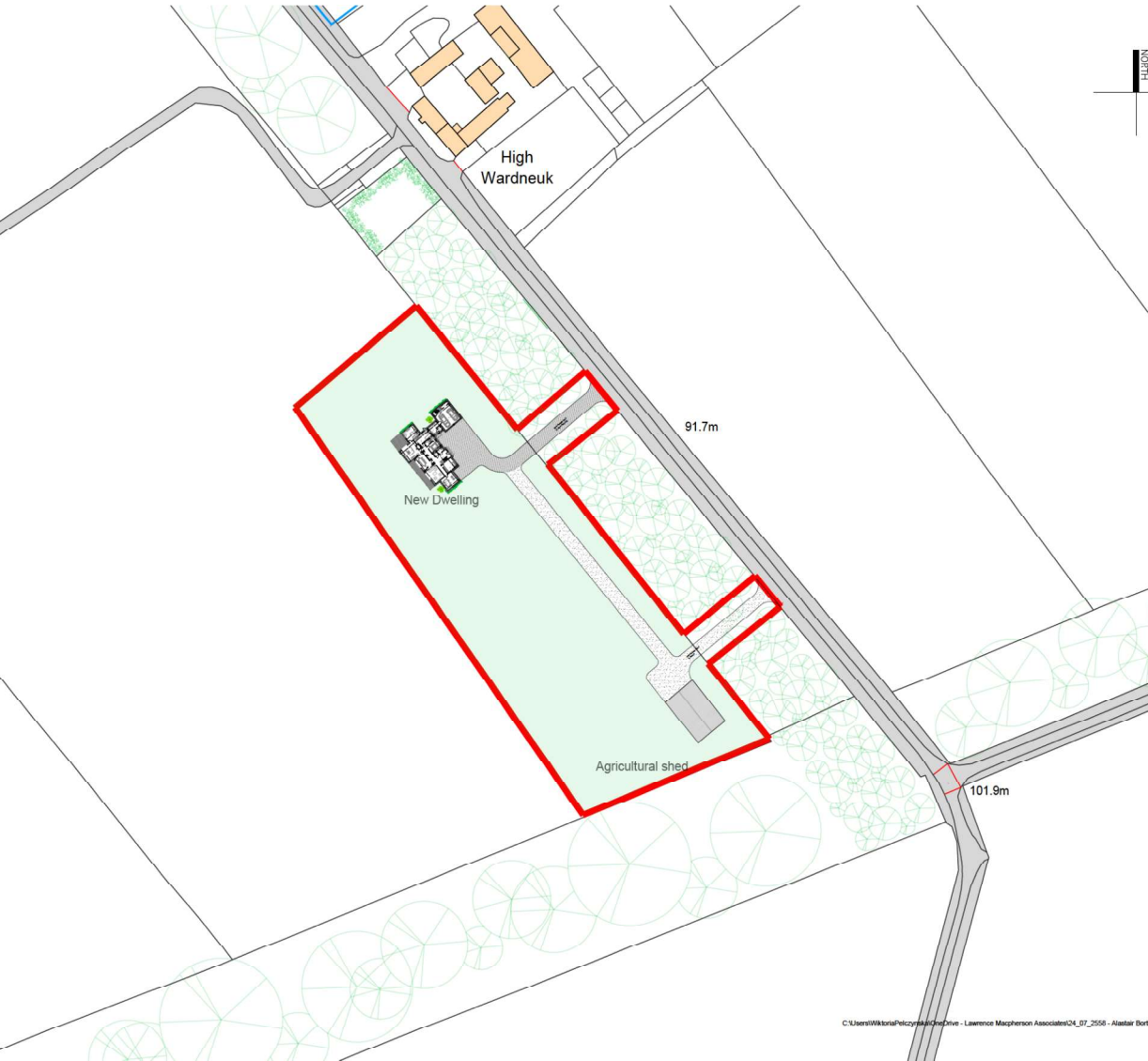
Revision	Date	Description	By

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 Suite 11 | 276 Vincent Street | Glasgow, G2 5RL
 Suite G1 | 18 Wollington Square | Ayr, KA17 1E2
 | www.l-m-a.co.uk

Client
Mr John Beacom
 Project
**New Dwelling
 Land of High Wardneuk
 Prestwick**
 Description
Location Plan

Status
PLANNING
 Job Number Drawing Number Revision
24_07_2558L(00)001
 Scale Drawn / Checked By Date
1:2500@A3 CG Aug '24

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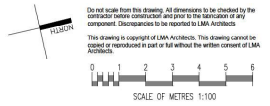
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 Suite G1 | 18 Wollington Square | Ayr, KA17 1E2
 | www.l-m-a.co.uk

Client
Mr John Beacom
 Project
**New Dwelling
 Land of High Wardneuk
 Prestwick**

Description
**Proposed Site Plan
 Full site**

Status
PLANNING
 Job Number Drawing Number Revision
24_07_2558L(00)003
 Scale Drawn / Checked By Date
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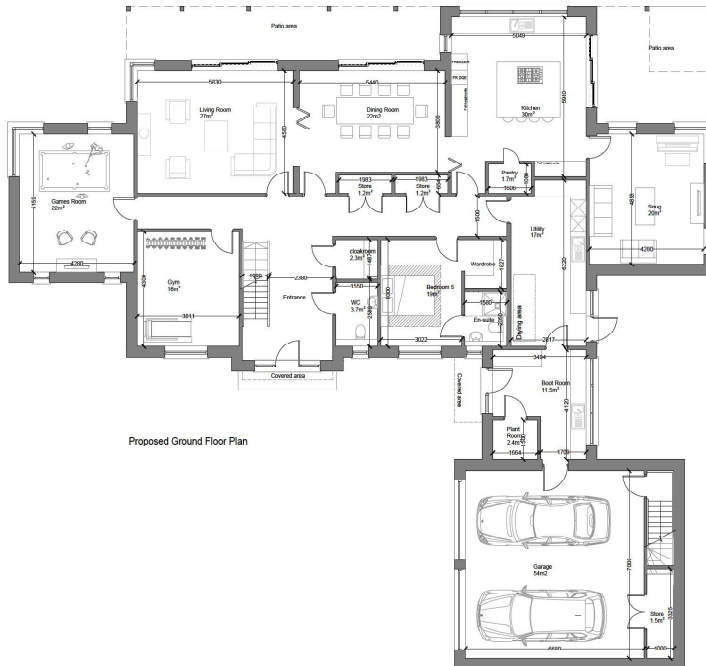
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Floor area
 Ground floor: 300m²
 First floor: 173m²
 Total : 473m²



Proposed Ground Floor Plan

E	22.11.24	Amendments as per client's comments	CG
D	20.11.24	Alterations to window to floor structure	CG
C	22.10.24	Alterations to window position as per client's comments	CG
B	11.10.24	Layout altered as per client's comments	CG
A	10.10.24	Final ground as per client's comments	CG
Revision	Date	Description	By

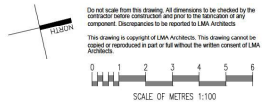
LMA ARCHITECTS
 Suite 111 27/6 Vincent Street | Glasgow, G2 3AF
 011 161 Wellington Square | Ayr, KA1 1LZ
 www.lma-arch.co.uk

Client
 Mr John Beacom

Project
 New Dwelling
 Land of High Wardneuk
 Prestwick

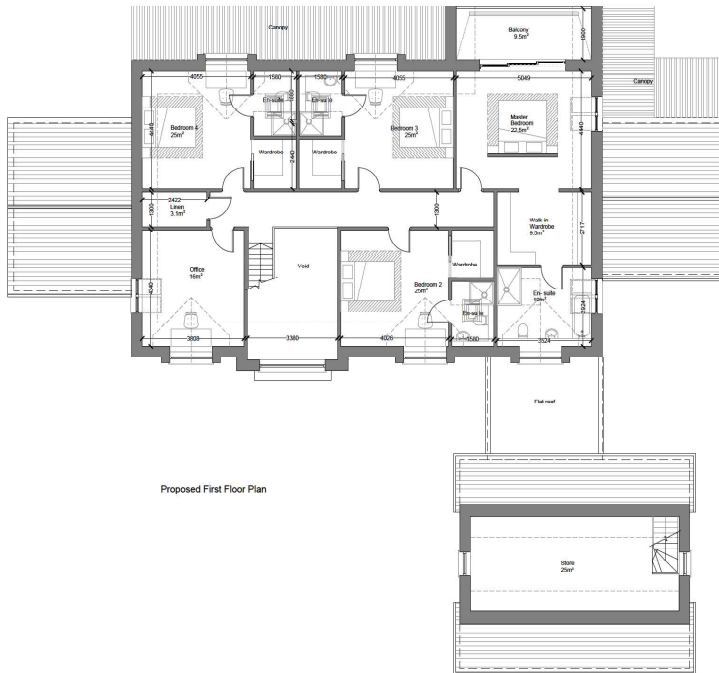
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Drawn	Checked/By	Date	
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Floor area
 Ground floor: 300m²
 First floor: 173m²
 Total : 473m²



Proposed First Floor Plan

E	22.11.24	Amendments as per client's comments	CO
D	20.11.24	Alterations to window to floor level	CO
C	22.10.24	Alterations to window position as per client's comments	CO
B	11.10.24	Layout altered as per client's comments	CO
A	10.10.24	Initial scheme as per client's comments	CO
Revision	Date	Description	By

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 Suite 111 27/6 Vincent Street | Glasgow, G2 3AF
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 www.lma-arch.co.uk

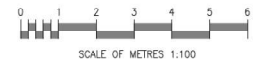
Client
 Mr John Beacom
 Project
 New Dwelling
 Land of High Wardneuk
 Prestwick

Description
 Proposed First Floor Plan

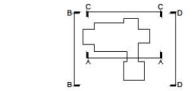
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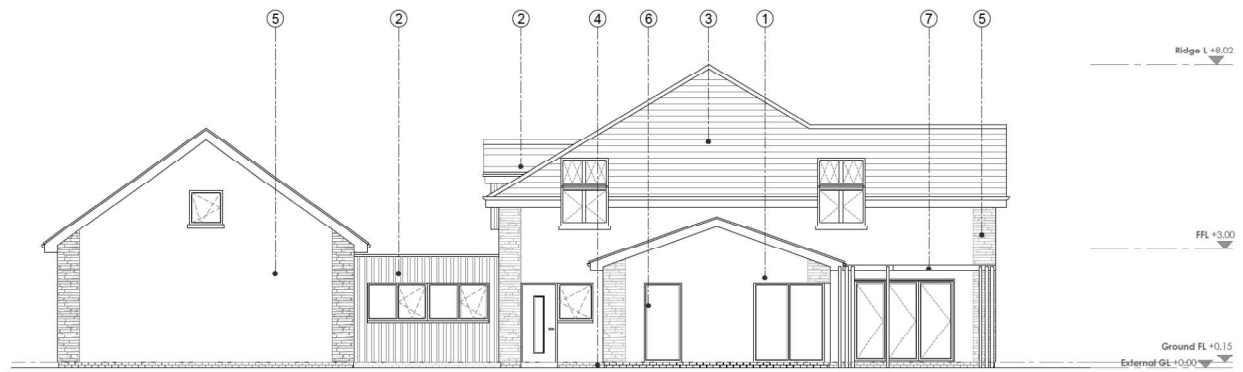


SCALE OF METRES 1:100



- MATERIALS KEY**
- 1 - White Render
 - 2 - Grey Wood effect vertical Cladding panels
 - 3 - Grey Slate Roof tiles
 - 4 - Base course - Dark Brick
 - 5 - Architecture Stone cladding
 - 6 - Grey aluminium windows and doors
 - 7 - Solid Canopy with timber slats
 - 8 - Glass balustrade
 - 9 - Canopy over entrance

Proposed Elevation A-A



Revision	Date	Description	By
A	27.11.24	Revised as per client's comments	CG

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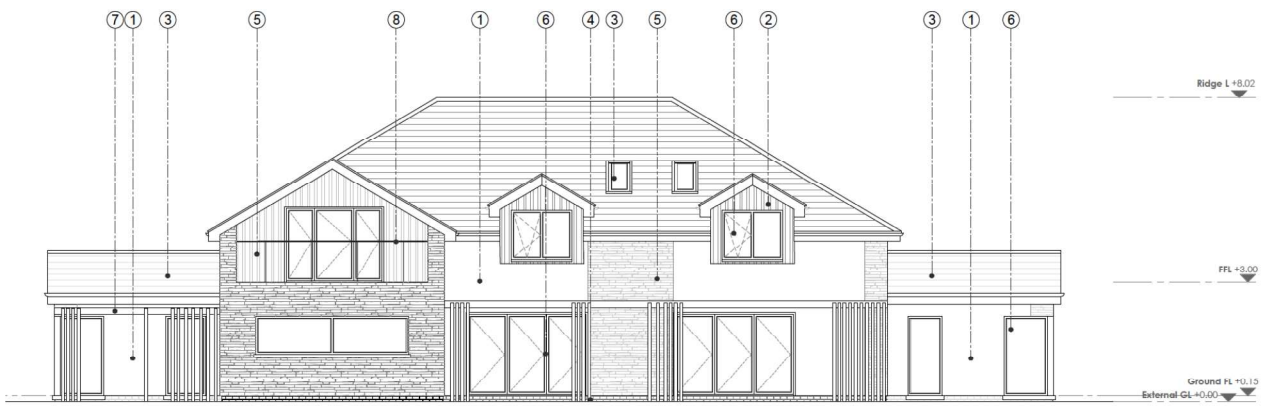
Client
Mr John Beacom
 Project
**New Dwelling
 Land of High Wardneuk
 Prestwick**

Description
**Proposed Elevation
 A & B**

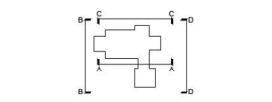
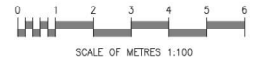
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PLANNING

Job Number	Drawing Number	Revision
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Scale	Drawn / Checked By	Date
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Proposed Elevation B-B

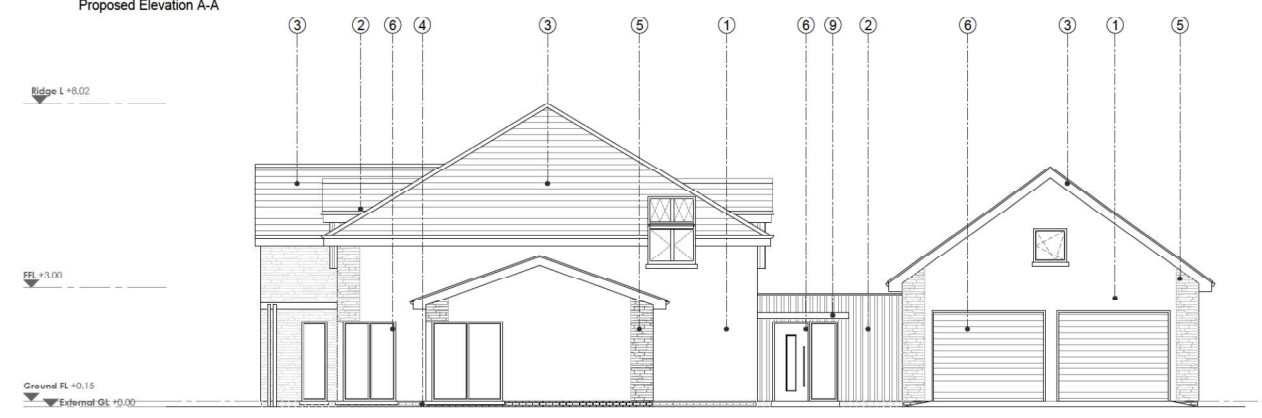


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- MATERIALS KEY**
- 1 - White Render
 - 2 - Grey Wood effect vertical Cladding panels
 - 3 - Grey Slate Roof tiles
 - 4 - Base course - Dark Brick
 - 5 - Architecture Stone cladding
 - 6 - Grey aluminium windows and doors
 - 7 - Solid Canopy with timber slats
 - 8 - Glass balustrade
 - 9 - Canopy over entrance

Proposed Elevation A-A



Proposed Elevation B-B

Revision	Date	Description	By
A	27.11.24	Revised as per client's comments	CG

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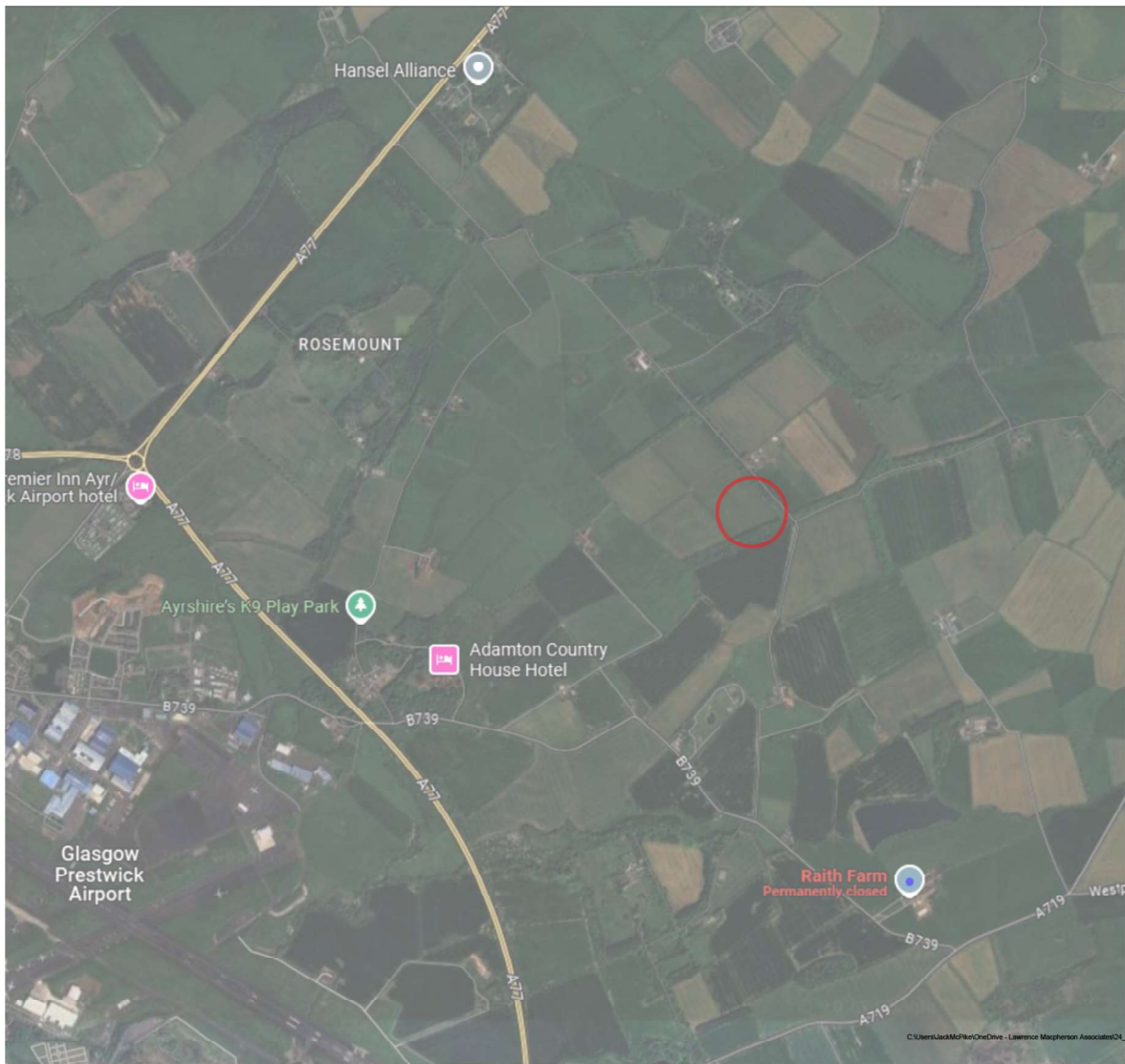
Client
Mr John Beacom
 Project
**New Dwelling
 Land of High Wardneuk
 Prestwick**

Description
**Proposed Elevation
 C & D**

Status
PLANNING

Job Number	Drawing Number	Revision
24_07_2558L(02)004		A
Scale	Drawn / Checked By	Date
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Application Location

Revision	Date	Description	By

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 Suite 11 | 276 Vincent Street | Glasgow, G2 5RL
 Suite G1 | 18 Wollington Square | Ayr, KA17 1E2
 www.l-m-a.co.uk

Client
 Mr John Beacom

Project
 New Dwelling
 Land of High Wardneuk
 Prestwick

Description
 Location Plan 2

Status

PLANNING

Job Number	Drawing Number	Revision
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Scale	Drawn / Checked By	Date
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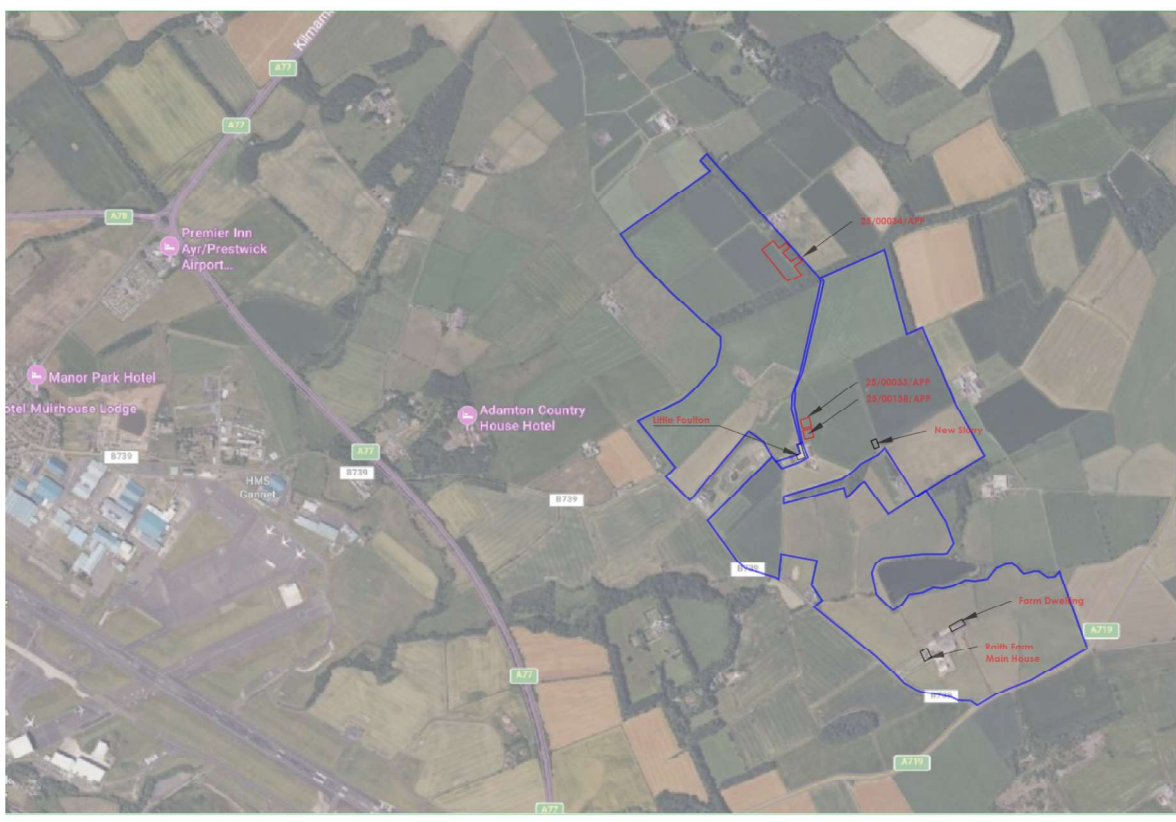
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- Application Location
- Ownership Boundary
- Existing Buildings

Revision	Date	Description	By

LMA ARCHITECTS

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 Suite G1 | 18 Wollington Square | Ayr, KA17 1E2
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Client
Mr John Beacom

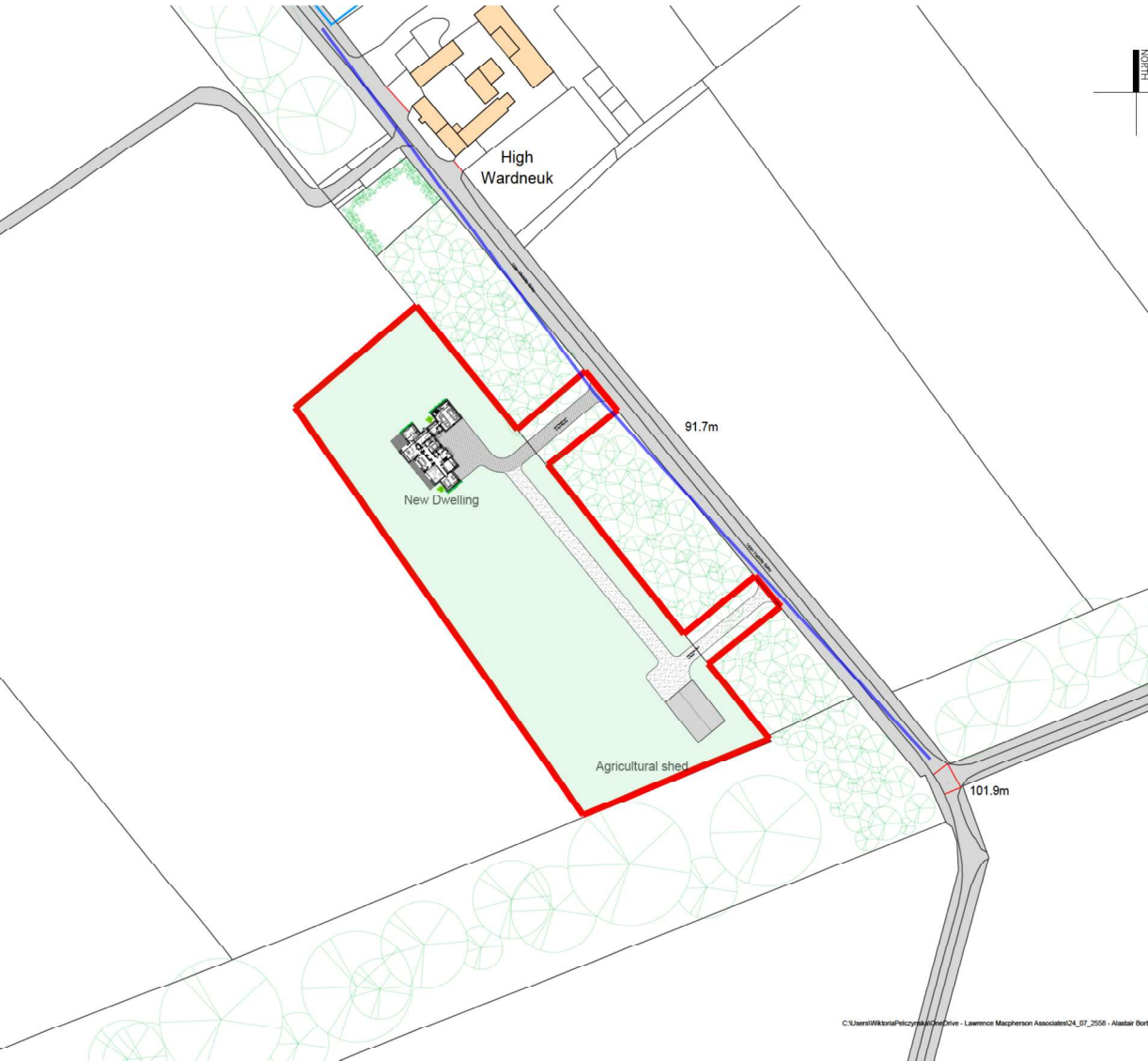
Project
**New Dwelling
 Land of High Wardneuk
 Prestwick**

Description
Ownership Boundary

Status
PLANNING

Job Number	Drawing Number	Revision
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Scale	Drawn / Checked By	Date
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- Site Boundaries
- Visibility Splay

Revision	Date	Description	By
A	20.03.25	Visibility Splay Added	WP

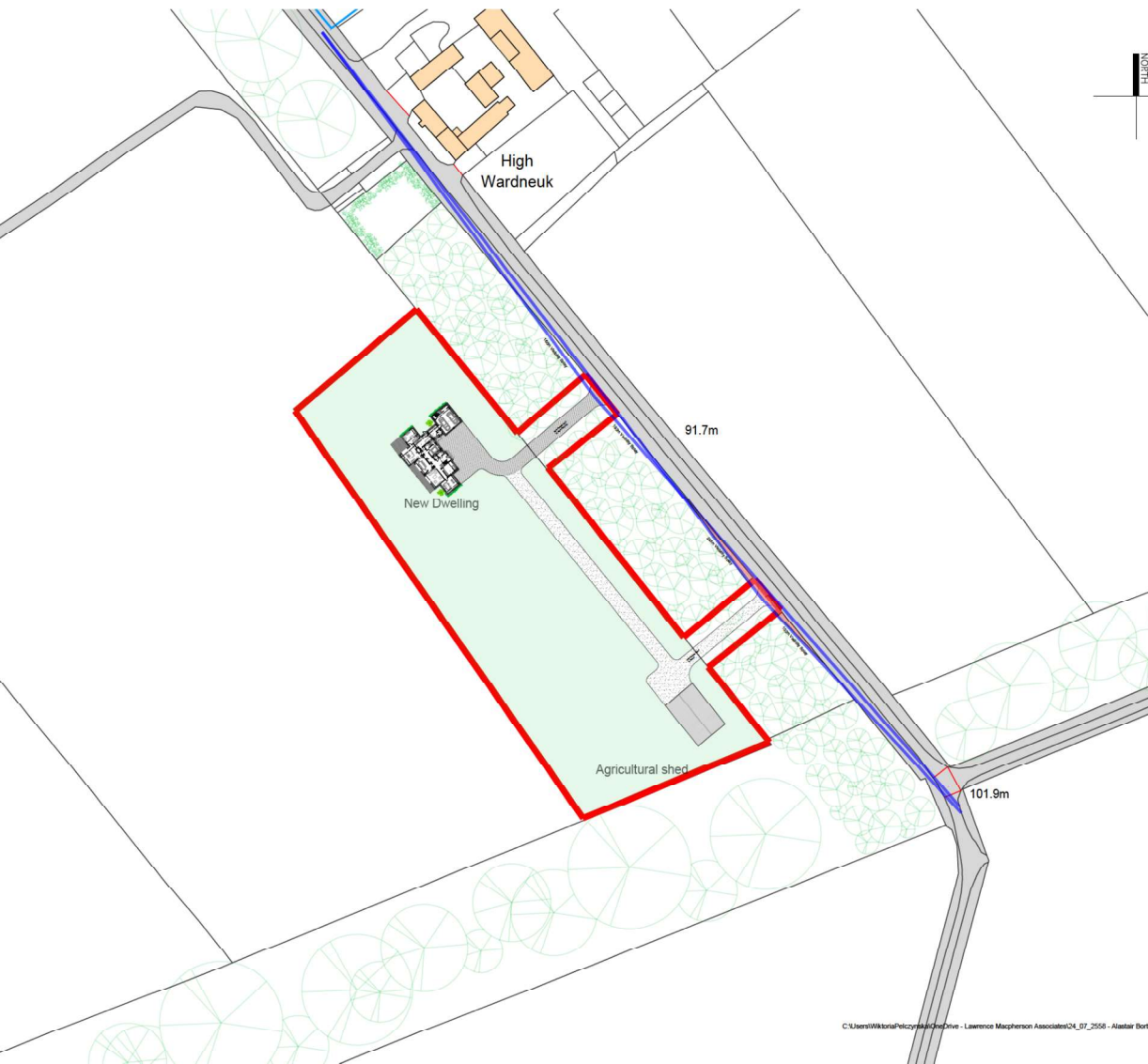
LMA ARCHITECTS
 Suite 11 | 276 Vincent Street | Glasgow, G2 5RL
 Suite G1 | 18 Wollington Square | Ayr, KA17 1E2
 | www.l-m-a.co.uk

Client
Mr John Beacom
 Project
**New Dwelling
 Land of High Wardneuk
 Prestwick**

Description
**Proposed Site Plan
 Full site**

Status
PLANNING
 Job Number Drawing Number Revision
24_07_2558L(00)003 A
 Scale Drawn / Checked By Date
1:1250@A3 CG Aug '24

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- Site Boundaries
- Visibility Splay
- To be kept clear of obstructions

Revision	Date	Description	By
B	25.03.25	Visibility Splay Added to 2nd exit	WP
A	23.03.25	Visibility Splay Added	WP

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 Suite 11 | 276 Vincent Street | Glasgow, G2 5RL
 Suite G1 | 18 Wollington Square | Ayr, KA17 1E2
 | www.l-m-a.co.uk

Client
Mr John Beacom

Project
**New Dwelling
 Land of High Wardneuk
 Prestwick**

Description
**Proposed Site Plan
 Full site**

Status
PLANNING

Job Number	Drawing Number	Revision
24_07_2558L(00)003		B
Scale	Drawn / Checked By	Date
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Planning and Building Standards

Service Lead – Planning and Building Standards: Craig Iles

Planning Service, County Buildings, Wellington Square, Ayr, KA7 1DR
Tel: [REDACTED]
Email: [REDACTED]
Our Ref: 25/00034/APP
Date: 23 May 2025



Mr John Beacom
per LMA Architects
Suite 11
276 St Vincent Street
Glasgow
G2 5RL

Dear Sir/Madam,

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

PROPOSAL: Erection of dwellinghouse and agricultural shed
SITE ADDRESS: Proposed New Dwelling House U96 From C138 Junction Near Low Wardneuk To A719 Junction Near Bourtreebush Monkton South Ayrshire

With reference to your Application for Planning Permission, I enclose a copy of the Decision Notice refusing permission. This Decision Notice should be read in conjunction with our [Guidance Note for Planning Decisions](#).

The refused drawings and other documents, where relevant, can be accessed from the [Council's website](#) by using the application reference number noted above. You may find the Report of Handling (otherwise entitled 'Delegated Report') of particular interest, as this sets out an assessment of the application and an explanation for the decision taken.

If you require further information in respect of your decision notice, please contact Fiona Sharp by telephoning [REDACTED] or by emailing [REDACTED]

Yours faithfully,

[REDACTED]

Craig Iles
Service Lead – Planning and Building Standards

Encs.

LOCAL DEVELOPMENT

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

Ref No: 25/00034/APP

SOUTH AYRSHIRE COUNCIL

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

**To: Mr John Beacom
per LMA Architects
Suite 11
276 St Vincent Street
Glasgow
G2 5RL**

With reference to your **Application for Planning Permission** dated **29th January 2025**, under the aforementioned Regulations, for the following development, viz:-

Erection of dwellinghouse and agricultural shed

at: Proposed New Dwelling House U96 From C138 Junction Near Low Wardneuk To A719 Junction Near Bourtreebush Monkton South Ayrshire

South Ayrshire Council in exercise of their powers under the aforementioned Regulations hereby **refuse** the Application for Planning Permission for the said development in accordance with the following reasons as relative hereto and the particulars given in the application. The refused drawings and other documents, where relevant, can be accessed from the [Council's website](#) by using the application reference number noted above these and represent the refused scheme.

The 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; 16 Quality Homes, 17 Rural Homes; 13 Sustainable Transport; 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 Raith Farm, or the supplementary operational buildings at Little Foulton, and has the potential to result in increased rural 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 provision for affordable housing included. The proposals are also contrary to NPF4 Policies 3 and 4 Biodiversity and Natural Places, and Policy 6 Forestry, Woodland and Trees through the loss of ancient woodland, and the potential to adversely impact on protected species. 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 South Ayrshire Local Development Plan (LDP2) Core Principle B8, LDP Policies Rural Housing, Affordable Housing, Landscape Quality and Land Use and Transport; 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 Raith Farm, or the supplementary operational buildings at Little Foulton, and has the potential to result in increased rural 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 provision for affordable housing included. The proposals are also contrary to LDP Policies Preserving Trees, Woodland and Forestry and Natural Heritage through the loss of ancient woodland, and the potential to adversely impact on protected species. No robust justification has been provided for a departure from these policies to the satisfaction of the Council, as planning authority.
- (3R) That the development proposal is contrary to Scottish Government Planning Advice Note 72 - Housing in the Countryside, and the Scottish Government Policy on the Control of Woodland Removal due to being visually prominent, uncharacteristic of the local, to the detriment of the rural landscape setting at the locality, and through the loss of ancient woodland. No robust justification has been provided for a departure from the aforementioned policy guidance to the satisfaction of the Council, as planning authority.
- (4R) That the development proposal is contrary to South Ayrshire Council's Rural Housing Guidance 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 Raith Farm, or the supplementary operational buildings at Little Foulton. 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. In addition the contemporary design of the dwellinghouse is considered atypical, incongruous and unsympathetic, given the prominent location of the site. No robust justification has been provided for a departure from the aforementioned policy guidance to the satisfaction of the Council, as planning authority.
- (5R) That the development proposal is contrary to the Adopted South Ayrshire Local Development Plan policy in relation to Land Use and Transport, in that the proposals as submitted do not meet the visibility sightline splay requirements of 2.4 metres by 215 metres in both directions at the accesses of the site and the public road, and no justification and evidence has been submitted which would demonstrate that reduced visibility splays are appropriate, and as such, the proposals are potentially prejudicial to road safety at this locus. No robust justification has been provided for a departure from the aforementioned policy guidance to the satisfaction of the Council, as planning authority.
- (6R) That the development proposals are potentially prejudicial to air safety and air safeguarding grounds by virtue of an Infringement of the Runway 20 Obstacle Limitation Surfaces and the potential effect on Instrument Flight Procedures. No Instrument Flight Procedure Stage 1 Assessment has been submitted, and as such, the proposals are potentially prejudicial to air safety at this locus.

List of Refused Plans:

Plan Type	Reference	Version No.	Received Date
Drawing	L(00)001		20.01.2025
Drawing	L(00)003		20.01.2025
Drawing	L(01)001 rev E	E	20.01.2025
Drawing	L(01)002 rev E	E	20.01.2025
Drawing	L(02)003 rev A	A	20.01.2025
Drawing	L(02)004 rev A	A	20.01.2025
Drawing	L(00)002		29.01.2025
Drawing	L(00)003 Rev A	A	21.03.2025
Drawing	L(00)005		21.03.2025
Drawing	L(00)003 Rev B	B	26.03.2025
Supporting Information	Design and Access Statement		20.01.2025
Supporting Information	Preliminary Ecological Appraisal Report		20.01.2025
Supporting Information	Agricultural Appraisal	RS007 2025-01-09	20.01.2025

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

Dated: 23rd May 2025



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

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

NOTICE TO ACCOMPANY REFUSAL OR GRANT OF PERMISSION WITH CONDITIONS

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

- (1) If the applicant is aggrieved by the decision of the Planning Authority to refuse permission for, or grant permission or approval subject to conditions, the applicant may require the Planning Authority to review the case under Section 43A of The Town and Country Planning (Scotland) Act 1997 within **three months** from the date of this notice. Information on how to request a review can be obtained from the address and contact details below.

A Notice of Review can be submitted via the [ePlanning Scotland website](#) . This is the most efficient method to submit a review request.

Alternatively, you can submit a review request via paper form addressed to:

South Ayrshire Council
Planning Service
County Buildings
Wellington Square
Ayr
KA7 1DR
T: [REDACTED]
E: [REDACTED]
W: www.south-ayrshire.gov.uk

- (2) If permission to develop land is refused or granted subject to conditions, the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, the owner of the land may serve on the Planning Authority a purchase notice requiring the purchase of his interest in the land in accordance with Part 5 of The Town and Country Planning (Scotland) Act 1997.
- (3) In certain circumstances, a claim may be made against the Planning Authority for compensation, where permission is refused or granted, subject to conditions by the Scottish Ministers. The circumstances in which such compensation is payable are set out in Section 77 of The Town and Country Planning (Scotland) Act 1997.
- (4) Where permission is being granted in respect of any building or premises which are open to the public, attention is hereby drawn to the applicant's duty, in terms of Sections 4, 5, and 7 to 8A of The Chronically Sick and Disabled Persons Act 1970, to include, where reasonable and practicable provision for the needs of the disabled. (Ref. Section 45 of The Town and Country Planning (Scotland) Act 1997).

Attention is also drawn to The Equality Act 2010 which may impose further obligations on developments.



SGN
Maintenance Operations
Scotland
Axis House
5-7 Lonehead dr
Edinburgh
EH28 8TG

04/02/25

South Ayrshire Council Planning Dept.

Planning Consultation: **25/00034/APP**

**Proposed New Dwelling House
U96 From C138 Junction Near Low Wardneuk To A719 Junction Near,
Bourtreesbush, Monkton, South Ayrshire**

Dear Sir or Madam,

Thank you for your forwarding of the planning consultation referenced above and for the drawings showing the location of the proposals.

I would advise that SGN's high pressure, transmission gas pipeline near this address, will not be affected by the proposed plans.

We would ask however that contact is made with [REDACTED] before works begin as they will be within the pipe field.

Should you require any further information please do not hesitate to contact this office.

Yours sincerely

[REDACTED]

[REDACTED]
Pipeline Officer

[REDACTED]

Monday, 10 February 2025



Local Planner
Planning Service
South Ayrshire Council
Ayr
KA7 1UT

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

Development Operations
Freephone Number - [REDACTED]
E-Mail - [REDACTED]
www.scottishwater.co.uk



Dear Customer,

**U96 From C138 Junction Near Low Wardneuk, A719 Junction Near
Bourtreebush, Monkton, KA9 2SL
Planning Ref: 25/00034/APP
Our Ref: DSCAS-0126393-CK8
Proposal: Erection of dwellinghouse and agricultural shed**

Please quote our reference in all future correspondence

Scottish Water has no objection to this planning application. 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:

Water Capacity Assessment

- There is currently sufficient capacity in the Bradan Water Treatment Works to service your development. However, please note that further investigations may be required to be carried out once a formal application has been submitted to us.

Waste Water Capacity Assessment

- According to our records there is no public waste water infrastructure within the vicinity of this proposed development therefore we would advise applicant to investigate private treatment options.

Please Note

The applicant should be aware that we are unable to reserve capacity at our water and/or waste water treatment works. When planning permission has been granted and a formal connection application has been submitted, we will review the availability of capacity at that time and advise the applicant accordingly.

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 refer to our guides which can be found at <https://www.scottishwater.co.uk/Help-and-Resources/Document-Hub/Business-and-Developers/Connecting-to-Our-Network> which detail our policy and processes to support the application process, evidence to support the intended drainage plan should be submitted at the technical application stage where we will assess this evidence in a robust manner and provide a decision that reflects the best option from environmental and customer perspectives.

Next Steps:

Single house developments; unless utilising private water or drainage sources, are required to submit a Water Connection Application and Waste Water Application via our Customer Portal to allow us to fully appraise the proposals. Please note that Single House developments are not required to submit a Pre-Development Enquiry form (PDE) however local network capacity will be assessed on receipt of application forms.

Further information on our application and connection process for Single Household development can be found on our website <https://www.scottishwater.co.uk/Business-and-Developers/NEW-Connecting-to-Our-Network/Single-Household-Customers>

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,

[REDACTED]
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."

Supplementary Guidance

- Scottish Water asset plans can be obtained from our appointed asset plan providers:
 - Site Investigation Services (UK) Ltd
 - Tel: [REDACTED]
 - [REDACTED]
 - www.sisplan.co.uk
- Scottish Water's current minimum level of service for water pressure is 1.0 bar or 10m head at the customer's boundary internal outlet. Any property which cannot be adequately serviced from the available pressure may require private pumping arrangements to be installed, subject to compliance with Water Byelaws. If the developer wishes to enquire about Scottish Water's procedure for checking the water pressure in the area, then they should write to the Development Operations department at the above address.
- If the connection to the public sewer and/or water main requires to be laid through land out-with public ownership, the developer must provide evidence of formal approval from the affected landowner(s) by way of a deed of servitude.
- Scottish Water may only vest new water or waste water infrastructure which is to be laid through land out with public ownership where a Deed of Servitude has been obtained in our favour by the developer.
- The developer should also be aware that Scottish Water requires land title to the area of land where a pumping station and/or a Sustainable Drainage System (SUDS) proposed to vest in Scottish Water is constructed.
- Please find information on how to submit application to Scottish Water at our Customer Portal

12 February 2025

Your Reference
25/00034/APPFiona Sharp
South Ayrshire Council
County Buildings
Wellington Square
Ayr, KA7 1DR**Ecological review of 25/00034/APP – Erection of dwellinghouse and agricultural shed**

Dear Fiona,

On 03 February 2025, South Ayrshire Council requested that AECOM conduct an ecological review of the Preliminary Ecological Appraisal Report¹ (PEAR) pertaining to planning application 25/00034/APP (referred to hereafter in this letter as the 'Proposed Development'). Please see a summary of our ecological review of the PEAR in Table 1 and further below.

Where we refer to 'protected and important' 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 Directive²;
- animal species listed on Annex II of the Habitats Directive;
- bird species listed on Annex I of the Birds Directive³;
- 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 Concern⁴; 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 Starling Learning (2024). Preliminary Ecological Appraisal, Land at High Wardneuk, Monkton, South Ayrshire. Report to Ron Turkington.

² 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'.

³ 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'.

⁴ 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 checked="" type="checkbox"/>	No <input type="checkbox"/>	Request clarification <input type="checkbox"/>	
Is there potential for protected or important 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 type="checkbox"/>	No <input checked="" type="checkbox"/>	Request clarification <input type="checkbox"/>	
Evidence of protected or important habitats and species found?	Habitats <input checked="" type="checkbox"/>	Species <input checked="" type="checkbox"/>	Uncertain <input type="checkbox"/>	No <input type="checkbox"/>
Will protected or important habitats and/or species be impacted?	Habitats <input checked="" type="checkbox"/>	Species <input checked="" type="checkbox"/>	Uncertain <input type="checkbox"/>	No <input type="checkbox"/>
Are mitigation measures adequate to avoid offences?	Yes <input type="checkbox"/>	No <input checked="" 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 single dwellinghouse and agricultural shed. The PEAR includes a Phase 1 habitat survey and search for protected species. The site of the Proposed Development is described as being dominated by agricultural grassland, with hedgerows and mixed woodland beyond the site boundary.

The PEAR¹ provides details of a desk-based search for statutory and non-statutory designated nature conservation sites. The PEAR identifies a parcel of Long-established Woodland (ID: 26141) listed on the AWI at the eastern and southern boundaries of the site. The PEAR states that “*preservation and protection of the ancient woodland to the south and east of the site is critical*” and “*it would be expected that access to the site would be through the existing track opposite High Wardneuk Farm, and that no new access created*”. However, the site boundary shown on the Proposed Site Plan⁵ differs from that presented in the PEAR, and shows two new access roads for the Proposed Development, both of which extend through the woodland. NatureScot advises that woodland should be protected from adverse impacts of new development⁶ and there is a strong presumption against negative effects on ancient woodland in National Planning Framework 4 (NPF4) (policy 6). Clarification is therefore required on whether the woodland will be impacted by the Proposed Development, including the extent of any woodland loss required to facilitate the Proposed Development.

The PEAR does not provide an assessment of the suitability of trees within the woodland for roosting bats, although it states that the mature woodland may offer roosting opportunities. Clarification is required on whether any trees with bat roosting suitability will be impacted by the Proposed Development and, if so, we would expect detailed evidence of further survey having been carried out in accordance with the latest BCT guidelines⁷.

The PEAR provides results for badger survey, with an active badger sett with three entrances identified in woodland outside of the southern boundary of the site. The PEAR states “*every effort must be made to minimise disturbance to these protected animals, both during and post-construction*” but provides no specific mitigation measures. No map is provided showing the location of the badger sett entrances in relation to the Proposed Development; however, from the grid reference provided, it is considered possible that badgers using the sett could be disturbed during construction. Clarification is required on whether badgers will be impacted by the Proposed Development. If there is a risk of disturbance being caused to badgers using this sett, appropriate avoidance/mitigation measures will be required, and it may be necessary to obtain a licence from NatureScot to permit the works.

⁵ LMA Architects (2024). Proposed Site Plan, full site – New Dwelling Land of High Wardneuk Prestwick.

⁶ NatureScot (2024). Planning and development: trees and woodland. Online: <https://www.nature.scot/professional-advice/planning-and-development/planning-and-development-advice/habitats/planning-and-development-trees-and-woodland>

⁷ Collins, J. (ed). (2023). Bat surveys for Professional Ecologists: Good Practice Guidelines (4th Edition). Bat Conservation Trust.

All other mitigation measures appear to be appropriate. However, the mitigation measures remain as recommendations only, and there is no clear commitment to the implementation of any of these measures. We therefore recommend that South Ayrshire Council secure these mitigation measures, for example through planning condition.

NPF4 requires developments to deliver biodiversity benefits. However, developments within the curtilage of a single dwelling are not covered by planning policy 3(c) of NPF4. We are unsure whether or not South Ayrshire Council would consider the Proposed Development to be deemed as development 'within the curtilage of a single dwelling'. If you do not, then the Proposed Development would be required to comply with the requirements of policy 3(c), and to deliver enhancements for biodiversity. Recommendations for enhancements are provided in the PEAR, including hedging and planting of native species at the site boundaries, and erection of bat and bird boxes. However, in a PEAR, these remain as recommendations only. The applicant may wish to consider the opportunity to incorporate such features into the dwellinghouse during construction. Regardless of whether policy 3(c) applies or not, NatureScot advises that small-scale householder development can easily incorporate such features that will benefit nature, and applicants are encouraged to seek opportunities for biodiversity enhancements. Further guidance on potential measures are provided by NatureScot (<https://www.nature.scot/doc/developing-nature-guidance>).

I hope that the above is helpful. If you have any questions or require any further information, please don't hesitate to get in touch.

Yours sincerely,

Seanin Maxwell
Senior Ecologist
AECOM Limited

M: [REDACTED]

E: [REDACTED]

cc: Tony Marshall (AECOM)

Your Ref: **25/00036/APP**

Date: **13th February 2025**

██████████
Planning Service
South Ayrshire Council
County Buildings
Wellington Square
Ayr
KA7 1DR

Dear ██████████

Erection of dwellinghouse

At: Land adjacent to 23 Main Street Craigie, KA1 5LY

I refer to your consultation request notification received **3rd February 2025** regarding the above planning application.

I have reviewed this application in accordance with our obligations as a statutory consultee under the *Safeguarding of Aerodromes: Scottish Planning Circular 2/2003*.

Glasgow Prestwick Airport Limited (GPA) must submit a **holding objection** to this proposed development on the following safeguarding grounds –

1. Infringement of the Runway 20 Obstacle Limitation Surfaces and potential effect on Instrument Flight Procedures.

We are currently engaging with our Approved Procedure Design Organisation (APDO) to determine the necessary course of action. This may involve commissioning of an Instrument Flight Procedures assessment, which would be at the developer's expense, and we would request that direct dialogue commences between the Airport and the Developer regarding these assessments at their earliest convenience.

There is the possibility of resolving the issue through re-siting the proposed house, however we understand that may not be possible on the Developer's side.

Following resolution, we would also request that any approval should be subject to the statutory notices below.

Statutory Notice: Cranes

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

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

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

290125_Ref1319_Letter_25_00036_APP

Your Ref: **25/00036/APP**

Date: **13th February 2025**

Statutory Notice: Noise

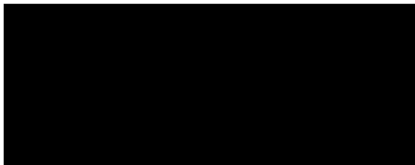
Given the proximity of the development to the Runway 20 Approach, the residents of this development may be adversely affected by aircraft noise and should be made aware that runway 20 can still be used by large jet cargo and passenger aircraft on a regular basis, depending upon prevailing weather conditions. We are keen to minimise any complaints that may arise from their proximity to the airfield.

Statutory Notice: Birds / FOD

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


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

Yours sincerely,




Safeguarding Manager
For and on behalf of Glasgow Prestwick Airport Limited

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


www.glasgowprestwick.com

Registered in Scotland 135362, VAT No. GB 617 1965 28

From: [REDACTED]
Sent: Wednesday, February 26, 2025 3:50 PM
To: [REDACTED]
Subject: RE: South Ayrshire Council Planning Consultation - 25/00034/APP [PUBLIC]



CLASSIFICATION: PUBLIC

H [REDACTED]

Can we ask the applicant to show the achievable visibility slays for the 2 newly proposed accesses? The speed limit for this road falls under national speed limit therefore a 215m visibility distance is required in both directions, however if the applicant would like to reduce this distance then we would suggest presenting evidence from a 7 day speed survey.

Thanks,

[REDACTED]
Development Control
Technical Officer
County Buildings, Ayr
Ayrshire Roads Alliance

From: [REDACTED]
Sent: 03 February 2025 10:52
To: [REDACTED]
Subject: South Ayrshire Council Planning Consultation - 25/00034/APP

Please find consultation request attached.



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

MEMORANDUM

Tel: [REDACTED]
Our Ref: 7/RICHMO/25/00628/PLNAPP
Your Ref: 25/00034/APP
Date: 6 March 2025

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

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

SUBJECT: Planning Application Reference No. 25/00034/APP

**THE TOWN AND COUNTRY PLANNING (SCOTLAND) ACTS
PROPOSAL: ERECTION OF DWELLINGHOUSE AND AGRICULTURAL SHED
PROPOSED NEW DWELLING HOUSE U96 FROM C138
JUNCTION NEAR LOW WARDNEUK TO A719 JUNCTION NEAR BOURTREEBUSH
MONKTON SOUTH AYRSHIRE GRID REFERENCE: (E) 238962
(N)628539**

Planning application 25/00034/APP

I refer to the above planning application consultation submitted to this section on 28 February 2025 and can advise as follows.

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

This response was prepared by Lorna Richmond, to whom any further enquiries can be made on [REDACTED]

From: [REDACTED]
Sent: Wednesday, April 23, 2025 5:30 PM
To: [REDACTED]
Subject: [OFFICIAL]RE: South Ayrshire Council Planning Consultation - 25/00034/APP [PUBLIC]



Official

CLASSIFICATION: PUBLIC

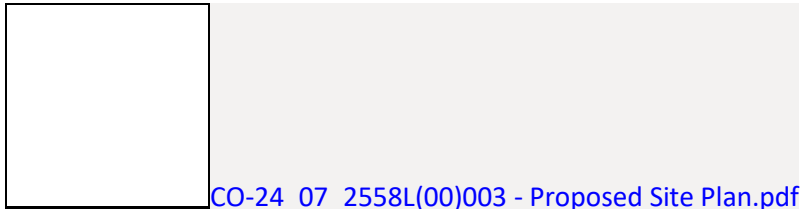
Hi [REDACTED],

I cannot see the attachment somehow, however as highlighted a speed survey would be required in order to reduce the visibility distance.

Thanks again,

[REDACTED]
Development Control
Technical Officer
County Buildings, Ayr
Ayrshire Roads Alliance

From: [REDACTED]
Sent: 17 April 2025 15:50
To: [REDACTED]
Subject: Re: South Ayrshire Council Planning Consultation - 25/00034/APP [PUBLIC]



Hi [REDACTED]

Forwarding on the attached for completeness. I note the visibility splays are less than 215 m, and therefore a speed survey would be required.

Have a good Easter break.

Regards

[REDACTED]

From: [REDACTED]
Sent: Wednesday, February 26, 2025 3:50 PM
To: [REDACTED]
Subject: RE: South Ayrshire Council Planning Consultation - 25/00034/APP [PUBLIC]

CLASSIFICATION: PUBLIC

Hi [REDACTED]

Can we ask the applicant to show the achievable visibility slays for the 2 newly proposed accesses? The speed limit for this road falls under national speed limit therefore a 215m visibility distance is required in both directions, however if the applicant would like to reduce this distance then we would suggest presenting evidence from a 7 day speed survey.

Thanks,

[REDACTED]
Development Control
Technical Officer
County Buildings, Ayr
Ayrshire Roads Alliance

From: [REDACTED]
Sent: 03 February 2025 10:52
To: [REDACTED]
Subject: South Ayrshire Council Planning Consultation - 25/00034/APP

Please find consultation request attached.

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



Your Ref: **25/00034/APP**

Date: **9th September 2025**

██████████
Planning Service
South Ayrshire Council
County Buildings
Wellington Square
Ayr
KA7 1DR

Dear ██████████

Erection of dwellinghouse

At: U96 From C138 Junction Near Low Wardneuk To A719 Junction Near Bourtreebush, Monkton, South Ayrshire

I refer to your consultation request notification received **3rd February 2025** regarding the above planning application and subsequent Local Review Body request dated **8th September 2025**.

Glasgow Prestwick Airport Limited (GPA) submitted a **holding objection** to this proposed development on the following safeguarding grounds –

1. Infringement of the Runway 20 Obstacle Limitation Surfaces and potential effect on Instrument Flight Procedures.

Having engaged with our Approved Procedure Design Organisation (APDO), the commissioning of an Instrument Flight Procedures assessment at the developer's expense was determined to be the necessary course of action required. The Airport also requested that direct dialogue commence between the Airport and the Developer regarding these assessments at their earliest convenience.

To date, that dialogue has not commenced, and contrary to the Developer's statement on page 4 of the Appeal Statement that *'we consulted with Prestwick Airport, who confirmed there were no concerns and had no objection to the scheme due to the dwelling's low height and its location being well clear of flight infrastructure'* the aviation safety issues remain and the Airport's objection remains extant.

We would also be interested to understand who the developer engaged with to receive the response summarized above – there has been no engagement either with myself as Aerodrome Safeguarding Manager or Steve Thomson as Head of Assurance as the only individuals with the authority to remove an existing objection.

We continue to be ready to assist the developer in providing the required regulatory assurance to allow the Airport to remove the objection, however at this point **we must continue to object to the proposal** as per the previous response dated 13th February 2025.

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

T: ██████████ E: ██████████
www.glasgowprestwick.com





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

Yours sincerely,




Safeguarding Manager
For and on behalf of Glasgow Prestwick Airport Limited

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

T:  **E:** 
www.glasgowprestwick.com

FAO Local Review Body

County Buildings,
Wellington Square,
Ayr, KA7 1DR

17th November 2025

Dear Sirs,

We refer to your email received 3th November 2025 regarding Glasgow Prestwick Airport submission of holding objection made on the planning application.

The appellant notes the comments received from the airport safeguarding team. Prestwick Airport has confirmed that their objection can be addressed via a **planning condition**, and the relevant email correspondence is attached for reference.

Given the nature of the required assessment and the low likelihood of any resulting issues, the appellant respectfully requests that this matter be addressed by way of a **post-planning condition**, should the appeal be upheld.

This approach would allow the development to proceed while still ensuring that the airport's safeguarding requirements are fully satisfied through the Stage 1 Instrument Flight Procedure assessment prior to commencement.

Yours faithfully,
Clara Gunnarsdottir

For and on behalf of LMA Architect

PARTNERS

STEPHEN MCGHEE
BSC (HONS) BARCH RIBA RIAS
MARK MCHENRY
BSC AT (HONS) MCIAT

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ISO 14001 | 2015
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RIAS CHARTERED PRACTICE
INVESTOR IN YOUNG PEOPLE

Clara Gunnarsdottir

From: [REDACTED]
Sent: 17 November 2025 09:38
To: Clara Gunnarsdottir
Cc: [REDACTED]
Subject: RE: External - RE: External - Re GPA on 25/00034/APP

Hi Clara,

Yes, in this case we are happy to agree to a planning condition in principle – with the caveat that we would require further discussion on the specific wording of the condition - due to your timeline.

Kind regards,

[REDACTED]



Glasgow Prestwick Airport Ltd.
Aviation House
Prestwick
KA9 2PL
Scotland
United Kingdom

[REDACTED]
Aerodrome Safeguarding Manager

[REDACTED]
www.glasgowprestwick.com

From: [REDACTED]
Sent: 17 November 2025 09:23
To: [REDACTED]
Cc: [REDACTED]
Subject: External - RE: External - Re GPA on 25/00034/APP

Some people who received this message don't often get email from [REDACTED] [Learn why this is important](#)

Hi [REDACTED]

Thanks for the clarification.

We note the need for a Stage 1 Instrument Flight Procedure assessment and the associated timescales. Given the nature of the work and the low likelihood of any issues arising, would it be possible for your recommendation to be secured by way of a planning condition, rather than requiring the assessment to be completed prior to determination?

If you are able to agree to this approach, the condition would ensure that no work would commence on site until the required assessment has been completed and approved, fully addressing the safeguarding requirements.

We've unfortunately run out of time on our side and need to submit our response to the Review Body today, so it would be really helpful if you could confirm whether this approach would be acceptable.

Kind Regards
Clara Gunnarsdottir

Architect (Glasgow)

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From: [REDACTED]
Sent: 06 November 2025 08:27
To: Clara Gunnarsdottir [REDACTED]
Cc: [REDACTED]
Subject: RE: External - Re GPA on 25/00034/APP

Hi Clara,

Thanks for getting in touch.

There's often a bit of confusion between the Airport and the NATS ATC centre, so no worries there. In terms of the solution, we believe that because of the nature of the Obstacle Limitation Surface (OLS) penetration and the surrounding terrain and obstacles – we already have a lot of trees as notified obstacles in that area and the proposed house looks to be lower, plus the terrain itself penetrates the OLS - a Stage 1 Instrument Flight Procedure assessment may confirm that there are no issues with development on the site, and give us the regulatory assurance to be able to withdraw the objection promptly and prove to the CAA that we've safeguarded the site appropriately.

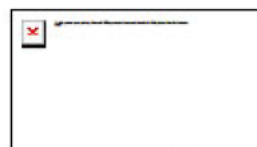
There is a chance that the assessment could not give us the result we want, but at the moment we think it's unlikely, and we would have to have further discussions if that were to be the case.

The Stage 1 Assessment comes in at a standard cost of £1,200 exc. VAT, with a lead time of 6-8 weeks from commissioning. This assessment gives us a basic yes/no answer as to whether there are any Instrument Flight Procedure infringements caused by the house or shed. I can get the process underway with the provider once provided with a Purchase Order to that value. I would also need the accurate positions and heights of the proposed house and agricultural shed. In this case it would be the apex of both roofs.

I'm happy to have a Teams meeting if you think one is required but the first gap I have would be on the 19th November any time after 2pm.

Kind regards,

[REDACTED]



Glasgow Prestwick Airport Ltd.
Aviation House
Prestwick
KA9 2PL
Scotland
United Kingdom

[REDACTED]
Aerodrome Safeguarding Manager
[REDACTED]
[REDACTED]
www.glasgowprestwick.com

From: Clara Gunnarsdottir [REDACTED]
Sent: 04 November 2025 11:42
To: [REDACTED]
Cc: [REDACTED]
Subject: External - Re GPA on 25/00034/APP

You don't often get email from [REDACTED] [Learn why this is important](#)

Dear [REDACTED]

We are writing in response to your objection letter regarding the above application.

Unfortunately, we were not aware of the original objection and only became aware of it during the report handling process. We had mistakenly assumed it was an objection from NATS and, in discussions with their representative, were advised that there were no concerns.

We are, of course, more than happy to engage directly with the airport to discuss the matter and work toward a suitable solution.

If you could provide a convenient time for a short Teams call, we would be glad to resolve this promptly.

Kind Regards
Clara Gunnarsdottir

Architect (Glasgow)

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25/00034/APP

Development Management Service comments for LRB

The Report of Handling and reasons for refusal should be read in full.

The key issues as captured within the report of handling can be summarised as follows:

- The proposal is contrary to National Planning Framework 4 regarding Rural Homes (Policy 17) and Local Development Plan 2 and also the Council's Policy Guidance in relation to Rural Housing. Various concerns and objections were also raised from statutory consultees. See report for full assessment against applicable policies, and full policy assessment.
- 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 primacy of the development plan is noted in the report of handling, and the application was considered in this context.
- It is accepted that the farm enterprise might potentially benefit from an additional residential property, however, proposals for an additional residential dwelling require to be appropriately sited so as to consolidate and reinforce the farming operations. The existing agricultural operation is understood to operate from Raith Farm, and from supplementary existing operational buildings at Little Foulton.
- The proposed standalone dwellinghouse and associated building is remote and disconnected physically and visually from the operational base and buildings of the farm to which they are proposed to support and serve. No details were submitted of the proposed agricultural building.
- There is no reason why a dwellinghouse could not be sited in closer proximity to the existing group of buildings at either Raith, or Little Foulton so as to reinforce these operational bases – there is sufficient land, and the at both of the aforementioned properties is less visually obtrusive than the application site. An alternative site could equally meet the applicant's needs. In addition, the land at Little Foulton is not as constrained as the agent suggests – see report.
- The proposal is not justified in terms of a need for the development in this remote location on the periphery of the farmland.
- The proposal introduces sporadic and prominent development in the landscape where there is no development at present.
- The site occupies an elevated position, with the land to the north, south and west being lower, which results in the site being visible from outwith the site, and over a large area. Consequently, the development proposals, if approved, have the potential to be visually intrusive.

- The design of the dwellinghouse is suburban in nature rather than being reflective of a more traditional scale and proportions of rural development and local vernacular scale, form and proportions.
- The proposal is also contrary to Scottish Planning Advice Note PAN 72 in relation to Housing in the Countryside, and the Council's Design Guidance in relation to Rural Housing due to not being suitably scaled, sited, and designed so as to be in keeping with the character of the rural area, and due to being visually prominent and uncharacteristic to the detriment of the rural landscape setting at the locality.
- The development, if approved, will involve the loss of ancient woodland and other woodland. There is a strong presumption against removing ancient semi-natural woodland, or plantations on ancient woodland sites, among other types of woodland by the Scottish Government. No justification has been provided for the loss of ancient woodland, and other amenity woodland within the site.
- No provision has been made for affordable housing which is a requirement of the LDP2 given the size of the site, and no justification has been provided for a departure.
- Various concerns from external consultees, and parties were also raised during the consideration of the application, which are summarised, and the appellant responded to as follows;
 - AECOM (Council's ecological advisor) - no evidence of bat surveys of the adjacent woodland having been carried out, and the potential for protected species (badger/ badger sett) to be disturbed during construction, and.

Planning Authorities have a legal duty to safeguard protected species and to avoid any breach of the protected species legislation. The appeal submission refers to the submitted Preliminary Ecological Appraisal report (PEAR) which was submitted with the application. The submitted PEAR was considered by the Council's ecological advisors in providing their response. Without suitable and adequate specialist information and surveys to satisfactorily address the above, there remains concerns regarding the development, and the potential for harm to protected species to occur.

- Glasgow Prestwick Airport has confirmed the potential for the development proposal to present safeguarding issues due to an Infringement of the Runway 20 Obstacle Limitation Surfaces and the potential effect on Instrument Flight Procedures. Glasgow Prestwick Airport has subsequently confirmed the need for an Instrument Flight Procedure Stage 1 Assessment in order to provide the appropriate level of regulatory assurance on safeguarding grounds. The aforementioned assessment is undertaken at the prospective developer's expense, with the onus being on the developer to undertake any necessary mitigation.

The appeal submission suggests consultation has been undertaken with Glasgow Prestwick Airport and that there were no concerns and no objection to the development proposals. No evidence has been provided in support of the aforementioned assertion. Consultation with Glasgow Prestwick Airport on receipt of the appeal (correspondence dated 9th September 2025), has confirmed that the airport continues to object to the proposals on the grounds of air safety and safeguarding, for the reasons already noted.

- Ayrshire Roads Alliance confirmed a need for the accesses to the site to have visibility splays of 2.4 metres by 215 metres in both directions at the accesses of the site and the public road.

The applicant/ agent has provided information in relation to the achievable visibility splays at the site entrances, both of which are noted to be less than the required visibility splays of 2.4 metres by 215 metres. Where the requisite visibility splays cannot be met, the onus is on the applicant/ agent to demonstrate through speed survey work, that reduced visibility splays are appropriate. No such justification for reduced visibility splays at the proposed accesses of the site with the public road has been submitted either as part of the application submission or appeal submission. The applicant/ agent were aware of the ARA position (email of 14th May 2025), prior to the determination and refusal of the application on 23rd May 2025.

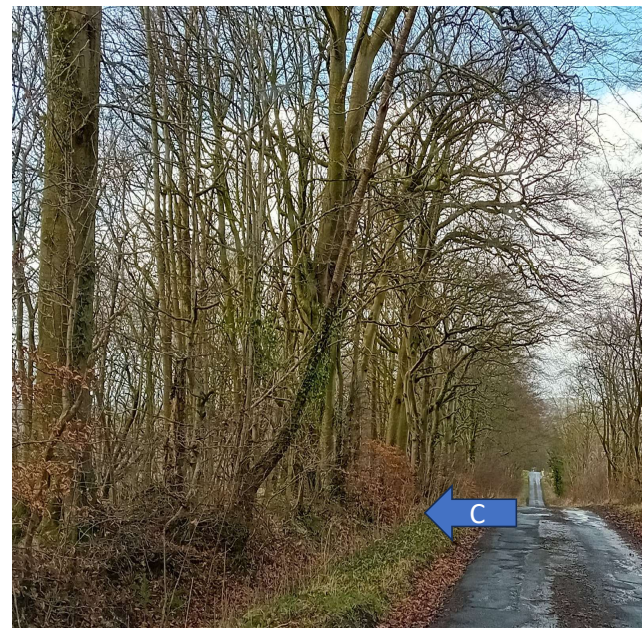
- It is important that the planning authority have an accurate understanding of the proposals, so as to ensure that applications are considered in an open and transparent manner. In this instance, the application submission is noted to have been submitted under the applicant's name Mr John Beacom of Raith Farm. Preliminary Ecological Appraisal Report (PEAR) dated September 2024 prepared by Starling Learning. The PEAR is noted as confirming the appraisals as having been commissioned by a Mr Ron Turkington. Mr Turkington is not known as either the applicant, or agent for the current application. It is therefore unclear if there are other interested parties involved in the application submissions, and if so, what implications this might potentially have for the current application(s).
- Each application is considered on its own planning merit taking into consideration individual site-specific factors, such as topography, landscape character, any features of note etc, along with along with any other materially significant issues. Comparison to other areas is not relevant.

Overall, the LRB will wish to give careful consideration to whether the appellant has justified the development as being in accordance with the policy provisions of the development plan, that the physical characteristics of the development in terms of siting, design, appearance etc are acceptable and appropriate for the site, and that concerns of consultees have been adequately, fully and appropriate addressed.

12/9/2025

Application 25/00034/APP

Wardneuk, near Monkton



View of application site from existing access (Officer photos)

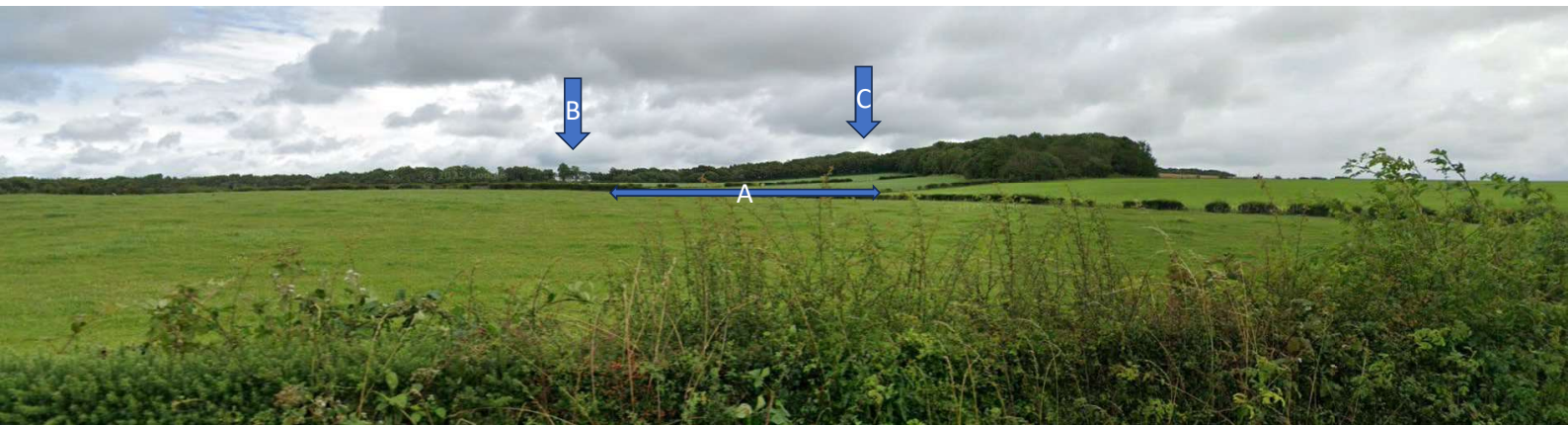
A – Application site – elongated portion of field

B – Established woodland perimeter belts on two sides

C – Established woodland belt along public road to north-east (2 new accesses formed through woodland)



View of application site and surroundings, as taken from public road (Officer photos)
A – Application site – elongated portion of field
B – Existing field access (unaffected) and nearby traditional property at High Wardneuk



Application site and locale as viewed from south-west (top) and road to north-west (bottom)(Google images)

A – Application site extent

B – Property at High Wardneuk

C – Established woodland perimeter belts



From: [REDACTED]
Sent: Thursday, October 9, 2025 9:49 AM
To: Local Review Body [REDACTED]
Subject: RE: LRB/25/00034/APP - Erection of a Dwellinghouse and Agricultural Shed, Monkton

Good Morning,

Please find attached our comments on the planner’s LRB photos.
Kindly inform us once the date for the Local Review Body meeting has been confirmed.

Kind Regards
Clara Gunnarsdottir

Architect (Glasgow)

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From: Local Review Body [REDACTED]
Sent: 06 October 2025 14:50
To: [REDACTED]
Cc: Local Review Body [REDACTED]
Subject: LRB/25/00034/APP - Erection of a Dwellinghouse and Agricultural Shed, Monkton
Importance: High

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

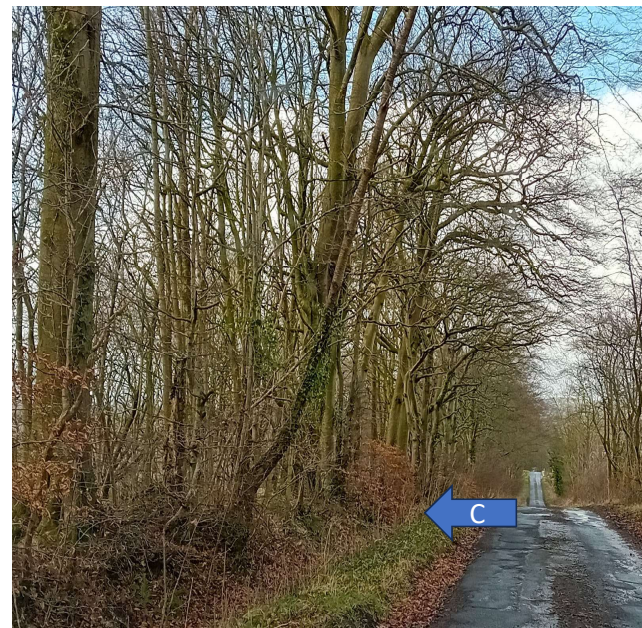
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Application 25/00034/APP

Wardneuk, near Monkton



View of application site from existing access (Officer photos)

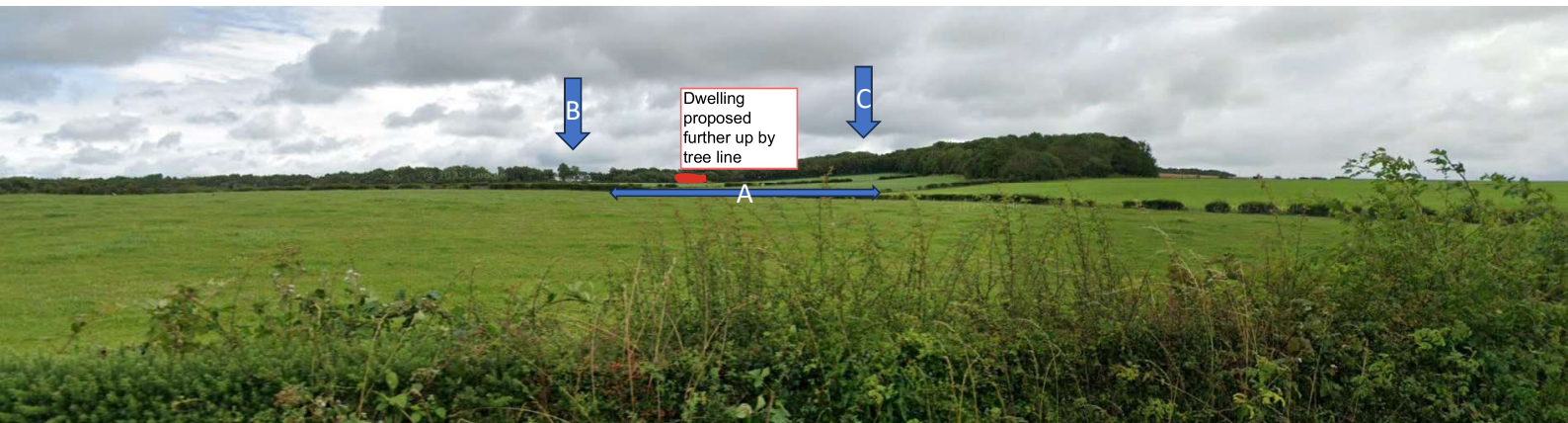
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Application site and locale as viewed from south-west (top) and road to north-west (bottom)(Google images)

- A – Application site extent
- B – Property at High Wardneuk
- C – Established woodland perimeter belts





17th November 2025

FAO Local Review Body

County Buildings,
Wellington Square,
Ayr, KA7 1DR

Dear Sirs,

We refer to your email received 4th November 2025 regarding ARA comments made on the planning application.

The consultation response from ARA was only received during the planning process and was only brought to our attention after the appeal process had commenced (4th November 2025). Had we been notified in a timely manner, we would have been able to commission a speed survey to address their comments.

Having reviewed the comments we believe this can be accommodated with further development and production, and would not affect the viability of the proposals.

In light of this, we respectfully request that the planners consider allowing this matter to be addressed via a **planning condition**, ensuring that **no work shall commence on site until this condition has been satisfied**.

Yours faithfully,
Clara Gunnarsdottir

For and on behalf of LMA Architect

PARTNERS

STEPHEN MCGHEE
BSC (HONS) BARCH RIBA RIAS
MARK MCHENRY
BSC AT (HONS) MCIAT

G1, 18 WELLINGTON SQ
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T [REDACTED]

KOLLABORATE HOUSE
19-21 GORDON STREET
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G2 3PL

[REDACTED]

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[REDACTED]

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From: [REDACTED]
Sent: Monday, October 6, 2025 3:18 PM
To: Local Review Body [REDACTED]
Subject: RE: LRB/25/00034/APP - Erection of a Dwellinghouse and Agricultural Shed, Monkton

Classified as Internal

Good afternoon,

Thanks for the info,

SGN made representation earlier this year in regards to this consultation, as far as I can see the plans have not changed, as such SGN's position remains unchanged.

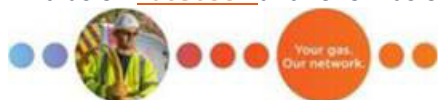
Kind regards

[REDACTED]
Pipeline Officer

[REDACTED]
Axis House Edinburgh

sgn.co.uk

Find us on [Facebook](#) and follow us on Twitter: [@SGNgas](#)



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[Find out how](#) to protect your home from carbon monoxide

From: Local Review Body [REDACTED]
Sent: 06 October 2025 14:56
To: Plant Protection And Pipelines North [REDACTED]
Cc: Local Review Body [REDACTED]
Subject: LRB/25/00034/APP - Erection of a Dwellinghouse and Agricultural Shed, Monkton

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Good afternoon,

Please see attached letter for your attention.

Should you wish to make comment, please do so by the 20th of October 2025.

Kind regards,

South Ayrshire Council Local Review Body

County Buildings, Wellington Square, Ayr, KA7 1DR

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T: [REDACTED]

W: www.south-ayrshire.gov.uk

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Scotland Gas Networks plc (company registration number SC264065) is registered in Scotland and has its registered office address at Axis House, 5 Lonehead Drive, Newbridge, Edinburgh EH28 8TG

From: [REDACTED]
Sent: Monday, October 20, 2025 10:11 AM
To: Local Review Body [REDACTED]
Cc: [REDACTED]
Subject: RE: LRB/25/00034/APP - Erection of a Dwellinghouse and Agricultural Shed, Monkton
Importance: High

Hello,

AECOM have no comment on the information provided in relation to application 25/00034/APP.

Kind regards,

[REDACTED]

[REDACTED] ACIEEM BSc (Hons) MSc
Senior Ecologist, Environment and Energy, EUR - UK & Ireland
M [REDACTED]

[REDACTED] [to connect with me on LinkedIn](#)

AECOM

10th Floor, The Clarence West Building
2 Clarence Street West
Belfast, United Kingdom
BT2 7GP

T [REDACTED]
[aecom.com](https://www.aecom.com)

Delivering a better world

[REDACTED]



From: Local Review Body [REDACTED]
Sent: Monday 6 October 2025 14:55
To: [REDACTED]
Cc: Local Review Body [REDACTED]
Subject: LRB/25/00034/APP - Erection of a Dwellinghouse and Agricultural Shed, Monkton

Good afternoon,

Please see attached letter for your attention.
Should you wish to make comment, please do so by the 20th of October 2025.

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

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Conditions should the LRB be minded to approve the application

N.B – The applicant/ agent will require to undertake the relevant additional surveys and assessments as set out in the consultation responses provided by Glasgow Prestwick Airport, Ayrshire Roads Alliance and AECOM so as to mitigate the potential for aviation safety issues, road safety issues and potential harm to protected species. The aforementioned issues would require to be addressed before any potential permission granted, if the LRB were so minded. Further consultation would be required with the aforementioned consultees regarding the suitability of any submitted information, and additional planning conditions requiring mitigation measures may be necessary.

The below conditions are predicated on the consultation responses received to date, and are not inclusive of further comments and conditions from Glasgow Prestwick Airport, Ayrshire Roads Alliance and AECOM regarding aviation safety issues, road safety issues and potential harm to protected species. Further consultation would be required with the aforementioned consultees regarding the suitability of any submitted information, and additional planning conditions requiring mitigation measures may be necessary.

1.) The development to which this permission relates must be commenced no later than five years from the date of this permission.

Reason: To be in compliance with Section 59 of The Town and Country Planning (Scotland) Act 1997, as amended by 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 prior to the commencement of development, samples, or a brochure of all materials to be used on external surfaces including building elevations, roofs and driveway, in respect of type, colour and texture, shall be submitted for the prior written approval of the Planning Authority. Thereafter, the development shall be finished in the materials approved under the terms of this condition.

Reason: To ensure that materials are appropriate for the site and in the interests of visual amenity.

4.) That prior to the commencement of development, details 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 and thereafter shall be implemented as approved.

Reason: To ensure that the design, height and materials are appropriate for the site and in the interests of visual amenity.

5.) That, prior to the commencement of development, existing and proposed cross sectional drawings of the site and finished floor levels of the dwellinghouse shall be submitted for the approval in writing of the Planning Authority and thereafter shall be implemented as approved.

Reason: To demonstrate any level changes within the site and any associated retention is acceptable and does not adversely impact the surrounding area or landscape.

6.) That, prior to the commencement of development, details shall be submitted for prior written approval of the Planning Authority of the proposed agricultural building, and thereafter the agricultural building shall be implemented, as per the agreed details, and implemented prior to the first occupation of the dwellinghouse.

Reason: To clarify the terms of this permission.

6.) That, prior to the commencement of development, details shall be submitted for prior written approval of the Planning Authority of the extent of garden ground for the proposed dwellinghouse, the extent of which shall not be indicative of the entirety of the submitted redline of the application site. Thereafter, the development shall be implemented as per the agreed specification and the garden ground as approved, retained for the lifetime of the development.

Reason: To clarify the terms of this permission.

7.) That, the dwellinghouse and agricultural shed forming part of this application submission shall remain part of the single inter-connected planning unit as formed by the application subjects.

Reason: To clarify the terms of this permission.

8.) That, prior to the commencement of development, details shall be submitted for prior written approval of the Planning Authority of biodiversity enhancement measures at the site, including the landscape planting of native species. Thereafter, the development shall be implemented as per the agreed specification.

Reason: In the interests of ecology and so as to retain and improve biodiversity at the site.

9.) That, prior to the commencement of development, details shall be submitted for prior written approval of the Planning Authority of the water supply and waste servicing arrangements, which shall be confirmed as being to the satisfaction of the relevant authorities including, Scottish Water and SEPA, in conjunction with the Council's Building Standards Service.

Reason: To ensure the development can be suitably and adequately serviced.

10.) 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, 1D, 2B, 3A, 3B, 3D shall be undertaken 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 in the interests of amenity.

11.) That, prior to the commencement of development, details shall be submitted for prior written approval of the Planning Authority, of compensatory tree planting at a ratio of 2:1 for any trees to be lost as a consequence of the development. The submitted details shall include the siting, numbers, species, and heights (at time of planting) of all trees, shrubs, and hedges to be planted, and the extent and profile of any areas of earthmounding. The scheme as approved shall be implemented within 6 months / first planting season following the completion or occupation of the development, whichever is the sooner. The landscaping area shall be retained as open space and to this approved standard.

Reason: In the interests of visual amenity and to ensure a satisfactory standard of local environmental quality.

Advisory Notes;

1. 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
2. Scottish Water's current minimum level of service for water pressure is 1.0 bar or 10m head at the customer's boundary internal outlet. Any property which cannot be adequately serviced from the available pressure may require private pumping arrangements to be installed, subject to compliance with Water Byelaws. If the developer wishes to enquire about Scottish Water's procedure for checking the water pressure in the area, then they should write to the Development Operations department at the above address.
3. If the connection to the public sewer and/or water main requires to be laid through land out-with public ownership, the developer must provide evidence of formal approval from the affected landowner(s) by way of a deed of servitude.
4. Scottish Water may only vest new water or waste water infrastructure which is to be laid through land out with public ownership where a Deed of Servitude has been obtained in our favour by the developer.
5. The developer should also be aware that Scottish Water requires land title to the area of land where a pumping station and/or a Sustainable Drainage System (SUDS) proposed to vest in Scottish Water is constructed.
6. Please find information on how to submit application to Scottish Water at our Customer Portal.
7. Contact with Scottish Gas Network is recommended, prior to the commencement of works.

List of Plans and documents;

Plan Type	Reference	Version No.	Received Date
Drawing	L(00)001		20.01.2025
Drawing	L(00)003		20.01.2025
Drawing	L(01)001 rev E	E	20.01.2025
Drawing	L(01)002 rev E	E	20.01.2025
Drawing	L(02)003 rev A	A	20.01.2025
Drawing	L(02)004 rev A	A	20.01.2025
Drawing	L(00)002		29.01.2025
Drawing	L(00)003 Rev A	A	21.03.2025
Drawing	L(00)005		21.03.2025
Drawing	L(00)003 Rev B	B	26.03.2025
Supporting Information	Design and Access Statement		20.01.2025
Supporting Information	Preliminary Ecological Appraisal Report		20.01.2025
Supporting Information	Agricultural Appraisal	RS007 2025-01-09	20.01.2025

3/10/2025

SOUTH AYRSHIRE COUNCIL

LOCAL REVIEW BODY

NOTE OF CURRENT POSITION

Site Address:	38 NORTH HARBOUR STREET AYR SOUTH AYRSHIRE KA8 8AH
Application:	25/00115/APP - CHANGE OF USE OF CLASS 3 RESTAURANT TO FORM CLASS 11 DANCE STUDIO

Appointed Officer's Decision:	Refused
Date Notice of Review Received:	3 September 2025

Current Position:	New Case for Review
Documentation:	<p>The following documents in relation to the review are attached:</p> <p>Pages 1 to 10 - Report of Handling (August 2025)</p> <p>Pages 11 to 15 - Notice of Review (September 2025)</p> <p>Pages 16 to 17 - Review Statement (September 2025)</p> <p>Pages 18 to 25 - Original Planning Application (February 2025)</p> <p>Pages 26 to 27 - Planning Application Designs and Plans (March 2025)</p> <p>Pages 28 to 30 - Supporting Information – Supporting and Operational Statement (May 2025)</p> <p>Pages 31 to 32 - Supporting Information – Noise Mitigation Information (March 2025)</p>

	<p>Pages 33 to 50 - Supporting Information – Noise Impact Assessment (June 2025)</p> <p>Pages 51 to 54 - Decision Notice (August 2025)</p> <p>Pages 55 to 63 – Interested Parties Representations on planning application-</p> <ul style="list-style-type: none"> • Pages 55 to 57 - ARA (May and June 2025) • Pages 57 to 59 - EH (April and June 2025) • Pages 60 to 63 - Neighbour Objections <p>Pages 64 to 65 – ARA Representation following Initial letter from Local Review Body requesting comment. (06.10.2025)</p> <p>Page 66 – Interested Party Representation following Initial letter from Local Review Body requesting comment. (10.10.2025)</p> <p>Page 67 – Applicant’s response on Interested Parties representations following initial letter from Local Review Body. (03.11.2025)</p> <p>Pages 68 to 76 - Case Officer Photographs and Comments. (16.10.2025)</p> <p>Page 77 - Applicant’s Representations Following Case Officer Photographs and Comments. (27.10.2025)</p> <p>Page 78 - Draft Conditions.</p>
New Material:	No
Additional Material Any other Comments:	N/A
Dated:	24 November 2025

Report of Handling of Application

Application Determined under Delegated Powers

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

Reference No:	25/00115/APP
Site Address:	38 North Harbour Street Ayr South Ayrshire KA8 8AH
Proposal:	Change of use of Class 3 restaurant to form Class 11 dance studio
Recommendation:	Refusal

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 (as amended). 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 26 February 2025.
- The application was validated on 27 March 2025.
- A Site Visit was carried out by the Planning Authority on 24 April 2025.
- Neighbour Notification, under Regulation 18 of The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013, was carried out by the Planning Authority on 28th March 2025 and 12 June 2025 following the submission of additional requested information.
- 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 8 April 2025.

1. Site Description:

The application site is a mid-terraced, two storey vacant restaurant at 38 North Harbour Street, Ayr.

The property is sited within a predominately residential area, as defined by the Local Development Plan 2 (LDP2). The site, and the immediate locality is situated within the Newton-on-Ayr area of Ayr.

2. Planning History:

Planning permission was granted for the change of use of a shop to form a seafood restaurant in September 2000. Planning Ref: 00/00688/COU.

3. Description of Proposal:

Planning permission is sought to change of use of a Class 3 restaurant to form a Class 11 dance studio. No external alterations are proposed to the building. Alterations to the internal layout of the premises are proposed which would enable the creation of two dance studios, and associated waiting area, an office and kitchen for staff, and toilets. Details are set out within the submitted plans.

The submission is accompanied by a supporting and operational statement which advises that the proposed dance studio shall operate, as follows:

Hours of operation;

Monday to Friday: 15:00 - 21:00

Saturday & Sunday: 09:00 - 16:00 (*limited operations such as birthday parties, workshops, and occasional classes*)

Saturday & Sunday Activities;

Only low-intensity activities such as yoga, creative workshops, or small group classes will be held on Sundays.

No high-noise or competitive events will occur on Sundays.

Staffing

- Total number of staff employed: 5
- Maximum number of staff on-site at any one time: 3

Class Sizes and Age Groups

Maximum class size: 25 children per class.

Age groups catered for:

2–5 years (Pre-school)

5–12 years (Primary age)

12–18 years (Early teens)

18+ (Adults)

Class Timings

- Classes will be approximately 1 hour in duration.
- Classes will be staggered across the two studio spaces where possible, to minimise peak occupancy and noise.

Maximum Client Numbers

- Average maximum occupancy: 45 clients (25 clients in bigger studio, 20 in smaller studio)
- Brief overlaps may occur during changeovers but will be managed to minimise disruption.

A timetable of the classes currently operated by the applicant (at the existing premises of the dance school) has been submitted, as an example of how the dance studio is intended to operate at the proposed location.

The submitted information also comprises some alternative areas considered for the proposed dance studio.

4. Consultations:

The Council's Environmental Health Service: were consulted and advised on 22nd April, as follows:

1. The proposed development may introduce a noise generating development to noise sensitive receptors. Prior to the commencement of works on-site, a noise assessment shall be undertaken and submitted so as to determine the likelihood of noise nuisance from the proposed noise generating development on the noise sensitive receptors. The assessment shall be carried out by a suitably qualified acoustic consultant or other competent person and shall include all relevant noise sources that may impact on the noise sensitive receptors using the current British Standard (or as may be amended). Maximum Target Noise Levels within the noise sensitive receptor to be used are as follows:

LAEQ16hrs	35dB	(0700-2300)	internal noise level
LAEQ 8hrs	30dB	(2300-0700)	internal noise level
LAMAX 45dB	(2300-0700)	internal noise level	
LAEQ 16hrs	50dB	(0700-2300)	outside amenity space

In addition, the significance of effect to be no greater than neutral as per Technical Advice Note Assessment of Noise (TAN) Table 3.5 page 20.

Internal noise levels to be achieved, where possible, with windows open sufficiently for ventilation. Noise reduction to be taken as 10dB from outside to inside with window open sufficiently for ventilation (normally 10% of the opening area).

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

Thereafter, a Noise Impact Assessment (NIA) and an operational statement was requested by the Planning Service on 28th April, as the original submission lacked sufficient information for the Planning Service to properly assess the proposal and its impact on the locale/amenity.

The applicant submitted a Noise Impact Assessment (NIA) on 12th June 2025. This concluded that noise levels, as required by the Council's Environmental Health Service, could be met provided "all of the windows on the western façade of the proposed dance studio shall be closed and each window on the eastern façade a maximum equivalent open area of 0.1m²".

It is understood that the windows referred to are the Velux rooflights located on the western and eastern roof slopes of the projecting section to the rear of the building.

Following the consideration of the NIA, the Environmental Health Service advised on 13th June, as follows;

'Following perusal of these plans and the associated noise impact assessment the comments and representations, I would advise that -

Should planning consent be granted then the following comments and representations should be attached so as to satisfy the Environmental Health Service:

1. That the mitigation measures contained within the submitted noise report shall be adhered to. To avoid noise disturbance in the interests of residential amenity'.

The Ayrshire Roads Alliance (ARA) – recommend refusal. In response to the first consultation request, the ARA responded on 14th May 2025, as follows:

'The application lacks sufficient information regarding class sizes and operation arrangements. It is understood that multiple classes may run concurrently or overlap, which raises concerns. Additionally, the proposed development offers no off-street parking. Given that North Harbour Street has limited on-street parking, even without the operation of a dance studio, this proposal could exacerbate existing issues. The ARA therefore has no option but to recommend for refusal'.

Following the submission of further information about the operational arrangements of the proposed dance school, as captured above in Section 3 of this report, and as requested by the Planning Service, the Ayrshire Roads Alliance (ARA) were reconsulted on 12th June and responded, as follows:

'Following a review of the operational statement, the decision remains a recommendation of refusal. It is understood that multiple classes may run concurrently or overlap, which raises concerns. Additionally, the proposed development offers no off-street parking. Given that North Harbour Street has limited on-street parking, even without the operation of a dance studio, this proposal could exacerbate existing issues. The ARA therefore maintains its recommendation for refusal'.

5. Submitted Assessments/Reports:

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

A Noise Impact Assessment was sought by the Environmental Health Service and submitted by the applicant on 12th June 2025.

The assessment concludes that "*The results of the noise impact assessment demonstrate that the operation of the dance school will not exceed the 50 dB LAeq (0700 – 2300) criteria for the outside amenity space, or the 35 dB LAeq (0700 – 2300) criteria for internal noise level at all of the nearby noise sensitive receptors.*

As the dance studio will only be operating between the hours of 13:00 – 21:00, it has not been necessary to assess the nighttime conditions.

An assessment using the TAN methodology has demonstrated that the operation of the dance studio will only have a neutral/slight impact at all of the nearest noise sensitive receptors during the operational hours.

However, it should be emphasised that this noise assessment is based on the understanding that the client keeps all of the windows on the western façade of the proposed dance studio closed and each window on the eastern façade a maximum equivalent open area of 0.1m²”.

It is understood that the windows referred to are the Velux rooflight units located on the western and eastern roof slopes of the projecting section to the rear of the building.

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:

Four representations have been received, which object to the proposed development. All representations can be viewed in full online at www.south-ayrshire.gov.uk/planning and are summarised, below;

- Object due to no neighbour notification notice being received at No.44 North Harbour Street;
- Concerns with existing access to property which is along a very narrow alleyway which is shared with adjacent residential flat and not suitable for commercial use;
- Concerns regarding noise impact from loud music;
- The Council's Environmental Health Service issued a 'Cease and Desist' order at the Ship Inn following years of noise nuisance suffered by adjacent residents;
- Neighbours have the right to enjoy the peace and quiet of their own homes, and this would be severely impaired by granting this application;
- There are several dance schools already within the Ayr area.

The following comments are offered in response to the objections received.

Neighbour notification was undertaken by the Planning Service on 28th March 2025 and again on 12th June 2025. The Planning Authority has fulfilled its statutory obligations regarding neighbour notification in accordance with Section 23 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013, ensuring that all neighbouring properties were appropriately notified in compliance with the relevant legislation. Notwithstanding, the objector has not been prejudiced given that they were aware of the application by submitting an online comment on 12th May and had the opportunity to view the plans and make representation to the Planning Service.

Furthermore, a Public Notice, under Regulation 20 of The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013 was also placed in the Local Press on 8th April 2025.

The Planning Service has significant concerns, particularly in regard to the scale and nature of the intended use at this specific location, and adverse impact on residential amenity and local transport infrastructure. This is set out further, below.

The application proposals require to be assessed on their own merits and the provision of other dance studios found elsewhere is not considered to be material to the assessment of the current application.

The comments in regard to the operation of the former Ship Inn Public House are noted; however, this matter is not material to the assessment of the current planning application.

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 \(www.gov.scot\)](https://www.gov.scot/national-planning-framework-4):

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.

National Policy 1: Tackling the climate and nature crisis

National Policy 2: Climate mitigation and adaptation

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

National Policy 13: Sustainable Transport

National Policy 14: Design, quality and place

National Policy 23: Health and safety;

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. While **Policy 2** seeks to ensure that emissions from new development are minimised as far as possible.

Policy 9 seeks to direct development to the right place, maximising the use of existing assets (such as brownfield, vacant and derelict land and empty buildings), and minimising additional land take (such as greenfield developments). The re-use of vacant buildings, particularly in established settlements, is welcomed in principle and aligns with the objectives of Policy 9. The Planning Service recognises that bringing empty premises back into productive use can contribute positively to local vitality and place-making. However, the introduction of a dance studio within a predominately residential area is incompatible, in that it would result in an unsuitable and potentially conflicted land use relationship, undermining the intent of policy 9 to support sustainable and appropriate development in the right place.

Policy 13 considers the issue of sustainable transport and active travel and is supportive of development in locations which support sustainable travel, and travel by means other than private vehicle. Although it is recognised that the site is within the settlement of Ayr and is accessible by various modes of transport owing to its location, there are fundamental policy concerns in regard to the principle of the proposed development, as well as a recommendation of refusal from the ARA, outlined further, below.

Policy 14 seeks to encourage, promote and facilitate well designed development that makes successful places by taking a design-led approach to ensure that development proposals do not result in a detrimental impact on the quality of an area, regardless of scale.

Policy 23 Health and Safety, (inter alia) criterion e) Development proposals that are likely to raise unacceptable noise issues will not be supported. The 'Agent of Change Principle' applies to noise sensitive development. A Noise Impact Assessment (NIA) may be required where the nature of the proposal or its location suggests that significant effects are likely. The proposal, although accompanied by a NIA, does not sufficiently mitigate that adjacent neighbouring residents will not be impacted by the proposals, as outlined elsewhere within the report, below.

Given the above, it is considered that the proposed development is contrary to the provisions of NPF4, specifically, policies 9, 13, 14, 23, as outlined further, below.

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):

Core Principles B1 and B4;
Strategic Policy 1 Development Management;
Strategic Policy 2 Sustainable Development;
LDP2 Policy Leisure development;
LDP2 Policy: Residential Policy within Settlements, Release Sites and Windfall Sites;
LDP2 Policy Land use and transport.

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

Core Principle B1: supports the principles of sustainable economic development (inter alia);

- prioritise development of brownfield land over greenfield land and
- directs development to settlements in preference to countryside areas.

Core Principle B4: to prioritise the regeneration of town centres (inter alia)

- apply a sequential approach for retail, commercial and leisure development.

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. In addition, development should be suitable in terms of its bearing on residential amenity, infrastructure implications and contribute to the efficient use of public services and facilities.

LDP2 policy: Residential policy within settlements, release sites and windfall sites indicates that development proposals should not affect the privacy and amenity of existing and proposed properties. A key policy test for the acceptability or otherwise of the proposal should principally be based on whether the use would be materially detrimental to the amenity of other residents within the locale.

LDP2 Policy: Leisure Development: This policy seeks a 'sequential approach' when choosing locations for all leisure uses. Outwith the town centre, including at identified commercial centres, the Council support proposals for commercial leisure development where it can be demonstrated that there are no sequentially preferable locations in town centres, edge of town centres or commercial centres and where the proposed development would not compete with an existing town centre leisure use.

The applicant's consideration of other town centre properties within Ayr, Prestwick and Troon is acknowledged within the submitted supporting and operational statement. However, there are no specific details of the properties considered. Notwithstanding, there are fundamental concerns in regard to the

proposals, given the application site is located within a predominately residential area, as set out elsewhere within the report.

LDP2 Policy: Land Use and Transport: recognises the inter-relationship between land use planning and transport. The policy requires for development to provide parking which reflects the role of the development, and which keeps any negative effects of road traffic on the environment to a minimum. The Ayrshire Roads Alliance has recommended refusal of the application.

Therefore, taking into account the above policies, although the proposal would reuse a vacant property within Ayr, it does not comply with LDP2 policies, as it is a proposed leisure use located outside the town centre and within a predominantly residential area, the scale and nature of the dance studio would cause unacceptable impacts on residential character, amenity, and local transport infrastructure, as outlined further, below.

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

The Agent of Change is a planning principle of the Planning (Scotland) Act 2019 which places the responsibility for managing potential adverse effects, particularly noise, on the party introducing the change. For example, if a new residential development is proposed near an existing music venue, the developer must incorporate effective mitigation measures to protect future residents. Conversely, if a music venue is proposed near existing homes, the venue operator must ensure potential noise impacts are addressed at the design and operation stages.

Applied to the proposed development, this means that the dance studio must incorporate mitigation measures capable of protecting neighbouring residents from adverse noise and associated activity.

The submission does not satisfactorily demonstrate this can be achieved, as outlined further, below.

11. Assessment (including other material considerations):

Planning permission is sought for the change of use of a former restaurant to form a dance studio at 38 North Harbour Street, Ayr. It is recognised that the property comprises two storeys and is sited within a terraced row of properties within a predominately residential area of Newton-on-Ayr.

The terraced row of buildings comprises former commercial properties and residential properties. The Ship Inn Public House and the North Harbour Café have ceased trading, and the former Harbour Bar Public House has been converted into residential dwellings. Residential properties are found on the adjacent upper floors of the terraced building, and to the rear of the building lies numerous dwellingflats within York Street Lane and also further along North Harbour Street and York Street.

The area has undergone a significant shift from commercial to residential uses. Within the locale, numerous commercial buildings have been converted into residential uses and new residential developments built nearby. Therefore, it is important to note that the character of the area has significantly changed to that which previously existed within the locale, and the only commercial operation currently trading is a Motorbike showroom.

As set out elsewhere within the report, an operational and supporting statement confirms that the dance studio would operate two studio spaces concurrently at 38 North Harbour Street (on the ground and upper floor) and could accommodate up to 45 students and 3 staff at any one time, 7 days a week. Monday to Friday: 15:00 - 21:00 hours and Saturday & Sunday: 09:00 - 16:00 hours with students ranging from the age of 2 years to adult classes. It is also noted that parking for the proposed facility would be on street parking within the vicinity and the proposal does not propose any off-street parking provision.

The LDP2 asserts that, Class 11 assembly and leisure uses should be located within town centres and edge of centres, so as to enhance the vitality and viability of those areas. Town centres are also where a broader mix of uses, activities, and operational hours already exists, and where there is typically better access to public transport and parking. It is also acknowledged that leisure developments, such as a dance school generate activity and noise and increased pedestrian and vehicular activity within an area, and therefore, consideration for the amenity of neighbouring properties is a key consideration within the assessment of such applications. The application site is not sited within a town centre or edge of town centre, and the application site is within a predominately residential area within the wider Newton-on-Ayr area, as prescribed by the LDP2.

Firstly, it is important to note that the Planning Service welcome the re-use of vacant buildings, particularly in established settlements, and recognises that bringing empty premises back into productive use can contribute positively to local vitality and place-making. Furthermore, the proposal supports opportunities for active and community-focused uses such as dance and fitness, which have public health and social value. However, the application site lies within a predominantly residential area, and the proposed change of use to a dance studio, involving high levels of occupancy and activity throughout the week into the evenings and weekends, is considered to result in a significant intensification of the use of the property, when compared to the site's previous operation as a restaurant.

With regard to potential impact on residential amenity, it is acknowledged that residential properties are located within the same terraced row of buildings as the application site, have accesses and garden areas in close proximity to the application site, as well as numerous adjacent residential dwellingflats which are also in close proximity to the application site (York Street Lane, North Harbour Street and York Street). On this basis, it was prudent to request a Noise Impact Assessment to assess potential disturbance from the proposed dance school on those residential properties. The applicant was provided with an opportunity to undertake a noise impact assessment and submit this to the Planning Service for consideration.

In terms of the mitigation measures contained within the submitted Noise Impact Assessment (NIA), it is stated that:

"It should be emphasised that this noise assessment is based on the understanding that the client keeps all of the windows on the western façade of the proposed dance studio closed, and each window on the eastern façade opened to a maximum equivalent open area of 0.1m²."

It is understood that the western and eastern windows referred to are located on the roof slopes/ upper floor of the projecting section to the rear of the building.

The Council's Environmental Health Service has advised that a condition could be attached to any permission requiring that *"the mitigation measures contained within the submitted noise report shall be adhered to, to avoid noise disturbance in the interests of residential amenity."* While this recommendation is well intentioned, it is the role of the Planning Service to consider whether such conditions meet the relevant policy tests. In this case, the Planning Service does not consider a condition stipulating that windows must remain closed, or may only be opened to a specified degree, to be reasonable, or enforceable. Such a condition would fail to meet the policy tests for planning conditions, as set out in the Scottish Government's Circular 4/1998: The Use of Conditions in Planning Permissions.

Additionally, given that the proposed use involves operating concurrent dance classes accommodating up to 20 participants per class, plus staff based on the upper floor where the windows in question are located, which provide a means of ventilation, it is considered impractical and unreasonable to require that windows within a dance school remain closed. The ability to open windows is essential to provide natural ventilation for the premises and to support the health and wellbeing of both students and staff.

It is noted that a Building Warrant exists for the refurbishment of the property; however, an amended warrant would likely be required for its proposed use as a public dance studio across two floors. Ventilation, potentially including the opening of windows, would need to be addressed as part of this process. Any design must ensure compliance with the Building (Scotland) Regulations, particularly in relation to higher occupancy levels.

As the proposed condition outlined above cannot reasonably be imposed by the Planning Service, the noise impacts arising from the development cannot be effectively mitigated. In line with the Agent of Change principle, the responsibility for addressing potential adverse effects rests with the party introducing the new use. In this instance, the level of activity associated with the proposed dance studio—including increased footfall, movement, rhythmic activity for up to 45 pupils across two floors, and potential music during operational hours—is likely to result in an unacceptable impact on the amenity of established neighbouring residential properties. The proposal therefore fails to demonstrate that suitable mitigation measures can be secured in accordance with this principle.

Furthermore, the proposed development does not propose any dedicated parking, and all trips generated by the proposals would represent a significant intensification in demand for the limited-on street parking available. On this basis, the Ayrshire Roads Alliance (ARA) has recommended that the application be refused. Their objection centres on the absence of any off-street parking provision, the high likelihood of concurrent or overlapping class usage, and the resulting intensification of vehicle movements in an area already

constrained by limited on-street parking. Given the policy provisions of the development plan, along with the consultation response from the ARA, it is considered that the development proposal would result in a significant adverse impact on the local road network at the locale and ultimately on the amenity of existing residents. It is considered that the proposals, if approved, would result in increased demand for on-street parking and congestion which would impede the free flow of traffic within public road limits, to the overall detriment of road safety, and residential amenity at this location.

Although the applicant considers that the property's former commercial use is comparable to the operation of the proposed dance school, the operational intensification (i.e. drop-off/ pick up of younger students with additional parents/ guardians/ carers, and the level of people travelling to and from the area at any one time), the higher occupancy levels of the property (up to 45 dance pupils and 3 staff), potential music playing and associated traffic movements of the proposed dance school would result in a substantially greater impact on residential amenity than the previous restaurant.

During the assessment of the planning application, concerns were outlined to the applicant and an opportunity was offered for the application to be withdrawn. It was also advised that the use would be more suitably accommodated in a town centre environment where there are a range and mix of uses and activities including evening uses and that vacant units in town centre units could be explored. However, the applicant wished the application to be determined, as submitted, and advised that they would exercise their right to appeal to the Council's Local Review Body against any decision to refuse the application.

In accordance with NPF4's objectives to ensure that the right development occurs in the right place in the long-term public interest. The site lies within a predominantly residential area where the character has shifted from commercial to residential, and mitigation measures for noise are considered impractical and unenforceable. Additionally, the absence of off-street parking would exacerbate on-street parking pressures and increase congestion, raising road safety concerns. The proposal is therefore considered incompatible with its surroundings and fails to comply with the relevant provisions of National Planning Framework (NPF4) and the South Ayrshire Local Development Plan 2 (LDP2).

The application has been assessed against the various material planning considerations which include the provisions of the development plan, consultation responses, objections received and the impact of the proposed development on the locality. There are no material planning considerations that would out-weigh and set aside the provisions of the development plan. Given the above and having balanced the applicant's rights against the general interest, it is recommended that the application is refused.

12. **Recommendation:**

It is recommended that the application is refused, for the following reason:

Reason:

1. The proposed dance school conflicts with NPF4 policies (9, 13, 14, 23) and South Ayrshire LDP2 (Core Principles B1 and B4, Strategic Policies 1 and 2, and policies on 'Leisure Development', 'Residential Policy within settlements, release sites and windfall sites', and 'Transport and Land Use') by reason that, the proposed development, located in a terraced building with residential flats in a mainly residential area, would harm local character and amenity due to increased activity, footfall, noise, and movement, without adequate mitigation. Furthermore, the lack of off-street parking is expected to place unsustainable pressure on the local road network, which the Ayrshire Roads Alliance does not support.

Advisory Notes:

None.

List of Refused Plans:

Plan Type	Reference	Version No.	Received Date
Drawing	HDA-249-002 PL A4		05.03.2025
Drawing	HDA-249-001 (Rev. A)		21.03.2025
Supporting Information	Noise Mitigation Information		21.03.2025
Supporting Information	Noise Impact Assessment - amended		13.06.2025
Supporting Information	Supporting and Operational Statement		14.05.2025

Integrated Impact Assessment:

The consideration of this planning application sits within a policy framework of the Council's Local Development Plan 2 and National Planning Framework 4. These have been the subject of Equalities Impact Assessments which considered how the policies may impact on protected characteristics. Therefore, no separate Integrated Impact Assessment is required.

<i>Decision Agreed By:</i>	<i>Appointed Officer</i>
<i>Date:</i>	<i>17 August 2025</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 100705711-003

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

Applicant or Agent Details

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

Applicant Agent

Agent Details

Hiltech Design	
Richard	Alloway House Suite 7
Hill	6
	Alloway Place
	Ayr
	Scotland
	KA7 2AA

Organisation/Corporate entity

Applicant Details

Miss	
Lisa	38
Muir	North Harbour Street
LJM Dance	
	Ayr
	Scotland
	KA8 8AH

Site Address Details

Planning Authority:

South Ayrshire Council

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

Address 1:

38 NORTH HARBOUR STREET

Address 2:

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

AYR

Post Code:

KA8 8AH

Please identify/describe the location of the site or sites

Northing

622435

Easting

233533

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)

Change of use of Class 3 restaurant to form Class 11 dance studio

Type of Application

What type of application did you submit to the planning authority? *

- Application for planning permission (including householder application but excluding application to work minerals).
- Application for planning permission in principle.
- Further application.
- Application for approval of matters specified in conditions.

What does your review relate to? *

- Refusal Notice.
- Grant of permission with Conditions imposed.
- No decision reached within the prescribed period (two months after validation date or any agreed extension) – deemed refusal.

Statement of reasons for seeking review

You must state in full, why you are seeking a review of the planning authority's decision (or failure to make a decision). Your statement must set out all matters you consider require to be taken into account in determining your review. If necessary this can be provided as a separate document in the 'Supporting Documents' section: * (Max 500 characters)

Note: you are unlikely to have a further opportunity to add to your statement of appeal at a later date, so it is essential that you produce all of the information you want the decision-maker to take into account.

You should not however raise any new matter which was not before the planning authority at the time it decided your application (or at the time expiry of the period of determination), unless you can demonstrate that the new matter could not have been raised before that time or that it not being raised before that time is a consequence of exceptional circumstances.

We seek a review of the Planning Decision for the following reasons, comparing the Clients existing premises to the new Proposed location: Parking exists in this location for drop off and collection. On street parking is available. Accessibility proposed for all accessible needs. LJM offer Community Classes for less fortunate. Adult Classes also proposed. All Teachers fully qualifies, PVG registered and first aid trained. NIA carried out and passed showing no impact on surroundings.

Have you raised any matters which were not before the appointed officer at the time the Determination on your application was made? *

Yes No

If yes, you should explain in the box below, why you are raising the new matter, why it was not raised with the appointed officer before your application was determined and why you consider it should be considered in your review: * (Max 500 characters)

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)

HDA-249-001 Existing and Proposed Design Layout. HDA-249-002 Location Plan. NIA - Noise Impact Assessment Results. Passed. Clients Statement Post Refusal.

Application Details

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

25/00115/APP

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

26/02/2025

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

21/08/2025

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

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: Mr Richard Hill

Declaration Date: 02/09/2025

Fee Exemption Reason

I used the fee calculator and my application / request for local review / appeal is not subject to fee



South Ayrshire Council Building Standards
County Buildings
Wellington Square
Ayr
KA7 1DR.

02 September 2025.

Ref: 25/00115/APP.

Dear Sirs,

SUBJECT: CHANGE OF USE FROM CLASS 3 RESTAURANT TO CLASS 11 DANCE STUDIO.

Further to the Planning Refusal of the above, we have prepared a statement below, which we would like taken in to consideration, during the LRB Appeal Process:

1. Comparison between Studio 24 and 38 North Harbour Street:

- Studio 24: We currently rent space and share the building with other dance schools, which creates significant congestion at pick-up and drop-off times. There is no dedicated parking and only limited roadside spaces on the main road. We are situated in a lane beside a gym where heavy traffic congestion exists causing extreme safety risks for the children using our facility. Despite double yellow lines the lane is often blocked with parked cars, which is not only an immediate risk to the users, but also creates an access risk for Emergency Vehicles, should the need arise. It should also be noted that the access/exit to this premises is immediately off the road, as no footpath exists.
- 38 North Harbour Street: The proposed property offers two studios (ground floor and first floor) and a reception space. It has disabled access and a disabled toilet, as well as on-street parking along North Harbour Street, side street parking, a large Aldi car park behind the building, and further spaces across the river. This would significantly improve safety and flow compared to our current situation. There is also a drop off and pick up area (for approx 6 vehicles) located immediately outside our premises, along with full adoptable standards footpath to the frontage.

Video footage of North Harbour Street at 7pm on a Monday night and Studio 24 on Wellington Lane at the same time, is available upon request, showing the above scenario.

2. Accessibility for Disabled Users & ASN Provision:

- LJM is currently the only dance school in Ayr offering dedicated ASN (Additional Support Needs) classes. These sessions are designed specifically for children and young people with a range of additional needs, providing a safe, supportive, and fun environment where they can enjoy dance without pressure or judgment.

- The classes are adapted to suit each child’s abilities, focusing on building confidence, coordination, social skills, and joy in movement.
- Many parents have told us that this is the only extracurricular activity their child feels comfortable attending, highlighting the importance of this provision for families in the area.
- Having a permanent, fully accessible premises at 38 North Harbour Street (with ground floor studio and disabled toilet facilities) would allow us to expand these ASN classes and create additional inclusive workshops, in support of the children with additional needs.
- We see this as a key part of our community mission: ensuring that dance is truly accessible to all, regardless of physical, learning, or financial barriers.

3. Community Offers:

- We have always aimed to make dance accessible regardless of financial circumstances.
- We currently offer flexible payment plans, reduced fees where possible, and fundraising to support families.
- With a larger venue, we would be able to offer more scholarships, giving even more children the chance to dance regardless of financial background.
- We also regularly provide opportunities such as community projects, workshops, and inclusive activities so that no child feels excluded due to cost.

4. Adult Classes:

- We currently run adult classes every Tuesday.
- At the new premises, we plan to include a wider range of adult dance and fitness opportunities, encouraging parents, carers, and community members to get involved as well.

5. Accreditations:

- All teachers are fully qualified, PVG registered, and first aid trained.
- We also follow strict safeguarding procedures to ensure the safety and wellbeing of every child.

6. Possible Reduced Hours:

- To address any concerns about impact on the local area, we would be open to slightly adjusting our timetable if needed (e.g., earlier finishing times on weeknights). We are happy to demonstrate flexibility to make this location work in harmony with its surroundings.

Thank you for taking the time to read our statement..

Yours sincerely,



Richard Hill
Director
Hiltech Design Architectural Services.

[Hiltech Design Architectural Services, Alloway House, 6 Alloway Place Ayr KA7 2AA.](#)



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 100702542-001

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)

This application seeks a change of use for 38 North Harbour Street, Ayr, from a restaurant (Class 3) to a dance studio (Class 11). The studio will offer structured dance classes for children, adults, and community groups. Minor internal modifications include installing mirrored walls and soundproofing. The proposal will revitalise a vacant unit, providing a valuable community facility while ensuring minimal disruption to residents.

Is this a temporary permission? * Yes No

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

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

No Yes – Started Yes - Completed

Applicant or Agent Details

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

Applicant Agent

Applicant Details

Please enter Applicant details

Title:	<input type="text" value="Miss"/>	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text"/>	Building Name:	<input type="text" value="38"/>
First Name: *	<input type="text" value="Lisa"/>	Building Number:	<input type="text"/>
Last Name: *	<input type="text" value="Muir"/>	Address 1 (Street): *	<input type="text" value="North Harbour Street"/>
Company/Organisation	<input type="text" value="LJM Dance"/>	Address 2:	<input type="text"/>
Telephone Number: *	<input type="text" value="REDACTED"/>	Town/City: *	<input type="text" value="Ayr"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="Scotland"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="KA8 8AH"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text" value="REDACTED"/>		

Site Address Details

Planning Authority:	<input type="text" value="South Ayrshire Council"/>
Full postal address of the site (including postcode where available):	
Address 1:	<input type="text" value="38 NORTH HARBOUR STREET"/>
Address 2:	<input type="text"/>
Address 3:	<input type="text"/>
Address 4:	<input type="text"/>
Address 5:	<input type="text"/>
Town/City/Settlement:	<input type="text" value="AYR"/>
Post Code:	<input type="text" value="KA8 8AH"/>

Please identify/describe the location of the site or sites

Northing	<input type="text" value="622435"/>	Easting	<input type="text" value="233533"/>
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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)

Planning Officer Emma McKie advised that the site is within a predominantly residential area under the Newton-on-Ayr Policy and that justification should be provided for selecting this location over town centre sites. Noise mitigation measures should also be included, as Environmental Health will review the application. No processing agreement is in place or under discussion.

Title:

Miss

Other title:

First Name:

Emma

Last Name:

McKie

Correspondence Reference Number:

25/00024/ENQ

Date (dd/mm/yyyy):

28/01/2025

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:

206.98

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)

The property at 38 North Harbour Street, Ayr, was most recently used as a restaurant (Class 3).

Access and Parking

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

Yes No

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

Are you proposing any change to public paths, public rights of way or affecting any public right of access? *

Yes No

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

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

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

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

Water Supply and Drainage Arrangements

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

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.

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

Yes

No, using a private water supply

No connection required

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

Assessment of Flood Risk

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

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

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

Trees

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

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

Waste Storage and Collection

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

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

The proposed dance studio will include a designated waste storage area to facilitate the proper disposal and collection of general waste and recyclables. • Waste Types: General waste, recycling (paper, plastics, and glass). •

Collection Schedule: Regular collection will be arranged in accordance with local waste management schedules to prevent overflow. • On-Site Management: Staff will ensure waste is correctly sorted and stored, maintaining hygiene and compliance with local regulations.

Residential Units Including Conversion

Does your proposal include new or additional houses and/or flats? * Yes No

All Types of Non Housing Development – Proposed New Floorspace

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

Yes No

All Types of Non Housing Development – Proposed New Floorspace Details

For planning permission in principle applications, if you are unaware of the exact proposed floorspace dimensions please provide an estimate where necessary and provide a fuller explanation in the 'Don't Know' text box below.

Please state the use type and proposed floorspace (or number of rooms if you are proposing a hotel or residential institution): *

Class 11 Assembly and Leisure

Gross (proposed) floorspace (In square meters, sq.m) or number of new (additional) Rooms (If class 7, 8 or 8a): *

206

If Class 1, please give details of internal floorspace:

Net trading spaces:

Non-trading space:

Total:

If Class 'Not in a use class' or 'Don't know' is selected, please give more details: (Max 500 characters)

Schedule 3 Development

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

Yes No Don't Know

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

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

Planning Service Employee/Elected Member Interest

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

Yes No

Certificates and Notices

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

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

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

Yes No

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

Yes No

Are you able to identify and give appropriate notice to ALL the other owners? *

Yes No

Certificate Required

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

Certificate B

Land Ownership Certificate

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

I hereby certify that

(1) - No person other than myself/the applicant was an owner [Note 4] of any part of the land to which the application relates at the beginning of the period of 21 days ending with the date of the accompanying application;

or –

(1) - I have/The Applicant has served notice on every person other than myself/the applicant who, at the beginning of the period of 21 days ending with the date of the accompanying application was owner [Note 4] of any part of the land to which the application relates.

Name:

Mr John Tupper

Address:

38, North Harbour Street, Ayr

Date of Service of Notice: *

24/02/2025

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

or –

(2) - The land or part of the land to which the application relates constitutes or forms part of an agricultural holding and I have/the applicant has served notice on every person other than myself/himself who, at the beginning of the period of 21 days ending with the date of the accompanying application was an agricultural tenant. These persons are:

Name:

Address:

Date of Service of Notice: *

Signed: Miss Lisa Muir

On behalf of:

Date: 24/02/2025

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)

Provide copies of the following documents if applicable:

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

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

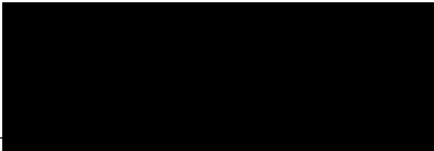
Declare – For Application to Planning Authority

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.

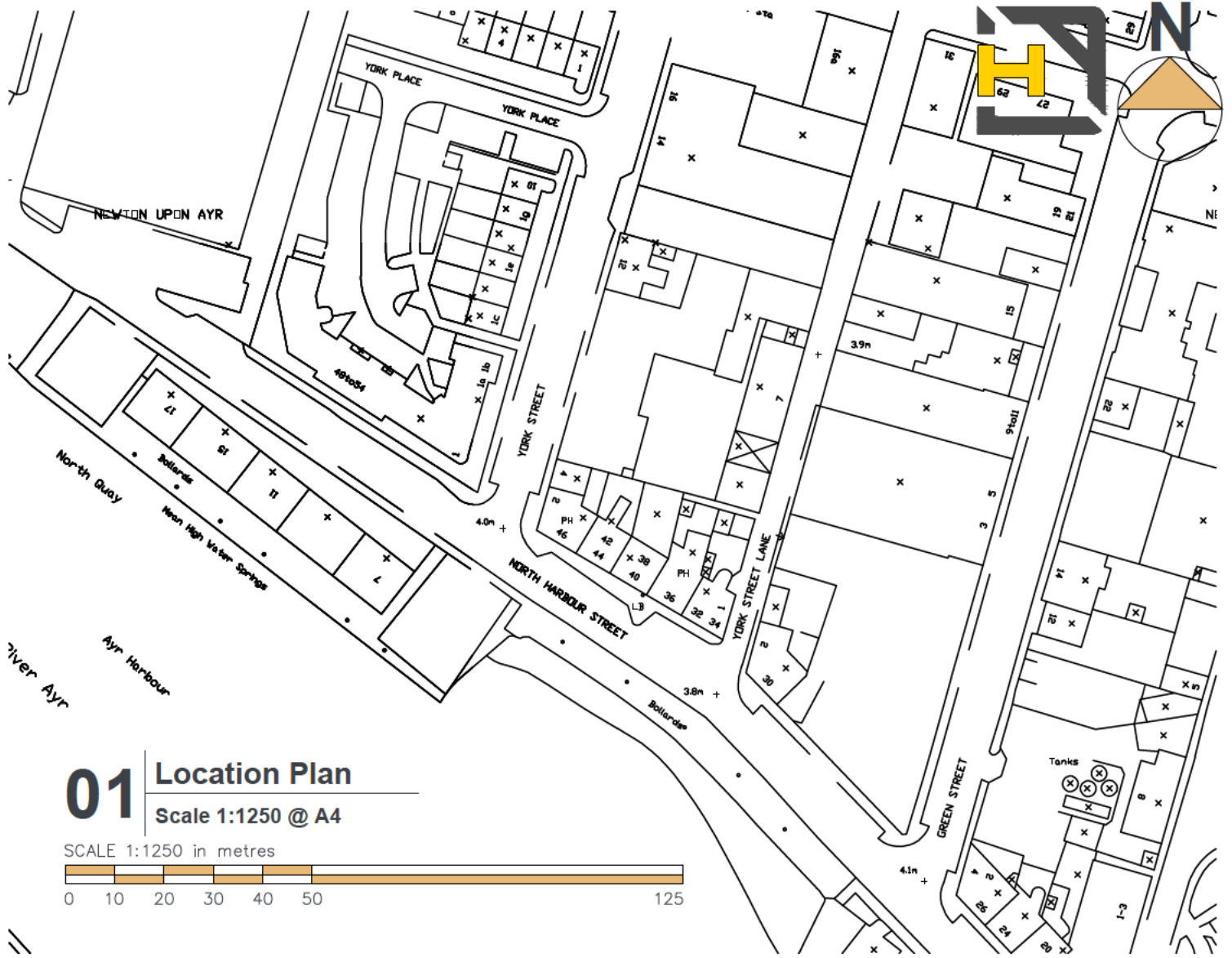
Declaration Name: Miss Lisa Muir

Declaration Date: 25/02/2025

Payment Details



Created: 25/02/2025 12:34



01 Location Plan

Scale 1:1250 @ A4

SCALE 1:1250 in metres



02 Block Plan

Scale 1:500 @ A4

SCALE 1:500 in metres



Do not scale from this drawing
Any discrepancies to be notified

All dimensions are to be site checked
This drawing is copyright and the property of HDA



HILTECH DESIGN
ARCHITECTURAL SERVICES

Setting standards for others to follow

Project Status:

PL

Project Description:

CHANGE OF USE OF PREMISES

Client:

MS L MUIR (LJM DANCE)

Site Address:

38 NORTH HARBOUR STREET Ayr
KA8 8AA

Dwg. Title:

LOCATION PLAN

Dwg. No.:

HDA-249-002

Scale:
SHOWN

Drawn by:
R Hill

Date:
MAR 25

Revision:



Supporting and Operational Statement

Applicant: Miss Lisa Muir

Proposal: Change of Use Application

Site Address: 38 North Harbour Street, Ayr, KA8 8AH

1. Supporting Statement – Site Selection Justification

The proposed site at 38 North Harbour Street has been selected after a detailed search for suitable premises within South Ayrshire town centre locations. The business model requires specific operational space, parking accessibility, and a location that supports safe access for children and their families.

Alternative Premises Considered

During the site search, various town centre units across Ayr, Prestwick, and Troon were investigated. However, none were found suitable for the following reasons:

- Units were too small to accommodate two separate studio spaces, waiting areas, and necessary facilities (toilets, reception).
- Layouts were not conducive to safe supervision of children or flexible use of space for varied activities.
- Many premises lacked nearby or accessible car parking, raising concerns for parental drop-off and collection.
- Rental costs and lease terms were financially unfeasible for a small, community-focused business.
- Some town centre locations posed noise and disturbance risks to adjacent sensitive uses (offices, cafes, residential apartments).

Rationale for Selecting the Application Site

The chosen premises offer the following benefits:

- Adequate internal space to operate safely and efficiently.
- Proximity to local communities while avoiding congestion associated with town centre locations.
- Sufficient on-site or adjacent car parking, ensuring safe access for families.
- A layout that allows for separation of age groups and activities.
- A more sustainable and viable rental agreement to support a small, independent business.

2. Operational Statement

Hours of Operation

- Monday to Friday: 15:00 - 21:00
- Saturday & Sunday : 09:00 - 16:00(limited operations such as birthday parties, workshops, and occasional classes)

Saturday & Sunday Activities

- Only low-intensity activities such as yoga, creative workshops, or small group classes will be held on Sundays.
- No high-noise or competitive events will occur on Sundays.

Staffing

- Total number of staff employed: 5
- Maximum number of staff on-site at any one time: 3

Class Sizes and Age Groups

- Maximum class size: 25 children per class.
- Age groups catered for:
 - 2–5 years (Pre-school)
 - 5–12 years (Primary age)
 - 12–18 years (Early teens)
 - 18+ (Adults)

Class Timings

- Classes will be approximately 1 hour in duration.
- Classes will be staggered across the two studio spaces where possible to minimise peak occupancy and noise.

Maximum Client Numbers

- Average maximum occupancy: 45 clients (25 clients in bigger studio, 20 in smaller studio)
- Brief overlaps may occur during changeovers but will be managed to minimise disruption.

Notes:

I have attached a copy of our current timetable for further clarification of class timings.



MINI: P1 - P4 JUNIOR: P5 - P7 SENIOR: S1 - S6

MONDAY
4:30 - 5:00: - MINI/JUNIOR TUMBLE TRACK
5:00 - 5:45: - MINI COMMERCIAL
5:45 - 6:30: - JUNIOR COMMERCIAL
7:00 - 8:00: SENIOR INTERMEDIATE COMMERCIAL
8:00 - 9:00: SENIOR HEELS CLASS (S4+)

TUESDAY
5:30 - 6:30: MINI STREET DANCE (P3 - P4)
6:30 - 7:30: JUNIOR STREET DANCE
7:30 - 8:30: SENIOR STREET DANCE
7:30 - 8:30: ADULT DANCE & FITNESS

WEDNESDAY
4:00 - 4:45: BOOGIE BABIES
4:45 - 5:30: MINI STREET DANCE (P1 - P4)
4:45 - 5:30: JUNIOR LYRICAL
5:30 - 6:15PM: BOYZ HIP HOP (P1 - P7)
5:30 - 6:15: ADV. JUNIOR HIP HOP (INVITE ONLY)
6:15 - 7:00: ADV. MINI HIP HOP (INVITE ONLY)

THURSDAY
4.45 - 5.30: ASN CLASS
4:45 - 5:30: SENIOR LYRICAL
5:30 - 6:30: MINI/JUNIOR BEGINNER ACRO
5:30 - 6:15: SENIOR JAZZ
6.15 - 7:15: SENIOR COMP TEAM (INVITE ONLY)
6.30 - 7:30: MINI/JUNIOR INTERMEDIATE ACRO

BLUE - STUDIO 1 PINK - STUDIO 2 ORANGE - STUDIO 3

2024/2025 TIMETABLE

Planning Development

From: [REDACTED]
Sent: 21 March 2025 13:19
To: Planning Development
Cc: LJM DANCE [REDACTED]
Subject: Fwd: 38 North Harbour Street Ayr - 25/00115/APP
Attachments: ufm3_Invalid_1_First_Letter_(14_Days).pdf; HDA-249 PL Response 1.pdf; HDA-249-001 PL A1.pdf; HDA-249-002 PL A4 Location Plan.pdf

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Completed - Sarah

Good afternoon,

Apologies, i had not included the Noise Mitigation Measures, as follows:

- The Landlord (Owner) has already carried out shell works to the property, as part of a previous Building Warrant Approval by SAC, to provide Toilet facilities, for any future occupiers.
- As part of these works, the building has also been insulated for both sound and heat loss, to bring up to modern standards as well as sound/fire separation, where required.
- Also, the building has been re-wired and a new fire alarm and detection system installed by an approved installer, again to bring the building up to current standards, to allow any business lease the space as required.

Many thanks.

----- Original Message -----

From: [REDACTED]
To: [REDACTED]
CC: LJM DANCE [REDACTED]
Date: 21/03/2025 13:14 GMT
Subject: 38 North Harbour Street Ayr - 25/00115/APP

Good afternoon,

Further to your letter to my client (see attached FYI), i would comment as follows:

- Supporting Statement is on the Layouts already provided on the 05 March. See item 04 on HDA-249-001 (attached FYI). This shows you the Business Plan/Model, Reasons for re-location, Staff levels, Working Hours etc.....
- Parking is on street parking, as it has always been for any existing or previous businesses along North Harbour Street, with ample parking adjacent to the property and opposite. Each business along this area has the same parking, regardless of the type of Business, as are many businesses within the Ayr Town

Centre. There is a parking lay-by that exists outside the premises and opposite there are also parking spaces that already existing along the harbour side.

I trust this clarifies the above.

If you need any additional information, please do not hesitate in contacting me.

Regards
Richard Hill ACIAT
Director
Hiltech Design



Regards
Richard Hill ACIAT
Director
Hiltech Design



Noise Impact Assessment

For: LJM Dance
Site: 38 North Harbour Street, Ayr

Date: 13/06/2025
Document Ref: 317653-ART-RP-001-NIA
Version 2.0

www.arthian.com

Quality Assurance

Issue Record

Revision	Description	Date	Author	Reviewer	Approver
1.0	First Issue	12/06/2025	MS	SS	CT
2.0	Amended hours of operation	13/06/2025	MS	SS	CT

Limitations

The recommendations contained in this Report represent Arthian's professional opinions, based upon the information listed in the Report, exercising the duty of care reasonably expected of an experienced Consultant of the appropriate discipline of this report.

Arthian obtained, reviewed and evaluated information in preparing this Report from the Client and others. Arthian's conclusions, opinions and recommendations has been determined using this information. Arthian does not warrant the accuracy of the information provided to it and will not be responsible for any opinions which Arthian has expressed, or conclusions which it has reached in reliance upon information which is subsequently proven to be inaccurate.

This Report was prepared by Arthian for the sole and exclusive use of the Client and for the specific purpose for which Arthian was instructed. Nothing contained in this Report shall be construed to give any rights or benefits to anyone other than the Client and Arthian, and all duties and responsibilities undertaken are for the sole and exclusive benefit of the Client and not for the benefit of any other party. In particular, Arthian does not intend, without its written consent, for this Report to be disseminated to anyone other than the Client or to be used or relied upon by anyone other than the Client. Use of the Report by any other person is unauthorised and such use is at the sole risk of the user. Anyone using or relying upon this Report, other than the Client, agrees by virtue of its use to indemnify and hold harmless Arthian from and against all claims, losses and damages (of whatsoever nature and howsoever or whensoever arising), arising out of or resulting from the performance of the work by the Consultant.



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1. Introduction

1.1 Background

LJM Dance (The client) are proposing to operate a dance studio at 38 North Harbour Street, Ayr, KA8 8AH. The studio are proposing to operate between the hours of 13:00 to 21:00.

The client has submitted a planning application for this change of use. A response from the Environmental Health Department at South Ayrshire Council has raised concerns that the development has the potential to introduce noise nuisance to the area.

The client has requested that Arthian undertake a formal noise assessment to determine the impact of the proposed operations to the nearest noise sensitive receptors.

A summary of sound terminology is given in Appendix A.

1.2 Site Description

The site (roughly centred at National Grid Reference, NS 33537 22442) is located on the northern side of North Harbour Street in Ayr. The surrounding area is a mixture of commercial, residential and mixed-use buildings. To the south is the River Ayr, and there is also a small marina just to the south of the site.

The site is a two-story commercial building, consisting of a large downstairs area with amenity facilities. The front half of the building is located between two other blocks of mixed-use development, while the second half is located to the rear and extends out with the attached mixed-use buildings. The second floor is located above this extended area to the rear, and this is the location where the client intends to host the dance and gymnastic lessons.

A map showing all the main areas of the site, and the nearest noise sensitive receptors, is given in Appendix B.

1.3 Noise Sensitive Receptors

The nearest residential receptors the site are 1A York Street Lane and 36 North Harbour Street, Mill, both of which are located almost adjacent to rear of 38 North Harbour Street. There is approximately 5m between the windows of the two buildings and the nearest window of the proposed site. There is also the southernmost flats of Victoria Chambers, at which there is approximately 10m to the nearest window.

The noise sensitive receptors are outlined in the Table below and illustrated in Figure 1 in Appendix B.

Table 1: Noise Sensitive Receptors

Receptor	Receptor Address
R1	36 North Harbour Street
R2	1A North Street Lane
R3	11 – 19 Victoria Chambers



2. Criteria

2.1 Local Guidance

The planning conditions imposed by the Environmental Health Department at South Ayrshire Council given to the client provided these specific criteria for the assessment of the noise impact from the proposed development;

1. The proposed development may introduce a noise generating development to noise sensitive receptors. Prior to the commencement of works on-site, a noise assessment shall be undertaken and submitted so as to determine the likelihood of noise nuisance from the proposed noise generating development on the noise sensitive receptors. The assessment shall be carried out by a suitably qualified acoustic consultant or other competent person and shall include all relevant noise sources that may impact on the noise sensitive receptors using the current British Standard (or as may be amended). Maximum Target Noise Levels within the noise sensitive receptor to be used are as follows:

LAEQ16hrs	35dB	(0700-2300)	internal noise level
LAEQ 8hrs	30dB	(2300-0700)	internal noise level
LAMAX	45dB	(2300-0700)	internal noise level
LAEQ 16hrs	50dB	(0700-2300)	outside amenity space

In addition, the significance of effect to be no greater than neutral as per Technical Advice Note Assessment of Noise (TAN) Table 3.5 page 20

Internal noise levels to be achieved, where possible, with windows open sufficiently for ventilation. Noise reduction to be taken as 10dB from outside to inside with window open sufficiently for ventilation (normally 10% of the opening area).

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

This assessment is to use the criteria established by South Ayrshire Council. As the client intends for the site to operate between the period 13:00 to 21:00, it will only be necessary to assess daytime levels.

2.2 PAN 1/2011 and TAN

Based on the assessment methodology given in TAN, the sensitivity of each selected receptor is assessed based on the likelihood of complaint, whereby the difference between the Rating Level and measured background noise level determines the sensitivity of the receptor.

Table 2: Determination of Receptor Sensitivity

Difference between Rating Level and Background Level dB	Assessed Sensitivity
$X < 5$	Low
$5 \leq x < 10$	Medium
$x \geq 10$	High



The level of significance of the noise impacts from an industrial development on residential properties is then determined from Table 2 below (which is reproduced from Table 3.3 of the TAN).

Table 3: Significant of Effect Criteria Table

Change in Ambient dB	Sensitivity of Receptor based on Likelihood of Complaint $x = (\text{Rating } (L_{A,T,r}) - \text{Background } (L_{A90,T}) \text{ dB}$		
	Low ($x < 5$)	Medium ($5 \leq x < 10$)	High ($x \geq 10$)
Major (≥ 5)	Slight/Moderate	Moderate/Large	Large/Very Large
Moderate (3 to 4.9)	Slight	Moderate	Moderate/Large
Minor (1 to 2.9)	Neutral/Slight	Slight	Slight/Moderate
Negligible (0.1 to 0.9)	Neutral/Slight	Neutral/Slight	Slight
No Change (0)	Neutral	Neutral	Neutral

The sensitivity of the receptor is based on the likelihood of complaint as determined by the difference between the Rating level and the Background noise level. The sensitivity of the receptor to noise increases from 'Low' to 'High' as the probability of complaint increases. The level of significance depends on the difference in noise levels as determined by the magnitude of the impact and the sensitivity of the receptor as determined by the probability of complaint.

With regards to the significance of effect, the following applies:

- Neutral: No effect, not significant, noise need not be considered as a determining factor in the decision making process.
- Slight: These effects may be raised but unlikely to be of importance in the decision making process.
- Moderate: These effects, if adverse, while important, are not likely to be key decision making issues.
- Large: These effects are likely to be important considerations but where mitigation may be effectively employed such that resultant adverse effects are likely to have a Moderate or Slight significance.
- Very Large: these effects represent key factors in the decision-making process. They are generally, but not exclusively associated with impacts where mitigation is not practical or would be ineffective.

The methodology in TAN 01/2011 utilises a Rating Level, which is obtained through a BS4142 assessment. As an assessment of this kind cannot be undertaken due to the nature of the proposed development (recreation), there is no Rating Level for the noise levels produced by the proposed development. Instead, an assessment using the methodology in TAN will be undertaken using the predicted L_{Aeq} dB levels from the proposed development at the facades of the noise sensitive receptors.



3. Methodology

The sound monitoring was carried out in general accordance with the guidance in British Standard BS 7445: 2003 'Description and Measurement of Environmental Noise'¹. A survey was undertaken of the existing dance studio premises located at Studio 24, Wellington Lane, Ayr, KA7 2AD. This survey was undertaken to assist the potential noise impact operations at the proposed site.

In addition to this, an environmental noise survey was undertaken at the proposed site to determine the existing ambient and background noise levels noise sensitive receivers are exposed to.

The meter was placed in the corner of the client's current dance studio and left to monitor noise of a period of 1-hour, capturing noise from a teen's dance class and a children's gymnastics class.

For the environmental noise survey, the meter was placed out of a window at second floor level at 38 North Harbour Street. The meter was left for a period of just under 3-hours.

The sound level meter was set to measure the L_{Aeq} and L_{AFmax} values, logging in contiguous periods of 5-minutes.

All the equipment was checked with a field calibrator before and after each measurement. No significant drift in the calibration was noted. Calibration certificates are available on request.

¹ BS 7445: 2003 'Description and Measurement of Environmental Noise'. British Standards Institution



4. Noise Assessment

4.1 Sound Monitoring Details

Sound measurements were taken within the current venue that the dance studio operates in, and at an external window location of the proposed development site.

The sound monitoring location is shown in Appendix B.

Details of the instrumentation used are presented in Table C.1, Appendix C.

Prior to the start of the ambient and background sound surveys, the weather forecast for the intended survey periods was checked to ensure that suitable conditions were to be expected for the duration of the monitoring.

Weather conditions during the survey fell within the requirements of BS 7445. Full weather details are given in Appendix C.

4.2 Baseline Survey Results

The measured data were processed to define the L_{Aeq} and L_{AFmax} sound levels during the monitoring periods.

The results of the monitoring at the current venue used by the client are presented below;

Table 4: Baseline Monitoring Results

Monitoring Period	$L_{Aeq,T}$ dB	$L_{A90,T}$ dB	L_{AFmax} dB
18:30 – 21:00	45	38	55 - 72

During this period the dominant ambient noise source was traffic noise from the main roads to the east. There was also some traffic noise from the nearby local streets including North Harbour Street and York Street. Additionally, there was quite a bit of noise from birdsong, particularly gulls, distant dogs barking and conversations between people walking on the nearby roads.

4.3 Operational Sound Levels

As with the baseline monitoring, the measured data taken during the monitoring period inside the current venue that the client uses were processed to define the L_{Aeq} and L_{AFmax} sound levels

During the monitoring periods, the predominant source of noise was from music played through the loudspeaker, and from the teachers delivering instructions over the top of this music. There was also noise from the impact of the students dancing and jumping on the floor, and from fans used to cool the room. The measured noise levels are presented below;

Table 5: Activity Monitoring Results

Monitoring Period	$L_{Aeq,T}$ dB	L_{AFmax} dB
16:45 – 17:50	78	80 - 94



4.4 Noise Modelling

4.4.1 Overview

To assist in this assessment an environmental noise model was constructed using iNoise, a proprietary environmental noise modelling software application which implements the standard sound prediction methodology detailed in ISO9613-2:2024. The model allows noise sources to be predicted over a large distance and varying terrain to the affected noise sensitive receptors.

For the noise model, the sound levels measured within the existing dance venue were simulated from the proposed studio location at 38 North Harbour Street.

While the client has stated that they would be comfortable to run classes in the new studio with the windows closed, the model assumes that the 4 small windows on the eastern side of the new studio location are opened for ventilation purposes, with each window having a maximum total open area of 0.3 m².

4.4.2 Results

The modelled results of the assessment are detailed in Table 6 and Table 7 below.

A noise contour map at 7.5m (second floor) is show in Appendix D.

Table 6: Modelled Internal Noise Level Results

Receptor	Predicted Noise Level at 1m from Façade L _{Aeq} dB	Predicted Internal Noise Level L _{Aeq} dB*	Internal Noise Criteria Per Requirements of South Ayrshire Council L _{Aeq} dB	Predicted Level Over Noise Criteria dB
R1 - 36 North Harbour Street	42	32	35	-3
R2 - 1A York Street Lane	42	32	35	-3
R3 - 11 – 19 Victoria Chambers	37	27	35	-8

*Assuming a 10dB noise reduction from outside to inside with window open sufficiently open for ventilation, as per the requirements of South Ayrshire Council

The predicted internal noise levels at all receptors is indicated to be below the noise criteria established by South Ayrshire Council.

Table 7: Modelled Outside Amenity Space Noise Level Results

Receptor	Predicted Noise Level in External Garden Areas L _{Aeq} dB	Noise Criteria Per Requirements of South Ayrshire Council L _{Aeq} dB	Predicted Level Over Noise Criteria dB
R1 - 36 North Harbour Street	36	45	-9
R2 - 1A York Street Lane	41	45	-4
R3 - 11 – 19 Victoria Chambers	N/A		



Within the garden areas of R1 and R2, the predicted noise levels will be below the noise criteria established by South Ayrshire Council. R3 is a block of flats with no external garden or other amenity areas.

The predicted external noise levels at all receptors is indicated to be below the noise criteria established by South Ayrshire Council.

4.5 PAN 1/2011 and TAN Assessment

An assessment to the requirements of Pan 1/2011 and TAN has been undertaken based on the predicted noise levels from the noise model.

Table 8: Assessment of Receptor Sensitivity

Receptor	Predicted Noise Level at Façade L_{Aeq} dB	Measured Background Level L_{A90} dB	Assessed Sensitivity
R1	42	38	Low
R2	42	38	Low
R3	37	38	Low

Table 9: Increases in Ambient Sound Level

Receptor	Measured Residual Level L_{Aeq} dB	Predicted Specific Sound Level L_{Aeq} dB	Total Predicted Free-field Ambient Sound Level incident on Receptor L_{Aeq} dB	Change in dB
R1	45	42	47	+2
R2	45	42	47	+2
R3	45	37	46	+1

Based on the assessment matrix given in TAN, the following significance of effect at the receptors have been assessed:

Table 10: TAN Assessment

Receptor	Sensitivity	Change in Ambient Level dB	Magnitude of Impact
R1	Low	Minor	Neutral/Slight
R2	Low	Minor	Neutral/Slight
R3	Low	Minor	Neutral/Slight

Based on the descriptors and methodology in TAN, it is demonstrated that the noise impact of running a dance school at 38 North Harbour Street will lead to a neutral/slight impact.



4.6 Uncertainty

Some uncertainty in the measured data is unavoidable. Arthian have undertaken the following reasonable steps with a view to minimising the level of uncertainty in the results.

With regards to the measured data, this has been minimised as follows:

- Consideration of weather conditions based on observations while onsite. Uncertainties due to weather conditions are considered to be low, as during the monitoring conditions remained dry and windspeeds were below 5 m/s. Please refer to Appendix C for details of the prevailing weather data recorded.
- Use of suitable Class 1 sound level meters which comply with the relevant standards and have been calibrated at a UKAS accredited laboratory within the previous year.
- Field calibration of the measurement system on site at the start and end of each monitoring period.
- Road traffic noise was noted during the survey.



5. Conclusion

Noise levels were measured within the current venue that the client is using as a dance school. These measured levels were then used in noise modelling software to predict the impact of noise from the operation of a dance school at 38 North Harbour Street, Ayr, KA8 8AH.

The results of the noise impact assessment demonstrate that the operation of the dance school will not exceed the 50 dB $L_{Aeq(0700-2300)}$ criteria for the outside amenity space, or the 35 dB $L_{Aeq(0700-2300)}$ criteria for internal noise level at all of the nearby noise sensitive receptors. As the dance studio will only be operating between the hours of 13:00 – 21:00, it has not been necessary to assess the nighttime conditions.

An assessment using the TAN methodology has demonstrated that the operation of the dance studio will only have a neutral/slight impact at all of the nearest noise sensitive receptors during the operational hours.

It should be emphasised that this noise assessment is based on the understanding that the client keeps all of the windows on the western façade of the proposed dance studio closed and each window on the eastern façade a maximum equivalent open area of 0.1m².



Appendices

Appendix A: Acoustic Terminology

Decibel dB

From the lowest audible sound to the loudest tolerable sound there is a million to one ratio in sound pressure (measured in pascals, Pa). Because of this wide range a sound level scale based on logarithms is used in sound measurement called the decibel (dB) scale. Audibility of sound covers a range of approximately 0 to 140 dB. Humans generally can only notice changes in sound levels of no less than 3 dB(A). It is generally accepted that a change of 10 dB(A) in an overall, steady sound level is perceived to the human ear as a doubling (or halving) of the sound level.

A-Weighting

The human ear system does not respond uniformly to sound across the detectable frequency range and consequently instrumentation used to measure sound is weighted to represent the performance of the ear. This is known as the 'A weighting' and annotated as dB(A) or L_{pA} dB.

Ambient or Activity Sound Levels

The equivalent continuous A-weighted sound pressure level, L_{Aeq} (or L_{eq} dB(A)) is the single number that represents the total sound energy measured over that period. L_{Aeq} is the sound level of a notionally steady sound having the same energy as a fluctuating sound over a specified measurement period. It is commonly used to express the energy level from individual sources that vary in level over their operational cycle.

Background Sound Levels

The parameter that reflects the human perception of the ambient sound is the background sound level, L_{90} , this is usually A weighted and can be displayed as L_{90} dB(A) or L_{A90} (dB). This is the sound level exceeded for 90% of the measurement period and generally reflects the sound level in the lulls between individual sound events. Over a one hour period, the L_{A90} will be the sound level exceeded for 54 minutes.

Sound Power

Sound power is the rate per unit time at which airborne sound energy is radiated by a source. It is expressed in watts (W). Sound power level or acoustic power level is a logarithmic measure of the sound power in comparison to the reference level of 1 pW (picowatt). The sound power level is given the letter " L_w " or SWL. It is not the same thing as sound pressure (L_p). Any L_p value is dependent of the distance from the sound source and the environment in which it was measured. L_w values are preferred for noise prediction purposes as their value is independent of distance or environment. There are recognised formulas for converting L_w to L_p . A-weighted sound power levels are usually denoted L_{wA} (dB) or sometimes L_w (dBA) or SWL (dBA).

L_{max}

The $L_{Amax,slow}$ and $L_{Amax,fast}$ measurement parameters are the maximum instantaneous sound pressure level attained during the measurement period (30 seconds, 5 minutes etc.), measured on the 'slow' or 'fast' response setting of the sound level meter. This is sometimes expressed as L_{Amax} dB or L_{max} dB(A). Even though sounds appear fairly steady to the human ear they are seldom if ever steady in level. To accommodate this factor, sound level meters (SLMs) are generally provided with at least two meter responses or exponential averaging circuits. Fast meter response has a time constant of 1/8th of a second (125ms) and approximates the integration time of human hearing. The slow time response (time constant = 1 second) is intended to obtain



an approximate average value of rapidly fluctuating levels from simple meter readings.

Internal Sound Levels

In an enclosed space such as an individual room, or a building, the sound from a source cannot propagate in the same way as outdoors because the propagation of the sound is obstructed by the boundaries (walls, ceiling and floor) of the building. These surfaces together with the contents of the building reflect a proportion of the sound back inside the building or room, the amount depending on the absorption coefficient of the various surfaces. Therefore the overall sound level at a position within the building is a combination of the sound received directly from the source (the direct sound field) and the sound received from reflections from the internal surfaces (the reverberant sound field). The more absorptive the surfaces in a building the less sound is reflected and the lower the contribution of the reverberant sound field to the overall noise level.

Sound Reduction Index

The sound insulation properties of a material are described by the term 'sound reduction index' (R) i.e. it is a measure of the reduction in the amount of sound transmitted through a material. The higher the sound reduction index the greater the attenuation provided by the material. The value of R depends on a range of factors, in particular the mass of the material, the nature of the material, and the frequency of the sound. The R values for individual octave bands can be combined into an overall single figure, the weighted sound reduction index R_w .

Frequency Spectrum

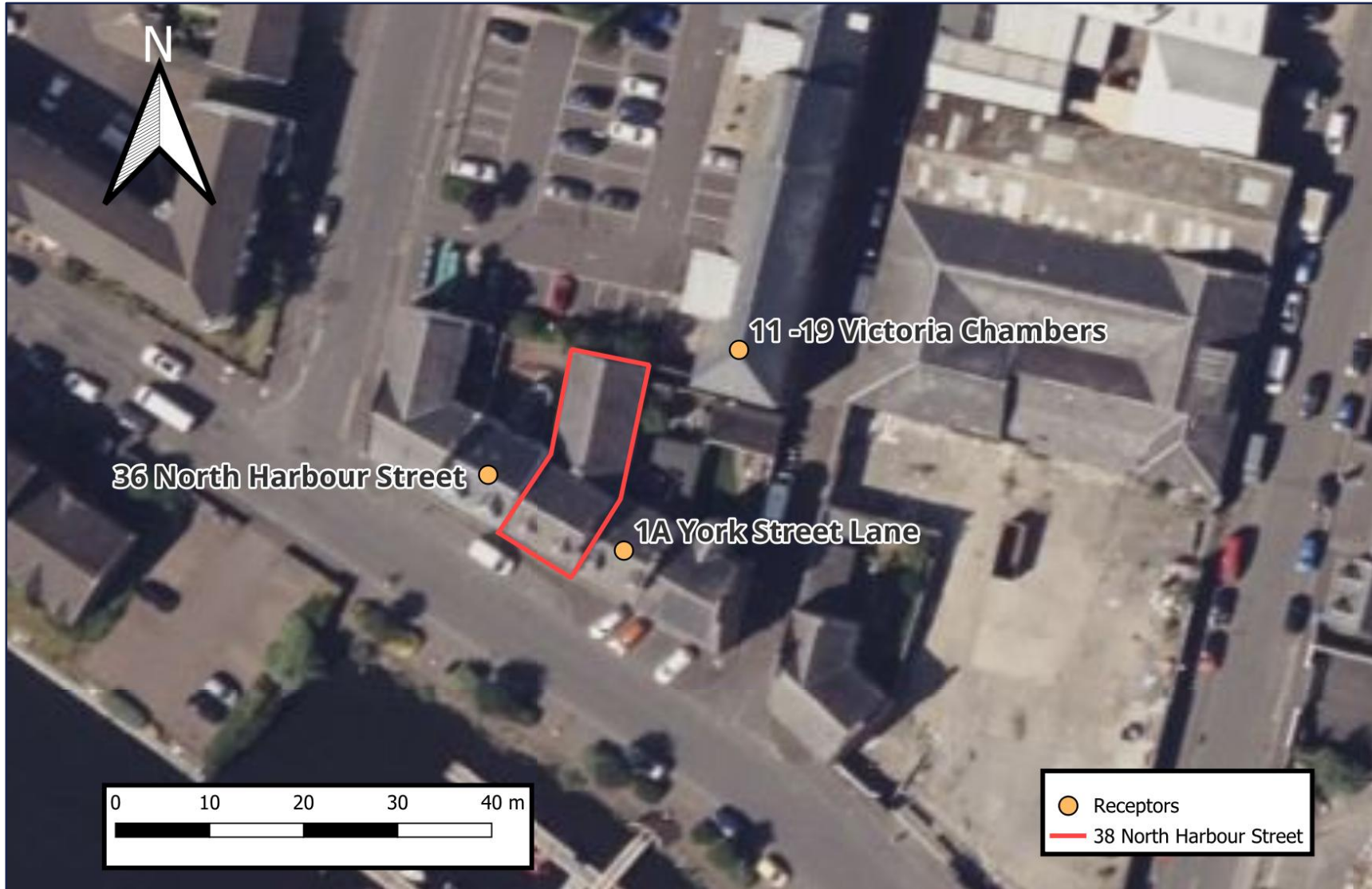
Frequency is the rate at which the air particles vibrate. The more rapid the vibrations, the higher the frequency and perceived pitch. Frequency is measured in Hertz (Hz). A young person with average hearing can generally detect sounds in the range 20 Hz to 20,000 Hz (20 kHz). Human speech is predominantly in the range 250 Hz - 3000 Hz.

The musical term 'octave' is the interval between the first and eighth note in a scale and represents a doubling of frequency. A series of octave and one-third octave bands have been derived, and these are commonly used in sound measurements where it is necessary to describe not only the level of the sound source but also the frequency content. The frequency content of a sound source can be useful for identifying acoustic features such as a whine, hiss or screech.



Appendix B: Receptor Locations

Figure 1: Receptor Locations



Appendix C: Sound Monitoring

Instrumentation

The SLM used were Class 1 precision instruments, programmed to log a number of parameters including L_{Aeq} , L_{A90} , L_{A10} and L_{Amax} values, in 5-minute contiguous intervals.

The calibration levels were checked prior to and following all measurements. No significant drift, more than 0.5 dB, occurred during monitoring. Full calibration details are available upon request.

The following equipment was used for the sound monitoring exercise:

Table 11: Sound Monitoring Equipment Information

Equipment Item	Model & Type	Meter Serial Number	Calibration Date
Integrating Sound Level Meter	Cirrus Research CR:171C Optimus	G301856	24 October 2024
Microphone	Cirrus Research MK:224	10640F	24 October 2024
Calibrator	Cirrus Research CR:515	93179	05 November 2024

Weather Conditions

Observed weather conditions during the monitoring are detailed in Table 12.

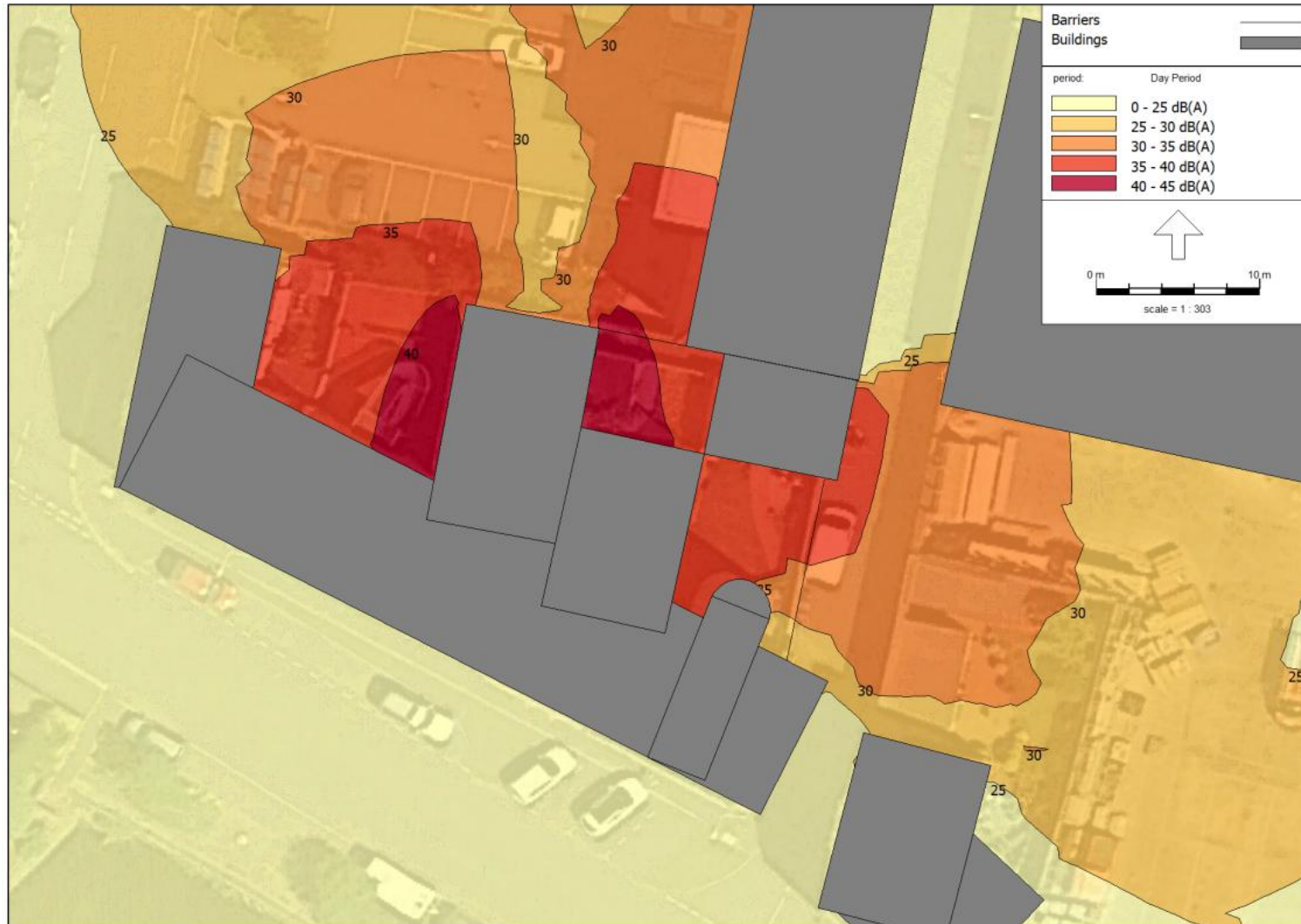
Table 12: Weather Conditions during Sound Monitoring

Date	Period	Temperature	Wind speed	Typical Wind Direction	Conditions
05/06/2025	18:30 – 21:00	13 - 16° C	1.4 – 1.9 ms ⁻¹	S	Dry



Appendix D: Noise Contour Map

Figure 2: Noise Contour Map at 7.5m



Planning and Building Standards

Service Lead – Planning and Building Standards: Craig Iles

Planning Service, County Buildings, Wellington Square, Ayr, KA7 1DR

Tel: [REDACTED]

Email: [REDACTED]

Our Ref: 25/00115/APP

Date: 21 August 2025



LJM Dance
Miss Lisa Muir
38 North Harbour Street
Ayr
South Ayrshire
KA8 8AH

Dear Sir/Madam,

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

PROPOSAL: Change of use of Class 3 restaurant to form Class 11 dance studio

SITE ADDRESS: 38 North Harbour Street Ayr South Ayrshire KA8 8AH

With reference to your Application for Planning Permission, I enclose a copy of the Decision Notice refusing permission. This Decision Notice should be read in conjunction with our [Guidance Note for Planning Decisions](#).

The refused drawings and other documents, where relevant, can be accessed from the [Council's website](#) by using the application reference number noted above. You may find the Report of Handling (otherwise entitled 'Delegated Report') of particular interest, as this sets out an assessment of the application and an explanation for the decision taken.

If you require further information in respect of your decision notice, please contact [REDACTED] by telephoning [REDACTED] or by emailing [REDACTED]

Yours faithfully,

[REDACTED]
Craig Iles
Service Lead – Planning and Building Standards

Encs.

LOCAL DEVELOPMENT

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

Ref No: 25/00115/APP

SOUTH AYRSHIRE COUNCIL

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

**To: LJM Dance
Miss Lisa Muir
38 North Harbour Street
Ayr
South Ayrshire
KA8 8AH**

With reference to your **Application for Planning Permission** dated **27th March 2025**, under the aforementioned Regulations, for the following development, viz:-

Change of use of Class 3 restaurant to form Class 11 dance studio

at: 38 North Harbour Street Ayr South Ayrshire KA8 8AH

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) The proposed dance school conflicts with NPF4 policies (9, 13, 14, 23) and South Ayrshire LDP2 (Core Principles B1 and B4, Strategic Policies 1 and 2, and policies on 'Leisure Development', 'Residential Policy within settlements, release sites and windfall sites', and 'Transport and Land Use') by reason that, the proposed development, located in a terraced building with residential flats in a mainly residential area, would harm local character and amenity due to increased activity, footfall, noise, and movement, without adequate mitigation. Furthermore, the lack of off-street parking is expected to place unsustainable pressure on the local road network, which the Ayrshire Roads Alliance does not support.

List of Refused Plans:

Plan Type	Reference	Version No.	Received Date
Drawing	HDA-249-002 PL A4		05.03.2025
Drawing	HDA-249-001 (Rev. A)		21.03.2025
Supporting Information	Noise Mitigation Information		21.03.2025
Supporting Information	Noise Impact Assessment - amended		13.06.2025
Supporting Information	Supporting and Operational Statement		14.05.2025

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

Dated: 19th August 2025



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

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

NOTICE TO ACCOMPANY REFUSAL OR GRANT OF PERMISSION WITH CONDITIONS

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

- (1) If the applicant is aggrieved by the decision of the Planning Authority to refuse permission for, or grant permission or approval subject to conditions, the applicant may require the Planning Authority to review the case under Section 43A of The Town and Country Planning (Scotland) Act 1997 within **three months** from the date of this notice. Information on how to request a review can be obtained from the address and contact details below.

A Notice of Review can be submitted via the [ePlanning Scotland website](#) . This is the most efficient method to submit a review request.

Alternatively, you can submit a review request via paper form addressed to:

South Ayrshire Council
Planning Service
County Buildings
Wellington Square
Ayr
KA7 1DR
T: [REDACTED]
E: [REDACTED]
W: www.south-ayrshire.gov.uk

- (2) If permission to develop land is refused or granted subject to conditions, the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, the owner of the land may serve on the Planning Authority a purchase notice requiring the purchase of his interest in the land in accordance with Part 5 of The Town and Country Planning (Scotland) Act 1997.
- (3) In certain circumstances, a claim may be made against the Planning Authority for compensation, where permission is refused or granted, subject to conditions by the Scottish Ministers. The circumstances in which such compensation is payable are set out in Section 77 of The Town and Country Planning (Scotland) Act 1997.
- (4) Where permission is being granted in respect of any building or premises which are open to the public, attention is hereby drawn to the applicant's duty, in terms of Sections 4, 5, and 7 to 8A of The Chronically Sick and Disabled Persons Act 1970, to include, where reasonable and practicable provision for the needs of the disabled. (Ref. Section 45 of The Town and Country Planning (Scotland) Act 1997).

Attention is also drawn to The Equality Act 2010 which may impose further obligations on developments.



The following comments are offered on behalf of the Development Control Section

Contact: **DROP DOWN LIST**

ARA Case Officer: [REDACTED]

Planning Case Officer: [REDACTED]

Planning Application No: 25/00115/APP

Location: 38 North Harbour Street Ayr South Ayrshire KA8 8AH

Date Received: 15/04/2025

Date Returned: 14/05/2025

Recommendation: Refuse

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.

Comments:

The application lacks sufficient information regarding class sizes and operation arrangements. It is understood that multiple classes may run concurrently or overlap, which raises concerns. Additionally, the proposed development offers no off-street parking. Given that North Harbour Street has limited on-street parking, even without the operation of a dance studio, this proposal could exacerbate existing issues. The ARA therefore has no option but to recommend for refusal.

Conditions:



The following comments are offered on behalf of the Development Control Section

Contact: **DROP DOWN LIST**

ARA Case Officer: [REDACTED]

Planning Case Officer: [REDACTED]

Planning Application No: 25/00115/APP

Location: 38 North Harbour Street Ayr South Ayrshire KA8 8AH

Date Received: 15/04/2025

Date Returned: 20/06/2025

Recommendation: Refuse

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.

Comments:

Following a review of the operational statement, the decision remains refusal. It is understood that multiple classes may run concurrently or overlap, which raises concerns. Additionally, the proposed development offers no off-street parking. Given that North Harbour Street has limited on-street parking, even without the operation of a dance studio, this proposal could exacerbate existing issues. The ARA therefore maintains its recommendation for refusal.

Conditions:

MEMORANDUM

Tel: [REDACTED]
Our Ref: 7/LMC/25/01155/PLNAPP
Your Ref: 25/00115/APP
Date: 22 April 2025

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

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

**SUBJECT: Planning Application Reference No. 25/00115/APP
THE TOWN AND COUNTRY PLANNING (SCOTLAND) ACTS**

**PROPOSAL: CHANGE OF USE OF CLASS 3 RESTAURANT TO FORM CLASS 11
DANCE STUDIO
SITE ADDRESS: 38 NORTH HARBOUR STREET AYR SOUTH AYRSHIRE KA8 8AH
GRID REFERENCE: (E) 233533 (N)622435**

Planning application 25/00115/APP

I refer to the above planning application consultation submitted to this section on 15 April 2025 and can advise as follows.

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

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

1. The proposed development may introduce a noise generating development to noise sensitive receptors. Prior to the commencement of works on-site, a noise assessment shall be undertaken and submitted so as to determine the likelihood of noise nuisance from the proposed noise generating development on the noise sensitive receptors. The assessment shall be carried out by a suitably qualified acoustic consultant or other competent person and shall include all relevant noise sources that may impact on the noise sensitive receptors using the current British Standard (or as may be amended). Maximum Target Noise Levels within the noise sensitive receptor to be used are as follows:

LAEQ16hrs	35dB	(0700-2300)	internal noise level
LAEQ 8hrs	30dB	(2300-0700)	internal noise level
LAMAX 45dB	(2300-0700)	internal noise level	
LAEQ 16hrs	50dB	(0700-2300)	outside amenity space

In addition, the significance of effect to be no greater than neutral as per Technical Advice Note Assessment of Noise (TAN) Table 3.5 page 20.

Internal noise levels to be achieved, where possible, with windows open sufficiently for ventilation.2
Noise reduction to be taken as 10dB from outside to inside with window open sufficiently for ventilation (normally 10% of the opening area).

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

Advisory Note:

- Adequate provision must be made for the storage and disposal of food waste, non-edible by-products and other refuse. Refuse stores are to be designed and managed in such a way as to enable them to be kept clean and, where necessary, free of animals and pests.

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

MEMORANDUM

Tel: [REDACTED]
Our Ref: LMC/LMC/25/01155/PLNAPP
Your Ref: 25/00115/APP
Date: 13 June 2025

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

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

**SUBJECT: Planning Application Reference No. 25/00115/APP
THE TOWN AND COUNTRY PLANNING (SCOTLAND) ACTS**

**PROPOSAL: CHANGE OF USE OF CLASS 3 RESTAURANT TO FORM CLASS 11
DANCE STUDIO
SITE ADDRESS: 38 NORTH HARBOUR STREET AYR SOUTH AYRSHIRE KA8 8AH
GRID REFERENCE: (E) 233533 (N)622435**

Planning application 25/00115/APP

I refer to the above planning application consultation submitted to this section on 15 April 2025 and can advise as follows.

Following perusal of these plans and the associated noise impact assessment the comments and representations I would advise that -

Should planning consent be granted then the following comments and representations should be attached so as to satisfy Environmental Health:

1. That the mitigation measures contained within the submitted noise report shall be adhered to. To avoid noise disturbance in the interests of residential amenity.

Advisory Note:

- Adequate provision must be made for the storage and disposal of food waste, non-edible by-products and other refuse. Refuse stores are to be designed and managed in such a way as to enable them to be kept clean and, where necessary, free of animals and pests.

This response with recommendation(s) was prepared by [REDACTED], Environmental Health Officer; to whom any further enquiries can be made .

Comments for Planning Application 25/00115/APP

Application Summary

Application Number: 25/00115/APP

Address: 38 North Harbour Street Ayr South Ayrshire KA8 8AH

Proposal: Change of use of Class 3 restaurant to form Class 11 dance studio

Case Officer: [REDACTED]

Customer Details

Name: [REDACTED]

Address: 44 north harbour street Ayrshire Ka88AH

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I am objecting due to the fact they have ignored myself at no 44 north harbour street by not giving myself or business any notification even though it says in here they have but nothing received so not sure if any one really got one I'm next door and have not received anything

Comments for Planning Application 25/00115/APP

Application Summary

Application Number: 25/00115/APP

Address: 38 North Harbour Street Ayr South Ayrshire KA8 8AH

Proposal: Change of use of Class 3 restaurant to form Class 11 dance studio

Case Officer: [REDACTED]

Customer Details

Name: [REDACTED]

Address: 44 north harbour street Ayr Ka88AH

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Again no notice as been told it was posted on the 12/6/2025 this is the second notice not received by the above I run a business next door and have not been notified once same as a few of our customers who stay there have not received any notices now if no notice of what's happening I can't support so I will need to object again due to the lack of notices and by looks concern by the applicant to the businesses next door to it

Comments for Planning Application 25/00115/APP

Application Summary

Application Number: 25/00115/APP

Address: 38 North Harbour Street Ayr South Ayrshire KA8 8AH

Proposal: Change of use of Class 3 restaurant to form Class 11 dance studio

Case Officer: [REDACTED]

Customer Details

Name: [REDACTED]

Address: C/o 3 York Street Lane Ayr KA88AQ

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I wish to raise an objection to the application for the proposed change of use to a Dance Studio.

My Mother lives next door to the adjoining building & has suffered from years of ongoing noise from the Ship Inn when it was open. The noise then was enough to force her to stay at the Travel Lodge. This was raised with Environmental Health over a number of years & after monitoring, they issued a cease & desist order.

A dance studio would be even worse given the long hours that they keep & due to the fact that they depend on banging out music.

There is also the aspect of access to my mothers apartment which is via a tight alleyway & would not constitute a safe thoroughfare for access to commercial footfall.

Ayr already has six commercial Dance studios within the immediate area.

My mother and other neighbours have the right to enjoy the peace & quiet of their own homes & this would be severely impaired by granting this application & as such I wish to object in the strongest possible terms.

Comments for Planning Application 25/00115/APP

Application Summary

Application Number: 25/00115/APP

Address: 38 North Harbour Street Ayr South Ayrshire KA8 8AH

Proposal: Change of use of Class 3 restaurant to form Class 11 dance studio

Case Officer: [REDACTED]

Customer Details

Name: [REDACTED]

Address: 3 York Street Lane Ayr CM9 6LS

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I wish to object to the application to convert the property at 38 North Harbour Street to a dance studio. I live next door in the adjoining building with access along a very narrow alleyway shared with number 38.

For years I suffered from the noise, music etc, from the Ship Inn and had to approach the Environmental Health dept for help. After looking into the matter they issued a Cease and Desist order.

A dance studio is bound to emit loud music for even more hours by its very nature and there are already several within the Ayr area.

The Environmental Health dept took the view that people have a right to be able to enjoy the peace and quiet of their own home, something as important as that, especially to older people like myself, would not be possible if this planning application goes ahead.

From: [REDACTED]
Sent: Monday, October 6, 2025 10:45 AM
To: [REDACTED]
Subject: [OFFICIAL]LRB Panel item 25/00115/APP

Official

Good morning,

Please find attached to reflect the ARA position in respect of this application.

Kind regards,

[REDACTED]

[REDACTED]

Ayrshire Roads Alliance

Website www.ayrshireroadsalliance.org





On Behalf of South Ayrshire Council
 A response from ARA Development Control

Local Review Body Response

ARA Case Officer: [REDACTED]

Planning Application Ref No: 25/00115/APP

Location: 38 NORTH HARBOUR STREET, AYR, SOUTH AYRSHIRE, KA8 8AH

Issue Date: 06/10/2025

ARA Position:

Detail:	ARA Comment:
ARA Planning Application Recommendation?	Refuse
ARA Local Review Body Recommendation?	Recommendation Unchanged
Recommendation to add/ amend/ remove Planning Conditions within ARA response?	No Changes Sought

Further Comments (as required):

The main concern held by ARA is in relation to the lack of any dedicated off-road parking associated with the development proposals – the lack of parking provision means that the development proposals fail to satisfy the Council’s adopted standards, as set out in the SCOTS National Roads Development Guide.

A development of this type will generate pick-up and drop-off trips, which have the possibility of overlapping, and a lack of allocated development parking means that all parking would need to be accommodated on existing on-street spaces.

The ARA believe that given the limited availability of on-street parking on North Harbour Street that the operation of this development would result in regular instances of errant parking likely to place road users (including pedestrians) at risk.

Specific Questions Raised by LRB:

Note: Where specific questions have been raised by the LRB where a response has been requested from the ARA, this will be provided below.

Question:

No questions received at this time.

ARA Response:

N/A

DEVC FXX

From: [REDACTED]
Sent: Friday, October 10, 2025 11:56 AM
To: Local Review Body [REDACTED]
Subject: Review of Planning for Application 25/00115/APP

For property 38 North Harbour Street
Ayr KA8 8AH

From [REDACTED]
3 York Street Lane
Ayr KA8 8AQ

Dear Sir/Madam,

Thank you for your letter informing me of the appeal to planning for the above property at 38 North Harbour Street for change of use to a Dance Studio.

All my reasons in my first email for opposing the application to the property becoming a dance studio remain valid.

The two buildings are joined and music from a dance studio with multiple classes that may run constantly and overlap daily and into the evening would make life in my home impossible. Home is just that - home - where one should have the right to **peace and quiet. As an elderly pensioner an important matter.**

The area around North Harbour Street has seen a marked increase in parking this year - so much so I have considered requesting residents parking. Even York Street Lane, where the entrance to my apartment along the narrow alley connects with the rear entrance to 38 North Harbour, has a notable increase in vehicles.

Thank you for keeping me informed.

Best regards,

[REDACTED]

LRB/25/00115/APP – Response from Agent (03.11.2025) in relation to Consultee/Interested Party Comments.

From: [REDACTED]
Sent: Monday, November 3, 2025 2:58 PM
To: [REDACTED]
Subject: RE: LRB/25/00115/APP - 38 North Harbour Street

Good afternoon,

Thank you for sending through ARA comments on the above Application.
We would comment as follows:

If this is the stance that ARA are going to take on new businesses trying to move in to/within the Local Area, then there will be NO businesses left.

Currently there are 3 similar businesses operating in the town in Newmarket Street, Sandgate and Fort Street, with zero parking, drop-off/pick up facilities.

Can I ask if they have Planning Consent to be in these buildings and operate with this Class Use? Have ARA been consulted on these businesses operating?
My Clients current premises, also has NO drop-off/pick up or off street parking, accessed from a narrow lane, which is currently dangerous and requires staff to bring the children out monitored in fear of an accident. One of the reasons they are trying to relocate.

My Clients proposal in North Harbour Street, has ample space for drop-off/pick up, as previously stated. The street itself is also very wide with much less traffic than the aforementioned.
We do not agree with the suggestion that our proposal could create a risk to road users etc...
If this was the case then where does the parking exist for the Restaurant Class, the building had previously, where much more traffic/parking requirements would have been required?

It was also mentioned that, North Harbour Street cannot be classed as town centre (even only a few hundred yards from Ayr Town Hall), so if this is the case, can SAC PL/ARA provide details of the off-street parking required for all the additional new flatted developments taking place within the local area?

As stated above, if this is the stance moving forward with ARA, then no businesses will want to relocate to/within this town, which is really frustrating for potential investment within the town.

Many thanks.

Regards

[REDACTED]

Hiltech Design



HILTECHDESIGN
ARCHITECTURAL SERVICES
Setting standards for others to follow

LOCAL REVIEW BODY

OFFICERS SUBMISSION FOR PLANNING APPLICATION 25/00115/APP

38 NORTH HARBOUR STREET, AYR

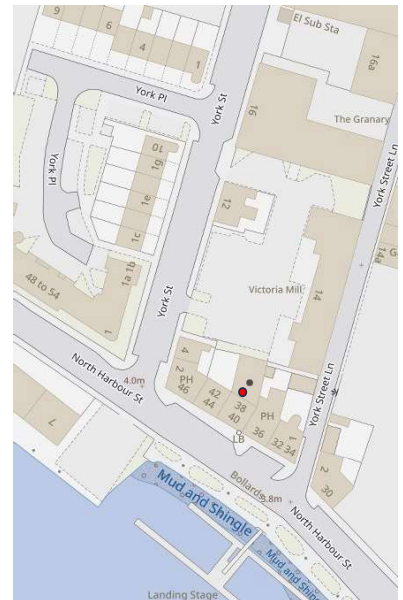
CHANGE OF USE OF RESTAURANT TO DANCE STUDIO

Officer photos showing principal elevation of 38 North Harbour Street within the terraced row of properties

Neighbouring residential properties sited within the terraced row: 2 & 4 York Street, 46, 42, 40 North Harbour Street, 1, 1A & 3 York Street Lane; The Ship Inn No.36 (closed), the Harbour Café No.44 (closed)



North Harbour Street showing on street parking and map of application site showing position within terraced properties



Rear of application site showing proximity to adjoining dwellingflats also sited within the terraced building and 19 neighbouring dwellingflats at Victoria Mill.



Photos taken from private carpark at Victoria Mill showing location of neighbouring residential properties

PHOTO FROM YORK STREET LANE SHOWING ADJACENT NEIGHBOURING RESIDENTIAL PROPERTIES

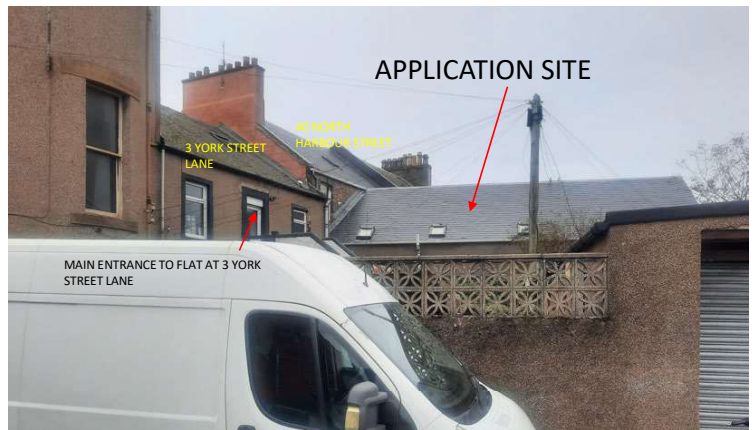


PHOTO TAKEN FROM MAIN ENTRANCE DOOR TO RESIDENTIAL DWELLINGFLAT AT 3 YORK STREET LANE
SHOWING PROXIMITY TO APPLICATION SITE



Local Review Body

25/00115/APP 38 North Harbour Street, Ayr

Change of use of Class 3 restaurant to form Class 11 dance studio.

Development Management Service response to LRB appeal.

The statements from the applicant's agent Hilltech Design Architectural Services have been summarised below in **bold**. Immediately following this is the Development Management Service responses.

- **Comparison between the existing dance studio and proposed dance studio premises including the provision of video evidence of both locations.**

Development Management Service response: The statement references the current dance studio location and outlines issues currently experienced. However, issues which are experienced at the existing dance studio location are not material planning considerations in the assessment of the current application at 38 North Harbour Street. Accordingly, no weight can be afforded to these matters in determining the appeal.

There is no dedicated parking provision for the application site. The proposal involves the creation of two dance studios, which are expected to generate high levels of occupancy and activity. It is considered that the intensification of use within this predominantly residential area would place additional pressure on the surrounding road network and result in an unacceptable impact. The Ayrshire Roads Alliance has submitted an objection to the proposal.

- **The submitted statement outlines that the proposed dance studio would offer classes for clients with disabilities and additional support needs, and that the premises at 38 North Harbour Street provides a ground floor access studio and a disabled toilet. It is further noted that the applicant promotes inclusivity by offering classes to all members of the community, regardless of financial or physical barriers.**

Development Management Service response:

No reference to the provision of classes for individuals with disabilities and or additional support needs was contained within the planning application submission – this is only referenced in the appeal submission.

Notwithstanding the obvious merits of providing some classes for those with disabilities or additional support needs, the fundamental concerns about the use of the building as a dance studio in such close proximity to residential properties remains the primary concern. This concern is not outweighed by the type of end user.

The application site is within a terraced building which has 8 adjoining residential properties located within the same building and multiple residential flats within close proximity. 19 flats are located immediately to the northeast within Victoria Mill which is approximately 6 metres from the application site, and 30 flats to the north of the site at The Granary within 57 metres of the application site.

In addition, the Ayrshire Roads Alliance review of the application took cognisance of all prospective users, including those with disabilities or infirmities. The Ayrshire Roads Alliance object to the application.

It is also noted that, there is no provision for accessible parking to accommodate individuals with physical disabilities who may require space to park and unload mobility equipment, such as wheelchairs, or for those who need assistance being accompanied into the proposed studio. There are concerns that, in the absence of dedicated parking for the proposed development, Blue Badge holders would be required to compete for the limited on-street parking spaces available in the area.

- **The submitted statement refers to the Aldi carpark on Back Main Street to meet parking demands from the development. Also, that parking could be accommodated on street.**

Development Management Service response: The Aldi car park is understood to be privately owned and subject to parking restrictions, with no established or formal relationship to the proposed dance studio. No evidence has been provided to demonstrate that the applicant has permission to use this car park to accommodate parking demand generated by the proposed development. As such, this cannot be afforded any weight in the assessment.

Existing on street parking is limited and well used by existing residents of the area. The proposal would exacerbate on-street parking pressures and increase congestion, raising road safety concerns.

The proposal provides no dedicated parking. Development proposals are required to provide an appropriate level of parking provision, proportionate to the nature and scale of the proposed use, in order to minimise any adverse impacts of road traffic on the surrounding environment and residential amenity. The Ayrshire Roads Alliance object to the proposal and has submitted additional comments directly to the LRB in this regard.

- **The submitted statement considers that the LRB should consider the potential for reduced operating hours (adjusting the class timetable) to overcome/ mitigate areas of concern.**

Development Management Service response:

The fresh proposal by the appellant to reduce the operating hours of the business would be unacceptable to the Planning Authority, for two reasons.

Firstly, the reduction in operating hours does not reduce the negative impact on the adjacent residential properties and surrounding area during the operation of the dance studio. There would still be a significant negative impact on those residents. Reduced hours would only shorten the time of the negative impact.

Secondly, the provision of such restrictions would not meet the tests of Planning Circular 4/1998: The use of Planning Conditions as they would be unreasonable and unenforceable by the Planning Authority.

It should be noted that during the assessment of the planning application, concerns were outlined to the applicant and an opportunity was offered for the application to be withdrawn. The Service advised that the proposed use would be more suitably accommodated in a town centre environment where there are a range and mix of uses and activities including evening uses and that vacant units in town centre units could be explored. The applicant chose not to examine those options.

- **The Notice of Review application form states, that a 'Noise Impact Assessment was carried out and passed showing no impact on surroundings.'**

Development Management Service response: The noise report states that noise impacts would be acceptable if the windows on the western elevation of the rear projecting element of the building were closed and the windows on the east were only partially opened. The Council's Environmental Health Service has no objections to these findings. While the EH position was well intentioned, this arrangement is not practical and could not be effectively secured through a planning condition, as it would fail to meet the relevant tests for enforceability and reasonableness.

Given the nature of the proposed use as a dance studio, involving physical activity and exercise, it is reasonable to expect that windows would need to be opened often for ventilation purposes. As a condition restricting window openings could not be imposed, there remains a likelihood that noise impacts would be unacceptable when the windows are open.

It is noted that a Building Warrant exists for the refurbishment of the property; however, an amended warrant would likely be required for its proposed use as a public dance studio across two floors.

Ventilation, potentially including the opening of windows, would need to be addressed as part of this process. Any design must ensure compliance with the Building (Scotland) Regulations, particularly in relation to higher occupancy levels.

Finally, in accordance with NPF4's objectives to ensure that the right development occurs in the right place in the long-term public interest, the site lies within a predominantly residential area where the character has shifted from commercial to residential, and mitigation measures for noise are considered impractical and unenforceable. Additionally, the absence of off-street parking would exacerbate on-street parking pressures and increase congestion, raising road safety and amenity concerns. The proposal is therefore considered incompatible with its surroundings and fails to comply with the relevant provisions of National Planning Framework (NPF4) and the South Ayrshire Local Development Plan 2 (LDP2).

LRB/25/00115/APP – comments from Agent in response to Case Officer Photos and Comments –
Received on 27th October 2025

From: [REDACTED]
Sent: Monday, October 27, 2025 11:56 AM
To: [REDACTED]
Cc: [REDACTED]
Subject: Re: LRB/25/00115/APP - 38 North Harbour Street

FAO - Christine McMEnamin,

Morning Christine,

Further to your letter dated 20 October 2025, regarding the above, i have spoken with both the Landlord and my Client and would comment as follows:

- We believe the comparison between my Client's existing premises and the new proposed premises location, is indeed a critical part of the review, as this is one of the main reasons for the relocation. The existing premises location, when originally being considered by SAC Planning, should have taken in to account the same aspects and Planning criteria, that is now being applied to the new proposed premises, such as Parking, Health and Safety, Local Business/Residential mix, Noise Impact etc..... To simply say we can't compare premises is failing in the Planning process in our opinion.
- ARA have also stated that, "there is no dedicated parking for the application site". Could it also be noted that there is no dedicated parking, drop-off/pick-up designated at my Client's existing premises location, which is accessed from a lane to the rear of the building with double yellow lines and signs stating "No Parking". Also, where is the dedicated Parking at Dansarena (Fort St Ayr) or the Rennie Dance Studio (Newmarket St Ayr)? My Client has access to existing drop off/pick up parking area immediately outside the main entrance of the proposed new premises. North Harbour Street has much less traffic than Fort Street and Newmarket Street does not offer any of the above. You can see my Client's frustration.
- Case Officer's comments, state that there is no Accessible Parking. See above comments, with regards to parking drop off/pick up service area outside the premises and the building is also wheelchair accessible, with new accessible sanitary facilities, recently installed in the premises by the current owner.
- Levels of traffic increased by the Proposal. The premises currently holds a Class 3 (Restaurant) classification. Can we ask how a two storey restaurant with minimum 60 covers, staff and deliveries etc..... creates less traffic volume? Class 3 also carries an element of unsociable opening hours, for local residential properties, which would be alleviated by our proposals.
- NIA Noise Impact Assessment was requested and carried out. This NIA has shown that to meet the criteria set out, certain restrictions would be required on windows opening etc... Ventilation can easily be overcome, with the introduction of Air Conditioning Units, allowing all the windows to remain closed and we see no reason why this should be included within any LRB.

We hope you find the above helpful and look forward to notification of when the LRB will be considering this application.

Many thanks.

Regards

[REDACTED]

Hiltech Design



HILTECHDESIGN
ARCHITECTURAL SERVICES
Setting standards for others to follow

Conditions:

Should the LRB overturn the decision, then it is recommended only the following conditions and reasons are imposed:

- 1C) That the development hereby permitted must be begun within **three years** of the date of this permission.
- (1R) To be in compliance with Section 58 of The Town and Country Planning (Scotland) Act 1997 as amended by Section 32 of The Planning (Scotland) Act 2019.
- (2C) 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.
- (2R) To ensure that the development is carried out in accordance with the approved plans unless otherwise agreed.

SOUTH AYRSHIRE COUNCIL

LOCAL REVIEW BODY

NOTE OF CURRENT POSITION

Site Address:	Land Adjacent to Dykehead Cottage C53 from A719 Junction at Fiveways House North to council boundary North West of East Mossie, Kilmarnock, South Ayrshire, KA1 5JR
Application:	25/00042/APP - Erection of Agricultural Shed and formation of Access Track and Yard (in partial retrospect)

Appointed Officer's Decision:	Refused
Date Notice of Review Received:	8 September 2025

Current Position:	New Case for Review
Documentation:	<p>The following documents in relation to the review are attached:</p> <p>Pages 1 to 8 - Report of Handling</p> <p>Pages 9 to 13 - Notice of Review (September 2025)</p> <p>Pages 14 to 18 - Review Statement – (September 2025)</p> <p>Pages 19 to 27 - Original Planning Application (January 2025)</p> <p>Pages 28 to 33 - Planning Statement (January 2025)</p> <p>Pages 34 to 37 - Supporting Information (Biodiversity Statement – January 2025)</p> <p>Pages 38 to 43 - Planning Application Designs and Plans (January 2025)</p>

	<p>Pages 44 to 47 - Decision Notice</p> <p>Page 48 - Consultation responses – ARA (March 2025)</p> <p>Pages 49 to 51 - Interested Parties Representations following Initial Letter from Local Review Body – ARA (28.10.2025)</p> <p>Pages 52 to 90 - Appointed Officer Photographs, Comments and supporting information.</p> <p>Page 91 - Interested Party’s Representations Following Appointed Officer Photographs and Comments – ARA (12.11.2025)</p>
New Material:	No
Additional Material Any other Comments:	N/A
Dated:	25 November 2025

Report of Handling of Application

Application Determined under Delegated Powers

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

Reference No:	25/00042/APP
Site Address:	Land Adjacent To Dykehead Cottage C53 From A719 Junction At Fiveways House North To Council Boundary North West Of East Mosside Kilmarnock South Ayrshire KA1 5JR
Proposal:	Erection of agricultural shed and formation of access track and yard (in partial Retrospect)
Recommendation:	Refusal

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 (as amended). 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 27 January 2025.
- The application was validated on 11 February 2025.
- A Site Visit was carried out by the Planning Authority on 13 May 2025.
- No Neighbour Notification was required.
- 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 18 March 2025.

1. Site Description:

The application site comprises a former agricultural field located off the C53 opposite East Mosside Farm, Kilmarnock. The site is located in open countryside on land formerly considered agricultural class 4.2. The site has been worked to clear and redistribute the topsoil with aggregate materials brought in to form an area of compacted hardstanding, a previous access was widened, and security gates have been erected at the same.

2. Planning History:

24/00581/PNF - Prior Notification for erection of agricultural shed and formation of access track - Withdrawn - September 2024

The Planning Service received complaints about works being undertaken on the land on 11 March 2024. Following an investigation, it was determined that a breach of planning control had occurred, and contact was made with the site owner/operator to advise that the works were unauthorised and required planning permission. The above Prior Notification was submitted and subsequently withdrawn.

3. Description of Proposal:

Planning permission is sought, in part retrospectively, for the erection of an agricultural shed and the formation of an access track and yard to serve a mixed-use rural business. The development comprises both conventional agricultural functions (a lambing and calving shed with adjacent pasture) and a commercial enterprise involving the storage and hire of agricultural vehicles and machinery. The facility includes a 12.43m by 18.86m shed with a ridge height of 7.18m, for calving and lambing, secure storage for agricultural vehicles, and outdoor space for additional storage or farming activities. The site is approximately 7,800sqm, not including adjacent field within the blue line which is proposed for pasture. Further details of the proposals are set out within the submitted plans and accompanying documentation.

4. Consultations:

Ayrshire Roads Alliance – Recommend refusal on the road safety grounds.
Scottish Water – Offered no response.

5. Submitted Assessments/Reports:

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

None.

6. S75 Obligations:

In assessing and reporting on a Planning application the Council is required to provide a summary of the terms of any Planning obligation entered into under Section 75 of The Town and Country Planning (Scotland) Act in relation to the grant of Planning permission for the proposed development.

None.

7. Scottish Ministers Directions:

In determining a Planning application, the Council is required to provide details of any Direction made by Scottish Ministers under Regulation 30 (Directions requiring consultation), Regulation 31 (Directions requiring information), Regulation 32 (Directions restricting the grant of Planning permission) and Regulation 33 (Directions requiring consideration of condition) of The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013, or under Regulation 50 (that development is EIA development) of The Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2017.

None.

8. Representations:

No representations were received.

9. Development Plan:

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://www.gov.scot):

Policy 1 – Tackling the climate and nature crises
Policy 2 – Climate mitigation and adaption
Policy 3 – Biodiversity
Policy 5 – Soils
Policy 9 – Brownfield, vacant and derelict land and empty buildings
Policy 12 – Zero Waste
Policy 13 – Sustainable transport
Policy 14 – Design, quality and place
Policy 18 – Infrastructure First
Policy 19 – Heat and cooling
Policy 22 – Flood Risk and Water Management
Policy 23 – Health and Safety
Policy 24 – Digital infrastructure
Policy 26 – Business and Industry
Policy 29 – Rural Development

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.

As assessment of the proposals against the provisions of NPF4 is set out below.

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 \(south-ayrshire.gov.uk\)](http://south-ayrshire.gov.uk):

Core Principle A3
Core Principle B1
Core Principle B7
Core Principle B8
Core Principle C1
Strategic Policy 1 – Sustainable development
Strategic Policy 2 – Development Management
LDP2 Policy – Business and Industry
LDP2 Policy – Development Opportunities
LDP2 Policy – Delivering Infrastructure
LDP2 Policy – Flood and Development
LDP2 Policy – Agricultural Land
LDP2 Policy – Air, Noise and Light Pollution
LDP2 Policy – Low- and Zero-carbon Buildings
LDP2 Policy – Renewable or Low Carbon Heat and Heat Networks
LDP2 Policy – Land Use and Transport

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

An assessment of the proposals against the provisions of Local Development Plan 2 is set out below.

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

Scottish Government Guidance:

Planning Advice Note (PAN) 61: Planning and Sustainable Urban Drainage Systems – offers best practice advice on the use and integration of SUDS in development proposals. Relevant to the assessment of surface water drainage and flood risk under NPF4 Policy 22 and LDP2 policy on Flood and Development.

PAN 33: Development of Contaminated Land – although contamination is not a core issue in this case, the PAN is a material reference when considering the impact of extensive ground disturbance and the need for appropriate land management and soil handling, particularly under NPF4 Policy 5.

PAN 75: Planning for Transport – supports assessment of transport implications of new development, including site access, road safety and traffic management. Relevant in the context of Policies 13 and 26 of NPF4 and Strategic Policy 2 of LDP2.

South Ayrshire Council Guidance:

South Ayrshire Council Guidance: Rural Business Procedure Note – although somewhat dated, this note supports interpretation of LDP policy in relation to rural business development, including expectations around location, access, and compatibility with the rural environment.

Roads Development Guide (Ayrshire Roads Alliance/SCOTS) – forms a technical material consideration in the assessment of access arrangements, swept path analysis, visibility splays and other road safety matters in support of LDP2 policy.

While these guidance documents are not part of the statutory development plan, they are material considerations and have informed the assessment of the planning application, particularly in relation to drainage, rural business development, transport, and infrastructure design.

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

The application is for the erection of an agricultural shed and the formation of an access track and yard (in partial retrospect). The application proposals comprise of two interlinked but functionally distinct elements:

A lambing/calving shed and associated grazing field.

The storage and hiring of agricultural vehicles and machinery, which includes a large area of hardstanding and a new access onto the public road.

Although the proposal is presented as a single rural enterprise, the two components differ significantly in function and planning implications. The lambing and calving shed, together with the grazing field, represent a conventional agricultural land use. In contrast, the vehicle storage and hire business, while loosely related to agriculture, constitutes a separate commercial use with quasi-industrial characteristics, which requires distinct policy consideration. Therefore, each element is assessed separately against the relevant policies and considerations.

The application is for the erection of an agricultural shed and the formation of an access track and yard, in partial retrospect. The proposal comprises two distinct functional elements: (1) a lambing/calving shed and grazing field; and (2) the storage and hiring of agricultural vehicles and machinery, including the formation of hardstanding.

The site lies within the open countryside and comprises Class 4.2 agricultural land. While the lambing shed may be considered a typical agricultural use, the wider development and proposed commercial operation raise policy concerns.

Lambing/calving Shed:

The lambing shed and grazing use aligns with NPF4 Policy 29(a)(i), which supports development proposals that contribute to the viability of rural land use businesses, where the use of good quality land is minimised, and viability is preserved. This aspect of the development is acceptable in principle, subject to standard considerations of siting and design.

The lambing shed aligns with Core Principle B8, which supports small-scale rural business activity. It is also supported by Strategic Policy 1 (economic benefit) and Policy: Agricultural Land, given its scale and direct link to a rural business. The proposed shed is considered to be of a size, scale and design typical of that related to farms and agricultural developments.

Storage/Hire and Hard standing:

The storage/hire and hard standing element of the proposal raises significant concerns. This element of the proposal is materially different in character and scale and while loosely related to agriculture, it represents a quasi-industrial commercial operation that conflicts with key policies of NPF4 and LDP2.

Policy 5 requires the avoidance of unnecessary soil disturbance and minimising soil sealing however, the site has seen extensive hardstanding already laid without justification.

Policy 9 and LDP2 do not support unjustified greenfield development. While the business plan indicates a rural customer base, this does not in itself establish a locational necessity for a remote greenfield site. No evidence has been submitted to demonstrate that existing brownfield or allocated employment land is unsuitable or unavailable. As such, the proposal fails to meet the criteria of Policy 26, which only supports new business and industrial uses in unallocated areas where no suitable sites exist and where the use is compatible with the rural character. Given the commercial nature and scale of the proposal, it could be more appropriately located within an allocated employment area.

Policy 22 requires that development proposals will: not increase the risk of surface water flooding to other or itself, manage all rainfall through SUDS and seek to minimise areas of impermeable surface. The proposal has involved substantial groundworks, excavation, and the introduction of a hard standing without evidence of mitigation. Although the supporting statement references a Sustainable Urban Drainage System (SUDS), the application fails to include any technical details or design to demonstrate how surface water will be managed. The site comprises extensive impermeable surfaces with no clear runoff management. This is contrary to NPF4 Policy 22 and the requirements of LDP2: Flood and Development, which require a fully integrated drainage strategy to mitigate increased flood risk and environmental harm.

Policy 26 only supports such proposals outside allocated areas where:

- i. no suitable allocated or employment sites exist; and
- ii. the use is compatible with the area.

The application materials include a supporting statement which offers justification to support the use of the site however, the proposal fails to demonstrate a site-specific locational need or any sequential assessment of alternative brownfield or allocated employment land. Additionally Core Principle B1 and LDP2 Policy: Development Opportunities, prioritise brownfield over greenfield development. While agricultural vehicles may not be out of place in this rural setting, the commercial storage and movement associated with hire activities would represent a significant intensification.

Strategic Policy 2 requires that proposals:

- Are appropriate in terms of layout, scale, massing, design and materials in relation to their surroundings and surrounding land uses.
- Are appropriate to the local area in terms of road safety, parking provision and effects on the transport network.
- Are located within a settlement boundary or otherwise justified by LDP subject specific policies or locational need.
- If contrary to specific LDP policies are justified to our satisfaction, on the basis they are (1) of over-riding community interest, or (2) will contribute significantly to the implementation of the Ayrshire Growth Deal or the regeneration of Ayr; and will have no significant, adverse environmental effects.

The proposal does not accord with the above criteria of Strategic Policy 2. While the site is classified as agricultural (Class 4.2), the commercial nature of the equipment hire does not constitute an agricultural use. The proposed development is not considered to be in accordance with designated land use; the layout, scale, massing, design and materials are incongruent with the open countryside and rural setting; it is anticipated that it will cause road safety issues and adversely impact the road network and other road users (as noted elsewhere in this report); it is located outwith a settlement or employment area where such a commercial enterprise would normally be directed and there is no overriding community interest or economic case significant enough to outweigh the policy conflicts.

Both the Planning Statement and Business Plan which accompany the planning application describe an Ayrshire-wide catchment and highlight accessibility to A77/M77. However, the site is located approximately 12km from the A77 at Sandyford (via the A719) and approximately 6km from the A77 at the Bellfield Interchange (via the A719 and A76) and is not well integrated with the trunk road network. While there is no quantification of vehicle movements within the application materials; the nature and scale of the business, and the scale and location of the site suggests a sizeable and ongoing operational turnover likely using large vehicles/trailers compounding road safety concerns and failing to meet LDP2 Strategic Policy 2 and LDP2 Policy Land Use and transport.

LDP2 Core Principle B8 supports small-scale rural business development. The proposed yard spans approximately 7,800 sqm and includes extensive hardstanding and space for storage of multiple large agricultural vehicles. The planning application lacks precise details regarding the number of vehicles, expected frequency of hire, or the nature of commercial traffic. This lack of clarity, combined with the physical scale of the site, suggests a development that is materially larger in scale and intensity than would typically be considered "small-scale rural business development" under Core Principle B8 and related policies.

LDP2 Policy: Business and Industry allows for rural business development in the Kyle Investment Area provided there is direct access to the road network and significant economic benefit. In this case the Business Plan references job creation (1no. manager, 2no technicians, and seasonal staff), While this represents local economic activity, the scale of benefit relative to the scale of the application proposals is not considered significant enough to override policy conflicts.

The Ayrshire Roads Alliance (ARA) were consulted on the application and recommend refusal on the grounds of road safety, particularly given the scale of the proposed commercial activity and the potential for slow-moving plant to access a national speed limit road. ARA considers the access to be a new junction which requires full compliance with the SCOTS National Roads Development Guide. Additionally, they note that the application fails to provide:

- A bellmouth design with dimensions, visibility splays, radii, and construction detail.
- Swept path analysis for the largest vehicles expected to use the site.
- A transport assessment detailing anticipated traffic volumes or vehicle classifications.
- Mitigation proposals for potential impacts on the public road network, including the need for warning signage.

There is policy support under NPF4 and LDP2 for the lambing shed and grazing field. However, the vehicle storage and hire use and associated infrastructure conflicts with several key policies at both national and local level. The proposal has not justified the use of greenfield land, failed to demonstrate soil mitigation, and cannot demonstrate road safety compliance. As such, the proposal as a whole is considered unacceptable, with the storage and hire element fundamentally contrary to both the spatial strategy of the development plan.

In summary, while the agricultural element of the proposal could be supported in principle, the commercial storage and hire component is fundamentally incompatible with the rural character of the site and fails to comply with key national and local development plan policies. The absence of adequate justification for a greenfield location, unresolved road safety issues, and the lack of drainage design further reinforce the recommendation for refusal.

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 and the Adopted South Ayrshire Local Development Plan. The proposed commercial use in a rural area of open countryside area is contrary to NPF4 policies 5, 9, 13, 22, and 26 and LDP2 policies B1, B8, Strategic policies 1 and 2, Business and Industry, Development Opportunities, Flood and Development and Transport and Land use, as the proposed development would be fundamentally detrimental and uncharacteristic to the rural area.

12. **Recommendation:**

It is recommended that the application is refused, for the following reasons:

Reasons:

1. That the development proposal conflicts with NPF4 Policies 5, 9, 22, 26 and 29, and South Ayrshire Local Development Plan 2 (LDP2) policies Core Principles B1 and B8, Strategic Policies 1 and 2, Business and Industry policy, Development Opportunities policy and Flood and Development policy, by reason that the storage and hire element of the development represents a large-scale commercial use located on unallocated greenfield land in the countryside without appropriate justification, resulting in the loss of agricultural land, significant soil disturbance, and the introduction of an incompatible land use in a rural location.
2. That the development proposal conflicts with NPF4 Policies 13 and 26 and LDP2 policies Strategic Policy 2 and Land Use and Transport policy by reason that the proposed access arrangements do not meet minimum design standards as required by the SCOTS National Roads Development Guide, and the application fails to provide the necessary technical information to demonstrate that the development can be safely accessed by large vehicles, to the detriment of road safety and the function of the local road network.
3. That the development proposal conflicts with NPF4 Policy 22 and LDP2 Flood and Development policy and Delivering Infrastructure policy by reason that no surface water drainage strategy or Sustainable Urban Drainage System (SUDS) has been submitted, and therefore the development fails to demonstrate that surface water can be managed appropriately, increasing the risk of flooding and environmental impact.
4. That the development proposal fails to comply with NPF4 Policy 5 and LDP2 Policy: Agricultural Land, as it has resulted in extensive groundworks and sealing of previously undeveloped land without evidence that soil impacts have been avoided, minimised or justified in terms of agricultural need, resulting in the loss of productive land and environmental harm.
5. That the development proposal conflicts with NPF4 Policies 26 and 29 and LDP2 policies Strategic Policy 2, Core Principle B8, and Air, Noise and Light Pollution policy by reason that the application fails to demonstrate that the scale and nature of the commercial storage and hire operation would not result in unacceptable impacts on rural character or amenity, including through noise, lighting, and vehicle movements associated with the use, contrary to the principles of sustainable rural development.

Advisory Notes:

None.

List of Plans Determined:

Plan Type	Reference	Version No.	Received Date
Drawing	Location Plan (Context)		27.01.2025
Drawing	Location Plan		27.01.2025
Drawing	G01		27.01.2025
Drawing	S01		27.01.2025
Drawing	SP01		27.01.2025
Drawing	V01		27.01.2025
Supporting Information	Biodiversity Statement		27.01.2025
Supporting Information	Planning Statement		27.01.2025
Supporting Information	Business Plan		27.01.2025

Integrated Impact Assessment:

The consideration of this planning application sits within a policy framework of the Council's Local Development Plan 2 and National Planning Framework 4. These have been the subject of Equalities Impact Assessments which considered how the policies may impact on protected characteristics. Therefore, no separate Integrated Impact Assessment is required.

<i>Decision Agreed By:</i>	<i>Appointed Officer</i>
<i>Date:</i>	<i>2 July 2025</i>



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 100725519-001

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.

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:	Planning Services UK		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Thomas	Building Name:	
Last Name: *	Cochrane	Building Number:	37
Telephone Number: *		Address 1 (Street): *	Dyfrig Street
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	Shotts
Fax Number:		Country: *	United Kingdom
		Postcode: *	ML7 4DQ
Email Address: *			

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

Individual Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:	Mr		You must enter a Building Name or Number, or both: *
Other Title:		Building Name:	
First Name: *	Micheal	Building Number:	10
Last Name: *	McDaid	Address 1 (Street): *	Drumken Park
Company/Organisation		Address 2:	
Telephone Number: *		Town/City: *	Londonderry
Extension Number:		Country: *	Northern Ireland
Mobile Number:		Postcode: *	BT48 0SA
Fax Number:			
Email Address: *			

Site Address Details

Planning Authority:

South Ayrshire Council

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

Address 1:

Address 2:

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

Post Code:

Please identify/describe the location of the site or sites

Land to the North east of East Mosside Farm, Fiveways, Hurlford, KA1 5JR

Northing

632832

Easting

245872

Description of Proposal

Please provide a description of your proposal to which your review relates. The description should be the same as given in the application form, or as amended with the agreement of the planning authority: *
(Max 500 characters)

Erection of agricultural shed and formation of access track and yard (in partial Retrospect)

Type of Application

What type of application did you submit to the planning authority? *

- Application for planning permission (including householder application but excluding application to work minerals).
- Application for planning permission in principle.
- Further application.
- Application for approval of matters specified in conditions.

What does your review relate to? *

- Refusal Notice.
- Grant of permission with Conditions imposed.
- No decision reached within the prescribed period (two months after validation date or any agreed extension) – deemed refusal.

Statement of reasons for seeking review

You must state in full, why you are seeking a review of the planning authority's decision (or failure to make a decision). Your statement must set out all matters you consider require to be taken into account in determining your review. If necessary this can be provided as a separate document in the 'Supporting Documents' section: * (Max 500 characters)

Note: you are unlikely to have a further opportunity to add to your statement of appeal at a later date, so it is essential that you produce all of the information you want the decision-maker to take into account.

You should not however raise any new matter which was not before the planning authority at the time it decided your application (or at the time expiry of the period of determination), unless you can demonstrate that the new matter could not have been raised before that time or that it not being raised before that time is a consequence of exceptional circumstances.

see appeal statement

Have you raised any matters which were not before the appointed officer at the time the Determination on your application was made? *

Yes No

If yes, you should explain in the box below, why you are raising the new matter, why it was not raised with the appointed officer before your application was determined and why you consider it should be considered in your review: * (Max 500 characters)

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)

Planning documents Refusal notice Appeal statement

Application Details

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

25/00042/APP

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

24/01/2025

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

12/08/2025

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

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

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

Yes No

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

Yes No

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

Checklist – Application for Notice of Review

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

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

Yes No

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

Yes No

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

Yes No N/A

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

Yes No

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

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

Yes No

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

Declare – Notice of Review

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

Declaration Name: Mr Thomas Cochrane

Declaration Date: 05/09/2025

Fee Exemption Reason

I have arranged to pay my fee directly to my Authority

no sure what category to apply to work out the fee.



LOCAL REVIEW BODY APPEAL

For

**Erection of agricultural shed and
formation of access track and yard**

(in partial retrospect)

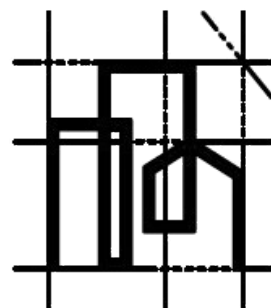
at

Land Adjacent

To

Dykehead Cottage

On the C53 Road



Supporting Statement – Notice of Review

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1. Introduction

This Notice of Review invites the Local Review Body to reconsider the delegated refusal of planning permission. The applicant is not a farmer but is the owner of a small parcel of farmland in rural Ayrshire. His intention is to establish a modest rural business that provides direct support to the local farming community, rather than operating as a general commercial or industrial enterprise.

The proposal includes the erection of a modern shed which can, by agreement with neighbouring farmers, be used for livestock housing during calving and lambing seasons or alternatively for the storage of agricultural machinery. It also incorporates a secure yard for the storage of plant and equipment, the formation of a permeable access track, and the provision of an ancillary agricultural plant hire service. This hire service is aimed exclusively at local farmers and land managers, enabling them to access essential machinery without bearing the full cost of ownership.

Taken together, these elements form a modest but valuable rural enterprise. The proposal strengthens the resilience of the farming community, improves access to agricultural equipment, and ensures that these activities take place in an appropriate countryside setting rather than being displaced into urban or industrial locations.

2. Key Issues Raised and Our Response

“Commercial use on greenfield land”

The refusal suggests that the proposal represents a large-scale commercial development inappropriate for a greenfield location. This is not the case. The business is a specialist rural support enterprise, distinct from a general commercial or industrial use. Agricultural plant hire, by its very nature, is only appropriate in the countryside or green belt. It would be entirely unsuitable to operate such a service from a town or industrial estate, where agricultural machinery movements would be alien and potentially disruptive.

The wider landholding remains in grazing use, ensuring that the agricultural character of the site is maintained. Landscaping, bunding and planting soften the visual impact and integrate the development into its surroundings. Policy support is clear: NPF4 Policy 29 and LDP2 Core Principle B8 encourage rural businesses that sustain the farming economy, while PAN 73 (Rural Diversification) emphasises that diversification into new rural enterprises is essential, even where the operator is not a traditional farmer.

“Road safety / access concerns”

Concerns were raised regarding the adequacy of the access arrangements. It is important to note that the proposal improves an existing farm access rather than creating a wholly new junction. The access road is constructed from porous materials, which reduce surface water run-off and assist with site drainage.

Supporting Statement – Notice of Review

While the delegated report highlights the absence of detailed technical drawings (such as visibility splays and swept paths), these are matters that can readily be addressed and conditioned. It is common practice across Ayrshire for farm and rural businesses to operate from similar road networks. NPF4 Policy 13 supports safe, proportionate rural access, and there is no reason to conclude that this proposal poses an unacceptable risk to road safety.

“Drainage / SuDS”

The refusal also points to the absence of a drainage strategy. In reality, the yard and access road are constructed from permeable materials which naturally allow water infiltration. Run-off from the roof of the agricultural shed is directed to gravel-filled soakaways at the base of downpipes, and there is also provision to reuse this water for livestock drinking, making efficient and sustainable use of resources.

Independent drainage calculations, provided as Appendix X, confirm that the soakaways offer greater capacity than required for the design rainfall event, while the permeable yard itself provides around 468 m³ of additional attenuation. This clearly demonstrates that there is no surface water or flooding issue at this site. If the appointed officer had raised this concern during the course of the application, the calculations would have been provided at that stage. It is therefore disproportionate to have refused permission on this basis when the matter is so easily addressed and fully complies with NPF4 Policy 22 and the Flood and Development policy in LDP2.

“Loss of agricultural land / soil disturbance”

The development has not led to the wholesale loss of agricultural land. Only the yard and access track have been engineered; the remainder of the land continues to function as grazing pasture. The hardstanding is justified by operational need, ensuring that machinery and livestock movements can take place safely and without causing soil compaction elsewhere on the land.

Mitigation has also been incorporated through bunding, planting and re-seeding, which minimise any potential impact. Accordingly, the proposal satisfies the requirements of NPF4 Policy 5 on soils and the LDP2 Agricultural Land policy.

“Impact on rural character / amenity”

Finally, the refusal alleges harm to rural character and amenity. In reality, the scale of the development is modest. A single shed and yard of this nature is commonplace across the Ayrshire countryside. Vehicle movements are limited to farm-related journeys, not continuous haulage operations. Noise and lighting are modest and, if required, can be strictly controlled by planning condition.

The proposal sits comfortably within its context and is entirely compatible with the character of its surroundings. Once again, the policy support is clear: NPF4 Policy 29 and LDP2 B8 positively encourage rural businesses where scale and impacts are proportionate, as they are in this case.

3. Wider Benefits

The wider benefits of the development are substantial and should weigh significantly in favour of approval. The scheme:

- **Supports farmers** by providing affordable machinery hire, reducing costs for small farms and supporting their continued viability.
- **Enables flexibility**, as the shed can be used for livestock housing by agreement with neighbouring farmers, particularly during vulnerable calving and lambing seasons.
- **Delivers environmental responsibility**, with permeable surfaces, soakaways, water reuse, bunding and planting all working to reduce environmental impact.
- **Creates local employment**, providing small-scale but meaningful opportunities in rural Ayrshire.
- **Builds rural resilience**, sustaining agricultural activity in the countryside and preventing its displacement into urban or industrial areas where it would be inappropriate.

4. Conclusion

This proposal represents a **sustainable rural diversification project**. It is not a large-scale commercial incursion into the countryside but a modest rural business designed to support the farming community. Concerns regarding drainage and access are resolved and demonstrably capable of being addressed by condition. The scale and character of the proposal are entirely appropriate to its countryside setting.

The delegated refusal was therefore disproportionate. Technical matters could and should have been resolved by condition. The proposal is fully consistent with NPF4, with the policies of the South Ayrshire Local Development Plan 2, and with national guidance in PAN 73.

The applicant respectfully requests that the Local Review Body overturn the refusal and grant planning permission, subject to reasonable conditions.

Thomas Cochrane BSc(Hons) HND, CPC

Planning Services UK



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 100699295-001

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)

Multi-purpose Agricultural Facility (in partial Retrospect)

Is this a temporary permission? * Yes No

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

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

No Yes – Started Yes - Completed

Please state date of completion, or if not completed, the start date (dd/mm/yyyy): *

11/03/2024

Please explain why work has taken place in advance of making this application: * (Max 500 characters)

The applicant was misinformed that he did not need permission for a access road. His initial proposed was to have his plant hire business here, This was not supported by the Planning Authority. He has done some research to find a acceptable use for the land. This proposed seeks to gain permission for a Multi Purpose Agricultural Facility, including roadway and trur ing/loading area, (in retrospect) and Agricultural Shed and storage for agricultural equipment for hire and for secure storage,

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:

Ref. Number:

You must enter a Building Name or Number, or both: *

First Name: *

Thomas

Building Name:

Last Name: *

Cochrane

Building Number:

37

Telephone Number: *

Address 1 (Street): *

Dyfrig Street

Extension Number:

Address 2:

Mobile Number:

Town/City: *

Shotts

Fax Number:

Country: *

United Kingdom

Postcode: *

ML7 4DQ

Email Address: *

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

Individual Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:	<input type="text" value="Mr"/>	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text"/>	Building Name:	<input type="text"/>
First Name: *	<input type="text" value="Michael"/>	Building Number:	<input type="text" value="10"/>
Last Name: *	<input type="text" value="McDaid"/>	Address 1 (Street): *	<input type="text" value="Drumken Park"/>
Company/Organisation	<input type="text"/>	Address 2:	<input type="text"/>
Telephone Number: *	<input type="text" value="[REDACTED]"/>	Town/City: *	<input type="text" value="Londonderry"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="Northern Ireland"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="BT48 0SA"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text" value="[REDACTED]"/>		

Site Address Details

Planning Authority:	<input type="text" value="South Ayrshire Council"/>
Full postal address of the site (including postcode where available):	
Address 1:	<input type="text"/>
Address 2:	<input type="text"/>
Address 3:	<input type="text"/>
Address 4:	<input type="text"/>
Address 5:	<input type="text"/>
Town/City/Settlement:	<input type="text"/>
Post Code:	<input type="text"/>

Please identify/describe the location of the site or sites

<input type="text" value="Land to the North east of East Mosside Farm, Fiveways, Hurlford, KA1 5JR"/>

Northing	<input type="text" value="632832"/>	Easting	<input type="text" value="245879"/>
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Pre-Application Discussion

Have you discussed your proposal with the planning authority? *

Yes No

Site Area

Please state the site area:

0.78

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)? *

10

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

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.

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

Yes

No, using a private water supply

No connection required

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

Assessment of Flood Risk

Is the site within an area of known risk of flooding? *

Yes No Don't Know

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

Do you think your proposal may increase the flood risk elsewhere? *

Yes No Don't Know

Trees

Are there any trees on or adjacent to the application site? *

Yes No

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

Waste Storage and Collection

Do the plans incorporate areas to store and aid the collection of waste (including recycling)? *

Yes No

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

The applicant will remove any small amounts of waste as and when required.

Residential Units Including Conversion

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

Yes No

All Types of Non Housing Development – Proposed New Floorspace

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

Yes No

All Types of Non Housing Development – Proposed New Floorspace Details

For planning permission in principle applications, if you are unaware of the exact proposed floorspace dimensions please provide an estimate where necessary and provide a fuller explanation in the 'Don't Know' text box below.

Please state the use type and proposed floorspace (or number of rooms if you are proposing a hotel or residential institution): *

Not in a Use Class

Gross (proposed) floorspace (In square meters, sq.m) or number of new (additional) Rooms (If class 7, 8 or 8a): *

252

If Class 1, please give details of internal floorspace:

Net trading spaces:

Non-trading space:

252

Total:

If Class 'Not in a use class' or 'Don't know' is selected, please give more details: (Max 500 characters)

Agricultural

Schedule 3 Development

Does the proposal involve a form of development listed in Schedule 3 of the Town and Country Planning (Development Management Procedure (Scotland) Regulations 2013 * Yes No Don't Know

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

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

Planning Service Employee/Elected Member Interest

Is the applicant, or the applicant's spouse/partner, either a member of staff within the planning service or an elected member of the planning authority? * Yes No

Certificates and Notices

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

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

Are you/the applicant the sole owner of ALL the land? * Yes No

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

Do you have any agricultural tenants? * Yes 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: Thomas Cochrane

On behalf of: Mr Michael McDaid

Date: 24/01/2025

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)

Biodiversity statement

Provide copies of the following documents if applicable:

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

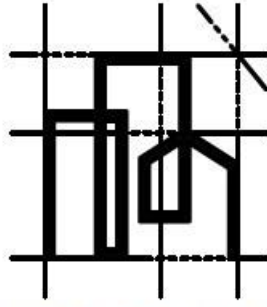
Other Statements (please specify). (Max 500 characters)

Declare – For Application to Planning Authority

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

Declaration Name: Mr Thomas Cochrane

Declaration Date: 25/01/2025



PLANNING SERVICES UK



Planinng Application
for
Multi-purpose
Agricultural Facility
at land opposite
East Mosside Farm,
Fiveways,
Hurlford, Kilmarnock.
KA1 5JR

Planning Statement in Support of Application for JMD Agricultural Services Facility

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Introduction

This planning statement supports an application for the development of a multi-purpose agricultural facility located on approximately 7.11 acres of land opposite East Mosside Farm, Fiveways, Hurlford, Kilmarnock. The proposal aims to serve the farming community in Ayrshire by offering a calving and lambing shed, secure agricultural vehicle storage, agricultural equipment rental services, and grazing land for livestock.

The development aligns with the **South Ayrshire Local Development Plan 2 (LDP2)**, the **National Planning Framework 4 (NPF4)**, and relevant **Scottish Government Planning Advice Notes (PANs)**. Together, these policies encourage rural enterprise, sustainable agricultural practices, and economic resilience while safeguarding environmental and landscape integrity. The proposal ensures the site remains in productive agricultural use while contributing to the local rural economy.

Site Location and Context

The proposed site is situated in Hurlford, Kilmarnock, strategically located in proximity to Ayrshire's main agricultural areas. It benefits from excellent connectivity to key transport routes, including the A77 and M77, facilitating easy access for farmers and agricultural contractors. The rural character of the surrounding area makes the site an ideal location for the proposed development.

The facility will complement the region's established agricultural operations by providing vital infrastructure and services, directly supporting South Ayrshire's farming economy. The site's current agricultural use will be enhanced through this development, offering a range of flexible and sustainable services to meet local demand.

Development Proposal

The facility is designed to provide the following services:

1. Calving and Lambing Shed:

- A purpose-built, 60' x 40' shed designed to meet modern standards for animal welfare, including proper ventilation, lighting, and drainage.
- Flexible rental options accommodate seasonal requirements for livestock management.

2. Secure Agricultural Vehicle Storage:

- Secure, accessible storage facilities for agricultural vehicles and equipment.
- The inclusion of bunds around the storage area ensures visual screening, with additional native planting to enhance the landscape.

3. Agricultural Equipment Rental Services:

Planning Statement in Support of Application for JMD Agricultural Services Facility

- A fleet of modern machinery available for hire, including tractors, trailers, ploughs, and specialized equipment such as sprayers and rotary tillers.
 - Rental packages tailored to seasonal agricultural needs, with optional operator hire and on-site maintenance services.
4. **Grazing Land Rentals:**
- Approximately 5.7 acres of fenced pastureland, available for short- and long-term rental.
 - Land can be divided into smaller plots to suit various needs, such as livestock grazing or hobby farming.
-

Planning Policy Context

South Ayrshire Local Development Plan 2 (LDP2) Policies

1. **Strategic Policy 1 (SP1): Sustainable Development**

The proposal contributes to sustainable development by making efficient use of the site for agricultural purposes. It enhances rural economic activity while protecting environmental resources through responsible land management, such as rotational grazing and biodiversity-friendly landscaping.
2. **Strategic Policy 2 (SP2): Development Management**

The development respects its rural surroundings, minimizing visual and environmental impacts. The bunds and native landscaping demonstrate a design approach that integrates with the local setting while offering critical infrastructure to the farming economy.
3. **Policy: Rural Economy**

This policy supports rural businesses that diversify the local economy. By offering calving/lambing facilities, grazing land rental, and equipment hire, the proposal complements South Ayrshire's agricultural economy while promoting economic sustainability in rural areas.
4. **Policy: Landscape Quality**

The applicant has created bunds and native landscaping to screen the site, ensuring minimal visual impact. This approach preserves the natural and scenic qualities of the rural landscape in accordance with this policy.
5. **Policy: Natural Environment**

The proposal safeguards and enhances local biodiversity through measures such as hedgerow retention, native planting, and ecological land management.
6. **Policy: Sustainable Transport**

The site's proximity to the A77 and M77 provides sustainable access for users, minimizing disruption to smaller villages. Adequate parking and space for manoeuvring agricultural vehicles support efficient transport operations.

National Planning Framework 4 (NPF4) Policies

1. **Policy 5: Soils and Land Use**

The development makes efficient use of agricultural land, ensuring it remains productive. Rotational grazing will improve soil health, aligning with NPF4's emphasis on sustainable land use.

2. **Policy 6: Forestry, Woodland, and Trees**

Bunds and native planting contribute to biodiversity, reflecting the policy's focus on integrating trees and vegetation into rural developments.

3. **Policy 29: Rural Development**

The proposal supports rural economic resilience by diversifying traditional farming activities. Its combination of services, including equipment hire and grazing land, aligns with the policy's aim to support rural businesses and local communities.

4. **Policy 22: Flood Risk and Water Management**

The development incorporates sustainable drainage systems (SuDS) to manage surface water runoff, minimizing flood risk and protecting surrounding land.

Scottish Government Planning Advice Notes (PANs)

1. **PAN 73: Rural Diversification**

The project exemplifies rural diversification by providing services that extend beyond traditional farming, such as secure storage and equipment hire, which enhance the resilience and productivity of South Ayrshire's farming community.

2. **PAN 72: Housing in the Countryside**

While focused on housing, this guidance emphasizes rural development that complements the landscape. The proposed bunds and landscaping demonstrate a commitment to visual and environmental harmony with the site's rural character.

3. **PAN 61: Planning and Sustainable Urban Drainage Systems**

The inclusion of sustainable drainage systems aligns with PAN 61 by ensuring effective water management and reducing flood risks.

Economic and Community Benefits

The development offers significant benefits to the local economy and community:

- **Economic Growth:** By creating local jobs and providing cost-effective access to agricultural infrastructure and machinery, the facility enhances the productivity and competitiveness of South Ayrshire's farming community.
- **Support for Farmers:** Flexible rental options for equipment, grazing land, and calving/lambing facilities will help farmers manage costs and adapt to seasonal demand.

Planning Statement in Support of Application for JMD Agricultural Services Facility

- **Sustainability:** The development ensures that the site remains in agricultural use, with grazing opportunities promoting soil health and potentially supporting regenerative farming practices.
-

Environmental Considerations

The proposal incorporates measures to protect and enhance the environment while aligning with **NPF4**, **LDP2**, and **Scottish Government guidance**:

- **Biodiversity and Landscaping:** Bunds have been created around the agricultural machinery storage area to screen the site and reduce visual impact. These bunds will be planted with native species to support local biodiversity. Hedgerow planting and retention of natural features will further enhance the site's ecological value.
 - **Water and Drainage:** Sustainable drainage systems (SuDS) will be implemented to manage surface water runoff, ensuring no adverse impacts on surrounding land. Grazing areas will be equipped with water troughs supplied through efficient water-use systems.
 - **Traffic and Access:** The site's location near major transport routes ensures minimal disruption to local communities while providing safe and convenient access for agricultural vehicles and customers.
-

Conclusion

This proposal for a multi-purpose agricultural facility directly supports **South Ayrshire's rural economy** by providing essential services and infrastructure for the farming community. By aligning with the policies of the **South Ayrshire Local Development Plan 2**, **National Planning Framework 4**, and **Scottish Government Planning Advice Notes**, the development contributes to rural diversification, economic sustainability, and the productive use of agricultural land.

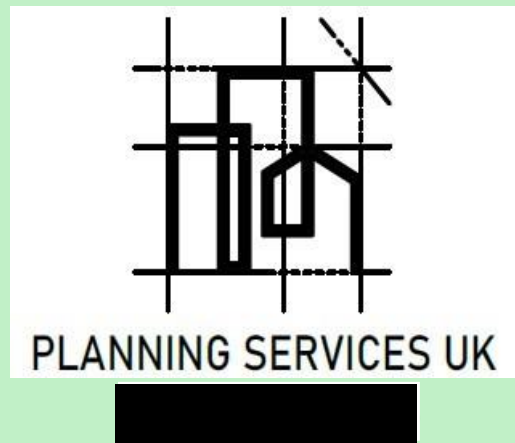
The proposal balances economic growth with environmental protection, ensuring the site remains an asset to the local community and agricultural industry. Its strategic location, thoughtful design, and focus on farmer needs position it as a vital resource for Ayrshire's farming sector.

We respectfully request that **South Ayrshire Council** grant planning permission for this development, recognizing its alignment with national and local planning policies and its benefits to the local agricultural economy and community.

Thomas Cochrane BSc.(Hons), HND, CPC

Planning Consultant

Planning Services UK



Biodiversity Statement
For
Multi-purpose
Agricultural Facility
at land opposite
East Mosside Farm,
Fiveways,
Hurlford, Kilmarnock.
KA1 5JR

Introduction

This biodiversity statement supports the planning application for the development of a multi-purpose agricultural facility located opposite East Mosside Farm, Fiveways, Hurlford, Kilmarnock. The applicant is committed to enhancing biodiversity on-site through the addition of hedgerows along the site boundary and atop the bunds created for screening agricultural machinery storage. The proposed measures will promote local wildlife habitats, support ecological networks, and strengthen the site's overall integration into the surrounding rural landscape.

The applicant proposes to plant **866m of hedgerows along the site boundary**, as well as **235m of hedgerows atop the bund**, ensuring dual benefits for biodiversity enhancement and improved site security.

Hedgerow Recommendations for Security and Biodiversity

The recommended hedgerows will include native species that are thorny or dense, providing natural security while offering food and shelter for local wildlife. Native species are essential as they support the existing ecosystem and provide a habitat for a wide range of insects, birds, and small mammals.

The following species mix is what is proposed:

1. Hawthorn (*Crataegus monogyna*)

- **Benefits for Biodiversity:** Produces flowers in spring that attract pollinators such as bees, and red berries in autumn that provide food for birds and small mammals.
- **Benefits for Security:** Dense, thorny growth creates an effective natural barrier.

2. Blackthorn (*Prunus spinosa*)

- **Benefits for Biodiversity:** Offers nectar-rich flowers in early spring and sloe berries in autumn for wildlife.
- **Benefits for Security:** Thorny stems provide robust protection against intruders.

3. Field Maple (*Acer campestre*)

- **Benefits for Biodiversity:** Provides shelter for insects, birds, and small mammals. The leaves host caterpillars of moths, supporting the food chain.
- **Benefits for Security:** Though not thorny, it adds density to the hedgerow.

4. Dog Rose (*Rosa canina*)

- **Benefits for Biodiversity:** Produces flowers for pollinators and hips for birds and small mammals.

Biodiversity Statement for JMD Agricultural Services Facility

- **Benefits for Security:** Thorny stems enhance the hedgerow's protective qualities.
5. **Hazel (*Corylus avellana*)**
- **Benefits for Biodiversity:** Supports caterpillars of moths and provides nuts for small mammals such as squirrels and birds.
 - **Benefits for Security:** Adds structural density, although not thorny.
6. **Holly (*Ilex aquifolium*)**
- **Benefits for Biodiversity:** Evergreen leaves provide year-round shelter for birds, and red berries in winter attract birds.
 - **Benefits for Security:** Spiny leaves create a formidable deterrent to entry.
-

Planting Plan and Maintenance

1. Planting Design:

- The hedgerows will be planted as a **double staggered row** with plants spaced 30–40cm apart. This arrangement ensures dense growth for effective screening and habitat creation.
- The species mix will include a **60% proportion of Hawthorn and Blackthorn** for their strong security characteristics, with the remaining 40% comprising Field Maple, Dog Rose, Hazel, and Holly to enhance biodiversity.
- The bund hedgerows will use the same species mix to provide continuity and maximize biodiversity benefits across the site.

2. Maintenance Plan:

- Regular maintenance will include trimming to encourage dense growth while avoiding major cutting during the bird nesting season (March to August).
 - Hedgerows will be allowed to grow to a height of 1.5–2m, providing effective screening, security, and habitat opportunities.
 - Dead or failing plants will be replaced to ensure the hedgerow remains healthy and robust.
-

Biodiversity Benefits

The addition of hedgerows will deliver significant biodiversity enhancements:

- **Habitat Creation:** The hedgerows will provide nesting sites for birds, shelter for small mammals, and feeding opportunities for pollinators.

Biodiversity Statement for JMD Agricultural Services Facility

- **Ecological Connectivity:** The hedgerows will link to existing field boundaries and natural features, supporting wildlife movement across the landscape.
 - **Pollinator Support:** Flowering species such as Hawthorn, Blackthorn, and Dog Rose will offer valuable nectar sources, contributing to the conservation of pollinators such as bees and butterflies.
-

Security Benefits

The inclusion of thorny species such as Hawthorn, Blackthorn, and Dog Rose ensures the hedgerows serve as a natural deterrent against unauthorized access. The dense growth and thorny stems will make breaching the boundary difficult, while also creating a visually appealing perimeter.

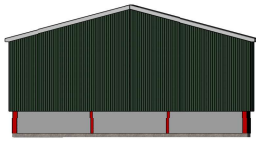
Conclusion

The proposed hedgerows represent a vital component of this development, balancing the functional needs of the site with ecological responsibility. By using a carefully selected mix of native species, the hedgerows will enhance biodiversity, improve security, and integrate the development seamlessly into the surrounding rural landscape.

The applicant is committed to implementing and maintaining these biodiversity measures, demonstrating a strong alignment with local and national planning policies that promote ecological enhancement and sustainability.

Thomas Cochrane BSc,(Hons), HND, CPC

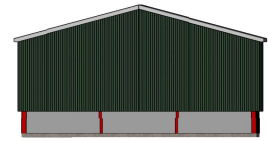
Planning Consultant.



Left Elevation



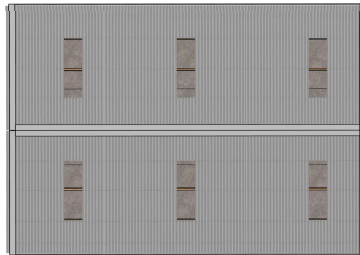
Front Elevation



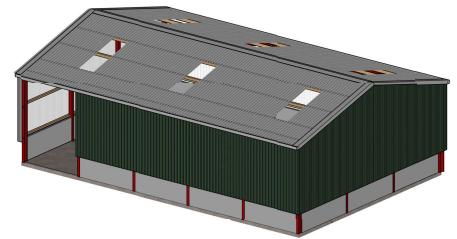
Right Elevation



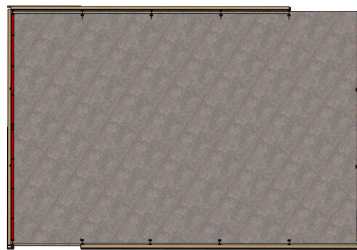
Rear Elevation



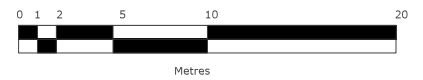
Roof Plan



3D View



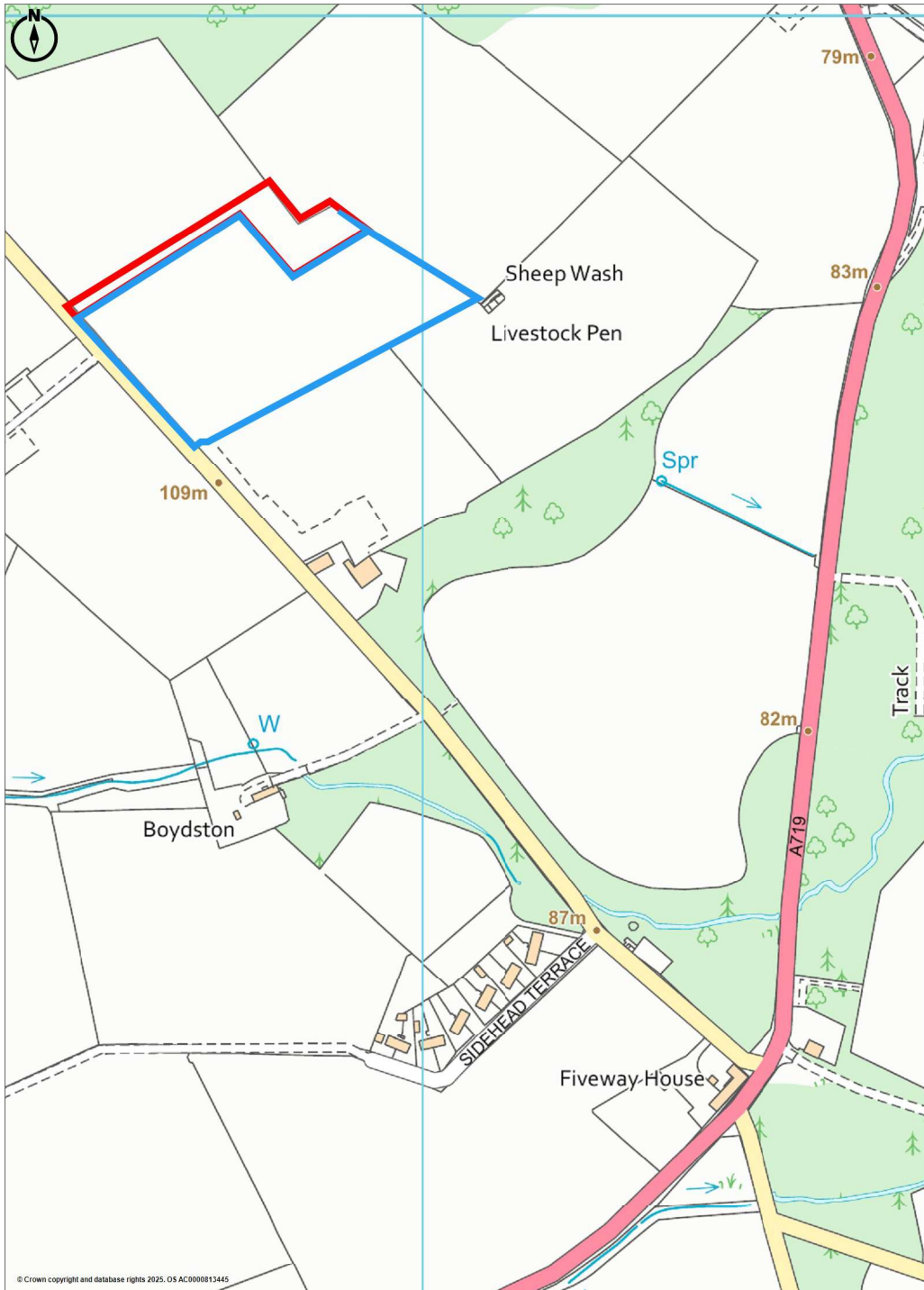
Floor Plan



Scale 1:100 @A1



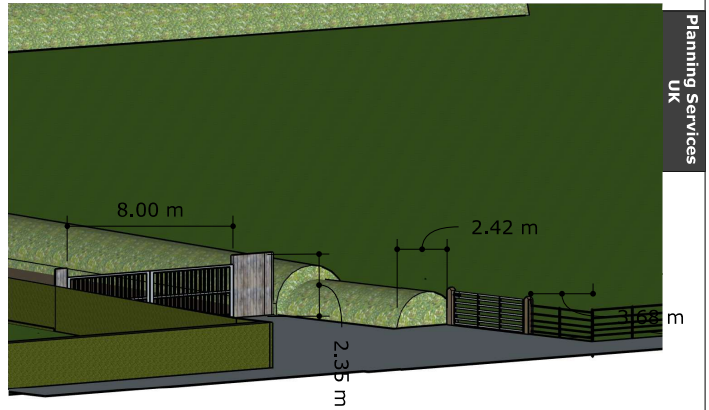
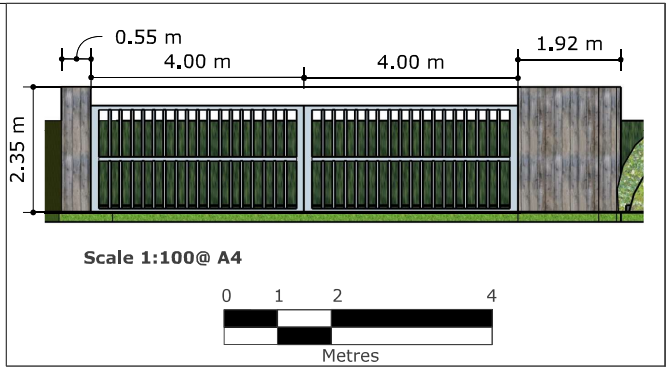
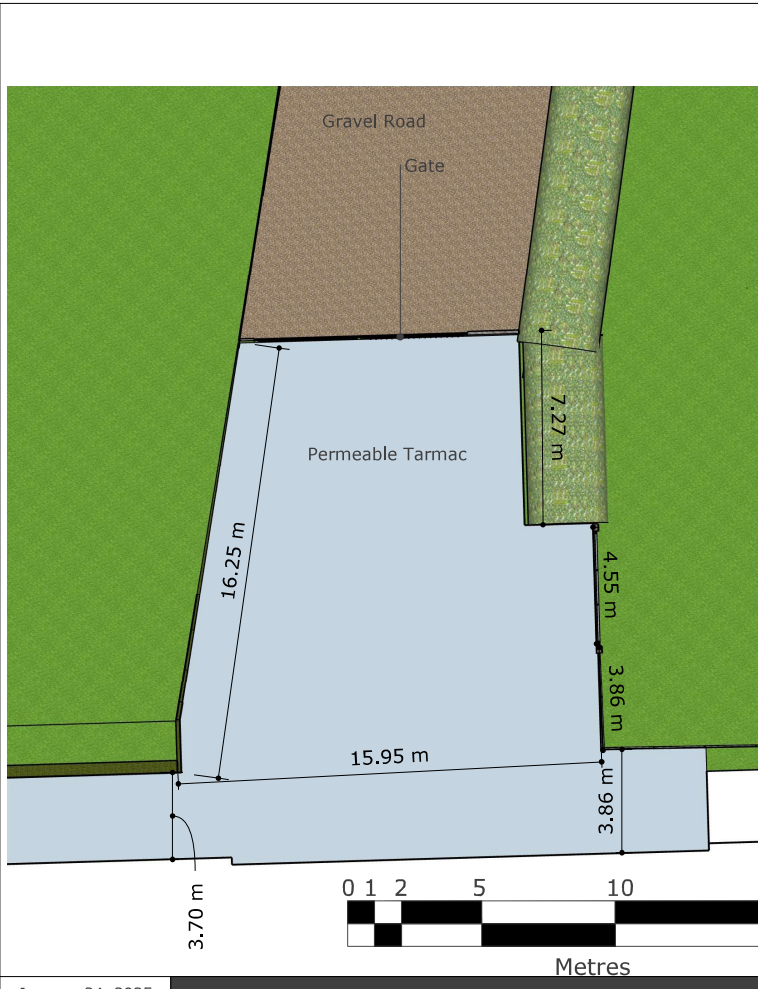
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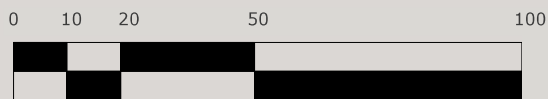
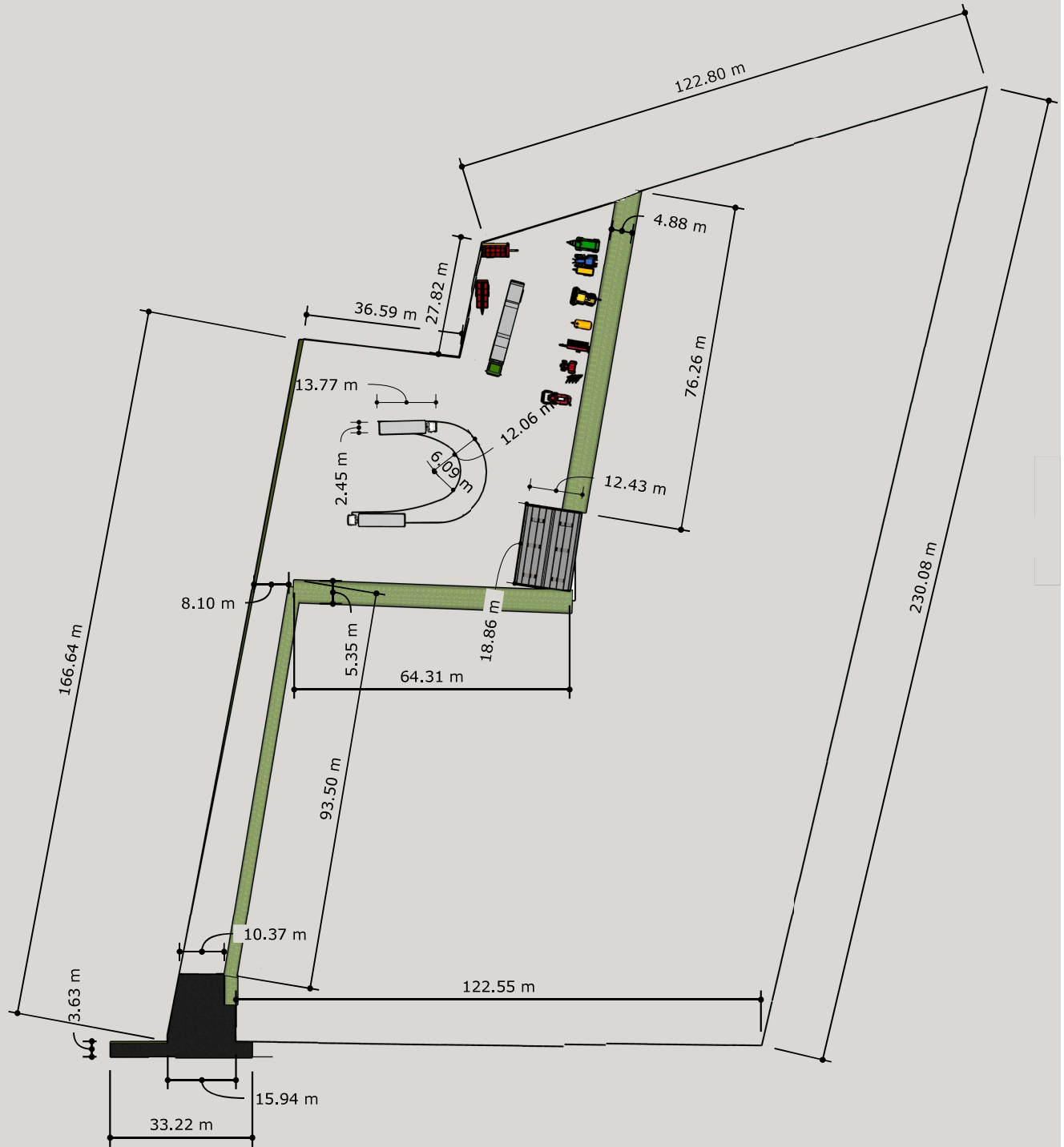
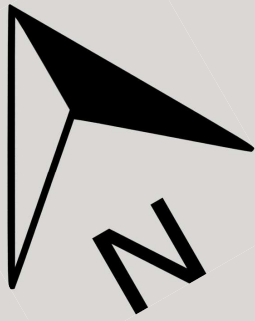
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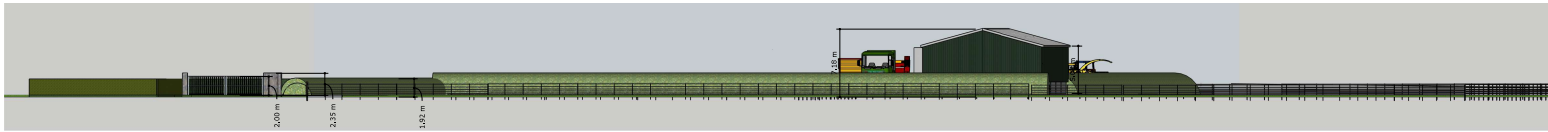


Planning Services UK

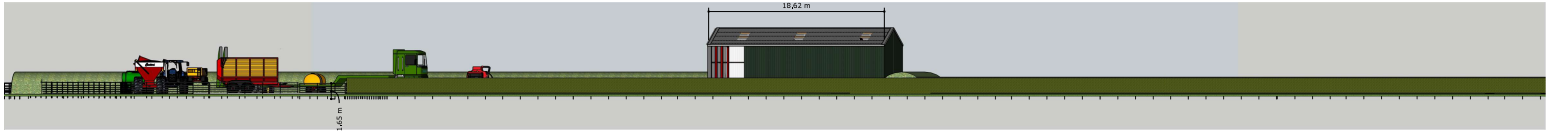


Metres

Scale 1:1000@ A3



South West View



North West View

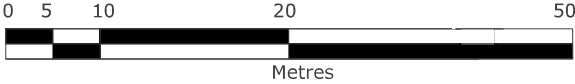


North East View



South East View

Scale 1:200@ A1



Planning and Building Standards

Service Lead – Planning and Building Standards: Craig Iles

Planning Service, County Buildings, Wellington Square, Ayr, KA7 1DR
Tel: [REDACTED]
Email: [REDACTED]
Our Ref: 25/00042/APP
Date: 12 August 2025



Mr Michael McDaid
per Planning Services UK
Thomas Cochrane
37 Dyfrig Street
Shotts
ML7 4DQ

Dear Sir/Madam,

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

PROPOSAL: Erection of agricultural shed and formation of access track and yard (in partial Retrospect)
SITE ADDRESS: Land Adjacent To Dykehead Cottage C53 From A719 Junction At Fiveways House North To Council Boundary North West Of East Mossie Kilmarnock South Ayrshire KA1 5JR

With reference to your Application for Planning Permission, I enclose a copy of the Decision Notice refusing permission. This Decision Notice should be read in conjunction with our [Guidance Note for Planning Decisions](#).

The refused drawings and other documents, where relevant, can be accessed from the [Council's website](#) by using the application reference number noted above. You may find the Report of Handling (otherwise entitled 'Delegated Report') of particular interest, as this sets out an assessment of the application and an explanation for the decision taken.

If you require further information in respect of your decision notice, please contact [REDACTED] by telephoning [REDACTED] or by emailing [REDACTED]

Yours faithfully,

[REDACTED]

Craig Iles
Service Lead – Planning and Building Standards

Encs.

LOCAL DEVELOPMENT

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

Ref No: 25/00042/APP

SOUTH AYRSHIRE COUNCIL

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

**To: Mr Michael McDaid
per Planning Services UK
Thomas Cochrane
37 Dyfrig Street
Shotts
ML7 4DQ**

With reference to your **Application for Planning Permission** dated **11th February 2025**, under the aforementioned Regulations, for the following development, viz:-

Erection of agricultural shed and formation of access track and yard (in partial Retrospect)

at: Land Adjacent To Dykehead Cottage C53 From A719 Junction At Fiveways House North To Council Boundary North West Of East Mosside Kilmarnock South Ayrshire KA1 5JR

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 conflicts with NPF4 Policies 5, 9, 22, 26 and 29, and South Ayrshire Local Development Plan 2 (LDP2) policies Core Principles B1 and B8, Strategic Policies 1 and 2, Business and Industry policy, Development Opportunities policy and Flood and Development policy, by reason that the storage and hire element of the development represents a large-scale commercial use located on unallocated greenfield land in the countryside without appropriate justification, resulting in the loss of agricultural land, significant soil disturbance, and the introduction of an incompatible land use in a rural location.
- (2R) That the development proposal conflicts with NPF4 Policies 13 and 26 and LDP2 policies Strategic Policy 2 and Land Use and Transport policy by reason that the proposed access arrangements do not meet minimum design standards as required by the SCOTS National Roads Development Guide, and the application fails to provide the necessary technical information to demonstrate that the development can be safely accessed by large vehicles, to the detriment of road safety and the function of the local road network.
- (3R) That the development proposal conflicts with NPF4 Policy 22 and LDP2 Flood and Development policy and Delivering Infrastructure policy by reason that no surface water drainage strategy or Sustainable Urban Drainage System (SUDS) has been submitted, and therefore the development fails to demonstrate that surface water can be managed appropriately, increasing the risk of flooding and environmental impact.

- (4R) That the development proposal fails to comply with NPF4 Policy 5 and LDP2 Policy: Agricultural Land, as it has resulted in extensive groundworks and sealing of previously undeveloped land without evidence that soil impacts have been avoided, minimised or justified in terms of agricultural need, resulting in the loss of productive land and environmental harm.
- (5R) That the development proposal conflicts with NPF4 Policies 26 and 29 and LDP2 policies Strategic Policy 2, Core Principle B8, and Air, Noise and Light Pollution policy by reason that the application fails to demonstrate that the scale and nature of the commercial storage and hire operation would not result in unacceptable impacts on rural character or amenity, including through noise, lighting, and vehicle movements associated with the use, contrary to the principles of sustainable rural development.

List of Refused Plans:

Plan Type	Reference	Version No.	Received Date
Drawing	Location Plan (Context)		27.01.2025
Drawing	Location Plan		27.01.2025
Drawing	G01		27.01.2025
Drawing	S01		27.01.2025
Drawing	SP01		27.01.2025
Drawing	V01		27.01.2025
Supporting Information	Biodiversity Statement		27.01.2025
Supporting Information	Planning Statement		27.01.2025
Supporting Information	Business Plan		27.01.2025

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

Dated: 11th August 2025



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

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

NOTICE TO ACCOMPANY REFUSAL OR GRANT OF PERMISSION WITH CONDITIONS

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

- (1) If the applicant is aggrieved by the decision of the Planning Authority to refuse permission for, or grant permission or approval subject to conditions, the applicant may require the Planning Authority to review the case under Section 43A of The Town and Country Planning (Scotland) Act 1997 within **three months** from the date of this notice. Information on how to request a review can be obtained from the address and contact details below.

A Notice of Review can be submitted via the [ePlanning Scotland website](#) . This is the most efficient method to submit a review request.

Alternatively, you can submit a review request via paper form addressed to:

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

T: [REDACTED]
E: [REDACTED]
W: www.south-ayrshire.gov.uk

- (2) If permission to develop land is refused or granted subject to conditions, the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, the owner of the land may serve on the Planning Authority a purchase notice requiring the purchase of his interest in the land in accordance with Part 5 of The Town and Country Planning (Scotland) Act 1997.
- (3) In certain circumstances, a claim may be made against the Planning Authority for compensation, where permission is refused or granted, subject to conditions by the Scottish Ministers. The circumstances in which such compensation is payable are set out in Section 77 of The Town and Country Planning (Scotland) Act 1997.
- (4) Where permission is being granted in respect of any building or premises which are open to the public, attention is hereby drawn to the applicant's duty, in terms of Sections 4, 5, and 7 to 8A of The Chronically Sick and Disabled Persons Act 1970, to include, where reasonable and practicable provision for the needs of the disabled. (Ref. Section 45 of The Town and Country Planning (Scotland) Act 1997).

Attention is also drawn to The Equality Act 2010 which may impose further obligations on developments.



Contact: [REDACTED]

ARA Case Officer: [REDACTED]

Planning Case Officer: [REDACTED]

Planning Application No: 25/00042/APP

Location: Land Adjacent To Dykehead Cottage C53 From A719 Junction At Fiveways House North To Council Boundary North West Of East Mosside Kilmarnock South Ayrshire KA1 5JR

Date Received: 31/01/2025

Date Returned: 21/03/2025

Recommendation: Refuse

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):

Reason for refusal: road safety.

The supporting information accompanying this application fails to demonstrate that the junction would fully satisfy the standards for a new access junction onto a public road, as set out within the SCOTS National Roads Development Guide, as adopted by Council.

This point was previously a sporadically used gated field access - therefore we do not consider that this should be treated as the upgrade of an existing access junction. From ARA's perspective this is the formation of a new junction onto the public road network, and as such supporting information requires to demonstrate that all relevant standards associated with its construction can be achieved.

The details currently missing includes geometric design of an appropriate bellmouth design (access width, corner radii, confirmation of achievable visibility splays, and vehicle swept paths of the largest types of vehicles anticipated to be using the access) and details of the construction detail of the access as it meets the adjacent public road.

Also missing from the supporting information is any detail on the anticipated volume and classification of traffic that would be entering and leaving the adjacent public road network from this proposed access.

In particular, as the proposals appear to include agricultural equipment rental, this introduces the possibility of slow-moving vehicles turning onto a public road – depending on detail this may require the submission of a scheme of additional warning signage on the public road to provide sufficient advanced warning to other road users of slow moving/ turning vehicles on a road subject to the national speed limit. It is the applicant's responsibility to propose appropriate measures to mitigate the impacts of development proposals.

From: [REDACTED]
Sent: Tuesday, October 28, 2025 11:50 AM
To: Local Review Body [REDACTED]
Subject: [OFFICIAL]LRB item - 25/00042/APP

Official

Good morning,

Please find attached the ARA's further detail including a review of the relevant portion of the appeal statement.

Kind regards,

[REDACTED]

[REDACTED]

[REDACTED]

Ayrshire Roads Alliance

Website www.ayrshireroadsalliance.org





On Behalf of South Ayrshire Council
A response from ARA Development Control

Local Review Body Response

ARA Case Officer: ■■■

Planning Application No: 25/00042/APP

Location: Land Adjacent To Dykehead Cottage C53 From A719 Junction At Fiveways House North To Council Boundary North West Of East Mosside Kilmarnock South Ayrshire KA1 5JR

Issue Date: 28/10/2025

ARA Position:

Detail:	ARA Comment:
ARA Planning Application Recommendation?	Refuse
ARA Local Review Body Recommendation?	Recommendation Unchanged
Recommendation to add/ amend/ remove Planning Conditions within ARA response?	No Changes Sought

Further Comments (as required):

The Appeal statement contains the following in relation to road safety and access concerns:

“Road safety / access concerns”

Concerns were raised regarding the adequacy of the access arrangements. It is important to note that the proposal improves an existing farm access rather than creating a wholly new junction. The access road is constructed from porous materials, which reduce surface water run-off and assist with site drainage. Supporting Statement – Notice of Review While the delegated report highlights the absence of detailed technical drawings (such as visibility splays and swept paths), these are matters that can readily be addressed and conditioned. It is common practice across Ayrshire for farm and rural businesses to operate from similar road networks. NPF4 Policy 13 supports safe, proportionate rural access, and there is no reason to conclude that this proposal poses an unacceptable risk to road safety.

For the avoidance of doubt, the ARA have not raised concerns relating to the adequacy of the access arrangements, we have highlighted that this has been constructed without any form of permission, and without any design detail having been submitted for review. In the absence of any supporting detail in relation to the access geometry, construction make-up, or achievable visibility splays, we have no option other than to work on the assumption that it is sub-standard.

We strongly disagree with the statement that the works as undertaken represent the continued use of a field access for agricultural purposes – a new bellmouth junction has been created onto the public road network at a point where a gated field access was previously sited. The development proposals include various land uses including an agricultural plant hire business – this is not the same as maintaining occasional access to an agricultural field by a gated access. The view of the ARA is that given the anticipated intensification of use, and what has been constructed, this should be defined as a new bellmouth junction onto the public road as opposed to the ongoing use of a gated field access.

We would highlight that the access junction onto the C53 has been constructed without either planning permission or the granting of a Road Opening Permit from ARA. Section 56 of the Roads (Scotland) Act 1984 stipulates that a developer working on or adjacent to the public road without the written permission of the Roads Authority commits an offence.

With regards to the drainage arrangements at the access – we have not received any construction drawings demonstrating how the discharge of water from the access road is being prevented from running onto the adjacent public road. We would also highlight that the appeal statement suggests the construction “reduces water run-off” – we would highlight that in the formation of a new access onto the public road it is the developer’s responsibility to prevent discharge of water onto the road by drainage or other means. The limited assurances provided within the appeal statement do not meet our requirements, and without construction drawings we are unable to offer any further comment other than to maintain our objection at this time.

The appeal statement also states that the absence of detailed technical drawings (such as visibility splays and swept paths) are matters that can readily be addressed and conditioned. We disagree with this statement. Vehicle swept path analysis and visibility splay requirements are fundamental aspects to demonstrating that a junction is fit for purpose. The ARA will only condition visibility splays in circumstances where supporting information is submitted that demonstrates that an appropriate visibility splay can be achieved, and subject to this being confirmed prior to junction use. The ARA, and by extension Council, should not be expected to take on the risk in this matter – this junction has been constructed without permission and until acceptable supporting information is submitted for review by ARA, our position will remain a strong objection to the proposals.

The appeal statement concludes “there is no reason to conclude that this proposal poses an unacceptable risk to road safety”. Given we have received no design drawings, no swept path analysis drawings, and no confirmation of visibility splays, we would strongly disagree with this statement. Without this detail we would suggest that it is impossible for anyone to reach such a conclusion.

In conclusion, the ARA maintains a strong objection to the proposals.



















Case Officer Notes

1. Site Visit 12 March 2024.jpg

Initial site visit reveals substantial unauthorised engineering works to the land, widening/creation of access from the classified road (C53), removal of soil and compacting of aggregate material deposits to create a road into the site. Advised machine operative and site owner/applicant by mobile telephone that works should cease as they require the benefit of planning permission.

2. Site Visit 21 March 2024 (1).jpg

Second site visit shows further material deposit at access with the C53 and the erection of gates.

2. Site Visit 21 March 2024 (2).jpg

Photograph reveals the extent of unauthorised engineering works within the site the site.

2. Site Visit 21 March 2024 (3).jpg

Photograph reveals the extent of unauthorised engineering works still to be completed within the site the site.

2. Site Visit 21 March 2024 (4).jpg

Reports/complaints suggested that a water connection had been taken from an adjacent site. Photograph shows a water connection within the site and works to the C53 to establish the connection. Scottish Water stated, "According to our records there is no public Scottish Water, Waste Water infrastructure within the vicinity of this proposed development therefore we would advise applicant to investigate private treatment options for any additional surface water."

2. Site Visit 21 March 2024 (5).jpg

Photograph showing drainage works adjacent to the C53.

3. Site Visit 2 Sept 2024 (1).jpg

Photograph showing the unauthorised site access (southbound on the C53) and the unauthorised re-siting of the Council boundary road sign.

3. Site Visit 2 Sept 2024 (2).jpg

Wider photograph showing the extent of the unauthorised site access (northbound on the C53), water connection, works to the C53 and re-siting of the Council boundary road sign.

4. Site Visit 22 November.jpg

Contextual photograph from 4th site visit showing a lorry (destined for a nearby site) and a small car parked at the site access with the C53 (looking southbound).

Summary:

The above notes are intended to provide some context to the attached photographs taken over the course of approximately 8 months of investigation by and engagement from the Planning Enforcement team. There is no ambiguity in the location of the site in relation to these photographs. The site address as detailed in the Planning Enforcement Notice (which took effect on 27 January 2025) is taken from the Land Registry and corresponds with the site shown in the attached photographs. That address is the same as those submitted by the applicant/agent for the withdrawn Prior Notification (ref: 24/00581/PNF) and the planning application (ref: 25/00042/APP) currently under appeal to the Local Review Body.

Case officer
November 2025.

Chief Executives Office

Service Lead - Legal and Licensing: Karen Briggs



County Buildings, Wellington Square, Ayr KA7 1DR

LP-32 AYR

Tel: [REDACTED]

Email: [REDACTED]

Our Ref: [REDACTED] Your Ref: [REDACTED]

Date: 12th December 2025

If phoning or calling ask for [REDACTED]

JMD Plant Hire Ltd
8 Queen Street
Londonderry
BT48 7EF

Dear Sirs

Town & Country Planning (Scotland) Act 1997, as amended by the Planning etc (Scotland) Act 2006
Planning Enforcement Notice - East Mosside Farm Fiveways, Hurlford, Kilmarnock, KA1 5JR - AYR72537

I have been instructed by the Council's Service Lead - Planning and Building Standards to serve an Enforcement Notice on you in your capacity as owner of the above premises. I accordingly enclose a formal Notice in respect of contraventions of the above Acts at the premises. The Notice takes effect on 27th January 2025 with a 90 day period thereafter for compliance.

I have to inform you that failure to comply with the terms of the Notice will result in implementation of the available statutory remedies. The Council's Enforcement staff will continue to monitor the position.

If you have any doubts as to what you are required to do in terms of the Notice, you should get in touch immediately with the Council's Compliance Supervisor, [REDACTED] Planning Service, Housing, Operations and Development Directorate, County Buildings, Wellington Square, Ayr, KA7 1DR [REDACTED]

Yours faithfully

[REDACTED]

[REDACTED]

Solicitor

Enc

Chief Executives Office

Service Lead - Legal and Licensing: Karen Briggs



County Buildings, Wellington Square, Ayr KA7 1DR
LP-32 AYR

Tel: [REDACTED]
Email: [REDACTED]
Our Ref: [REDACTED] Your Ref: [REDACTED]
Date: 12th December 2025
If phoning or calling ask for [REDACTED]

Mr Micheal McDaid
JMD Plant Hire Ltd
10 Drumkeen Park
Londonderry
BT48 0SA

Dear Sirs

Town & Country Planning (Scotland) Act 1997, as amended by the Planning etc (Scotland) Act 2006
Planning Enforcement Notice - East Mossie Farm Fiveways, Hurlford, Kilmarnock, KA1 5JR - AYR72537

I have been instructed by the Council's Service Lead - Planning and Building Standards to serve an Enforcement Notice on you in your capacity as occupier of the above premises. I accordingly enclose a formal Notice in respect of contraventions of the above Acts at the premises. The Notice takes effect on 27th January 2025 with a 90 day period thereafter for compliance.

I have to inform you that failure to comply with the terms of the Notice will result in implementation of the available statutory remedies. The Council's Enforcement staff will continue to monitor the position.

If you have any doubts as to what you are required to do in terms of the Notice, you should get in touch immediately with the Council's Compliance Supervisor, [REDACTED] Planning Service, Housing, Operations and Development Directorate, County Buildings, Wellington Square, Ayr, KA7 1DR [REDACTED]

Yours faithfully

[REDACTED]

[REDACTED]

Solicitor

Enc

IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997

ENFORCEMENT NOTICE

ISSUED BY: SOUTH AYRSHIRE COUNCIL ("the Council")

1. **THIS IS A FORMAL NOTICE** which is issued by South Ayrshire Council because it appears to them that there has been a breach of planning control, under Section 127 of the Town and Country Planning (Scotland) Act 1997, as amended, at the land described in Section 2 of this Notice below. South Ayrshire Council consider that it is expedient to issue this Notice, having regard to the provisions of the development plan and to other material planning considerations.

2. **THE LAND AFFECTED**

The land to which the notice relates is registered as East Mosside Farm, Fiveways, Hurlford, Kilmarnock KA1 5JR. The land is accessed from the C53 road. The land is shown outlined in red on the attached extract from the Ordnance Survey Map Reference NS 245864 632829 (Scale 1:2,500) annexed and executed as relative hereto.

3. **THE BREACH OF PLANNING CONTROL ALLEGED**

The contravention is in respect of development consisting of the alteration and widening of an access from the C53 road, earthworks including the redistribution of soil, siting of soil and aggregate material deposits, formation of an area of compacted hardstanding, installation of underground pipe infrastructure and erection of gates and associated posts. The works outlined above constitute development as defined under Section 26 of the Town and Country Planning (Scotland) Act 1997.

Planning permission has not been obtained for the works and consequently the development is unauthorised and constitutes a breach of the above Act.

The works are not permitted by any of the classes of permitted development contained within the Town and Country Planning (General Permitted Development) (Scotland) Order 1992.

Site visits of the land affected were carried out by South Ayrshire Council Planning Enforcement Officers on the undernoted dates. The visits established the breach of planning control as described above.

12 March 2024
21 March 2024
2 September 2024
22 November 2024

Photographs were taken at the locus on each occasion. Images were also downloaded from open-source data which evidence the condition of the locus prior to the unauthorised development. Said photographs and images are attached and annexed and executed as relative hereto and marked "Photograph 1", "Photograph 2", "Photograph 3", "Photograph 4", "Photograph 5", "Photograph 6", "Photograph 7", "Photograph 8", "Photograph 9", "Photograph 10", "Photograph 11", "Image 1" and "Image 2".

4. **REASONS FOR ISSUING THIS NOTICE**

The Council has received complaints from members of the public about works being undertaken at the land affected on 11 March 2024. Following visits by the Council to the land affected it was determined that a breach of planning control has occurred as described in Section 3 of this Notice above. Evidence obtained from open-source data confirmed that the land affected was previously an undeveloped grassed field with an associated gate for access. The works that

have been undertaken constitute development as defined under Section 26 of the Town and Country Planning (Scotland) Act 1997. Planning permission has not been obtained for the works and consequently the development is unauthorised and constitutes a breach of the above Act.

The works are not permitted by any of the classes of permitted development contained within the Town and Country Planning (General Permitted Development) (Scotland) Order 1992.

A Land Registry search was completed on the 4 June 2024 which confirmed that the title is land registered, as follows:

East Mosside Farm Fiveways, Hurlford, Kilmarnock, KA1 5JR - AYR72537
Registered owner – JMD Plant Hire Limited having a registered office at 8 Queen Street, Londonderry BT48 7EF.

The occupier of the site is believed to be:

Micheal McDaid
JMD Plant Hire Ltd
10 Drumkeen Park
Londonderry
BT48 0SA

Following this, the Council contacted the owner/occupier and an agent acting on their behalf (Planning Services UK, The Circle, Westerwood Business Park, 69-71 Aberdalgie Road, Glasgow, G34 9HJ) on numerous occasions to advise that the development that had been undertaken was unauthorised. No steps have been taken to cease or remedy the unauthorised works and no application for planning permission has been submitted for consideration by the Council.

The unauthorised development is unacceptable to the Council as it has an adverse visual impact on the character and appearance of the rural location and could potentially have a detrimental impact on the road network by virtue of increased traffic movements and frequency.

5. **WHAT YOU ARE REQUIRED TO DO**

In order to remedy the breach of planning control in terms of Town and Country Planning (Scotland) Act 1997 the following action requires to be taken:

1. You are required to cease the works and operations specified in Section 3 of this Notice, and thereafter;
2. Remove the hardstanding including compacted aggregate material deposits
3. Remove the underground pipe infrastructure that has been installed
4. Remove the gates and posts
5. Re-distribute soil and spread grass seed over the land affected to reinstate the former appearance of the grassed field
6. Reinstate the access to the C53 road to its former appearance. This would not preclude the reinstatement of the former field access gate or similar

Time for compliance: Within 90 days from the date this Notice takes effect.

6. **WHEN THIS NOTICE TAKES EFFECT**

This Notice takes effect on 27th January 2025 unless an appeal is made against it beforehand.

7. YOUR RIGHT OF APPEAL

You can appeal against this Notice, but any appeal must be received, or posted in time to be received, by the Scottish Ministers before 27th January 2025. Schedule 1 to this Notice gives information on your rights of appeal. Read it carefully.

8. WHAT HAPPENS IF YOU DO NOT APPEAL

If you do not appeal against this Enforcement Notice, it will take effect on 27th January 2025 and you must then ensure that the required steps for complying with it, for which you may be held responsible, are taken within the period specified in the Notice. Failure to comply with an Enforcement Notice which has taken effect can result in prosecution and/or remedial action by the Council. You may be issued with a Fixed Penalty Notice for the sum of £2,000.00.

Dated:

12.12.24

Signed

Karen Briggs
Service Lead - Legal and Licensing,
South Ayrshire Council,
County Buildings,
Wellington Square,
Ayr KA7 1DR.

SCHEDULE 1

Explanatory note for those in receipt of an Enforcement Notice

Relevant Legislation

The text of Sections 123 to 136A inclusive of the Town and Country Planning (Scotland) Act 1997, as amended, is attached. You will wish to note in particular the points referred to below.

Right of Appeal

If you wish to appeal against this Notice, you should write to Planning and Environmental Appeals Division, Scottish Government, Ground Floor, Hadrian House, Callendar Business Park, Callendar Road, Falkirk FK1 1XR.) You can also submit your appeal via email to [REDACTED] or use the eplanning portal which can be accessed via <https://www.eplanning.scot>. The appeal must be received, via email or the portal, or posted in time to be received, by them before 27th January 2025. The Scottish Ministers have no power to consider an appeal lodged out of time.

The appeal, which must be made in writing, must be based on one or more of the grounds set out in Section 130 of the 1997 Act, and you should state the facts on which you propose to rely in support of each of the grounds of the appeal. The ground of appeal and the statement of facts must be submitted with your appeal or within 14 days of your being required to do so by the Scottish Ministers.

If you lodge an appeal, the Enforcement Notice is suspended and will not take effect unless the appeal is withdrawn or dismissed.

Penalties for Non-Compliance with an Enforcement Notice

Where an Enforcement Notice requires the discontinuance of a use of land or compliance, in respect of a use of land or the carrying out of operations, with any conditions or limitations, then any person who, without the grant of planning permission uses the land or causes or permits it to be used, or carries out those operations or causes or permits them to be carried out, is guilty of an offence and liable on summary conviction to a fine not exceeding £50,000 or on conviction on indictment to an unlimited fine. Furthermore, if the use is continued after conviction the person may be convicted of a second or subsequent offence.

Fixed Penalty Notice

If the steps required by an Enforcement Notice are not taken within the specified period(s) the Council may, in terms of Section 136A of the 1997 Act, as amended, issue you with a Fixed Penalty Notice, offering you the opportunity to discharge liability for prosecution for the offence by paying a fixed penalty of £2,000.00 within 30 days of issue of the notice. Payment of the fixed penalty within 15 days of the date of issue reduces the amount payable by 25%.

Direct Action for Non-Compliance with an Enforcement Notice

If the steps required by an Enforcement Notice are not taken within the specified period(s) the Council may enter on the land, take those steps and recover the cost from the owner or lessee of the land.

Further Offences

Compliance with the terms of an Enforcement Notice does not discharge the Notice. It will continue in effect and any repetition of the breach of control may incur further penalties or may result in direct action by the Council.

APPENDIX

SECTIONS 123 -136A OF THE TOWN AND COUNTRY PLANNING
(SCOTLAND) ACT 1997 (AS AMENDED)

Expressions used in connection with enforcement	<p>123.-(1) For the purposes of this Act-</p> <p>(a) carrying out development without the required planning permission, or</p> <p>(b) failing to comply with any condition or limitation subject to which planning permission has been granted, or constitutes a breach of planning control.</p> <p>(c) initiating development without giving notice in accordance with Section 27A (1) of this Act or</p> <p>(d) carrying out development without displaying a notice in accordance with Section 27C (1) of this Act</p> <p>(2) For the purposes of this Act -</p> <p>(a) the issue of an enforcement notice, or</p> <p>(b) the service of a breach of condition notice,</p> <p>under this Part constitutes taking enforcement action as does the issuing of a notice under Section 33A.</p> <p>(3) In this Part "planning permission" includes planning permission under Part III of the 1947 Act and Part III of the 1972 Act.</p>
Time limits	<p>124. (1) Where there has been a breach of planning control consisting in the carrying out without planning permission of building, engineering, mining or other operations in, on, over or under land, no enforcement action may be taken after the end of the period of 4 years beginning with the date on which the operations were substantially completed.</p> <p>(2) Where there has been a breach of planning control consisting in the change of use of any building to use as a single dwellinghouse, no enforcement action may be taken after the end of the period of 4 years beginning with the date of the breach.</p> <p>(3) In the case of any other breach of planning control, no enforcement action may be taken after the end of the period of 10 years beginning with the date of the breach</p> <p>(4) Subsections (1) to (3) do not prevent -</p> <p>(a) the service of a breach of condition notice in respect of any breach of planning control if an enforcement notice in respect of the breach is in effect, or</p> <p>(b) taking further enforcement action in respect of any breach of planning control if, during the period of 4 years ending with that action being taken, the planning authority have taken or purported to take enforcement action in respect of that breach.</p>
Power to require information about activities on land	<p>125. (1) Where it appears to the planning authority that there may have been a breach of planning control in respect of any land, they may serve notice to that effect (referred to in this Act as a "planning contravention notice") on any person who</p>

- (a) is the owner or occupier of the land or has any other interests in it, or
 - (b) is carrying out operations on the land or is using it for any purpose.
- (2) A planning contravention notice may require the person on whom it is served to give such information as to -
- (a) any operations being carried out on the land, any use of the land and any other activities being carried out on the land, and
 - (b) any matter relating to the conditions or limitations subject to which any planning permission in respect of the land has been granted,
- as may be specified in the notice.
- (3) Without prejudice to the generality of subsection (2), the notice may require the person on whom it is served, so far as he is able -
- (a) to state whether or not the land is being used for any purpose specified in the notice or any operations or activities specified in the notice are being or have been carried out on the land;
 - (b) to state when any use, operations or activities began;
 - (c) to give the name and postal address of any person known to him to use or have used the land for any purpose or to be carrying out, or have carried out, any operations or activities on the land;
 - (d) to give any information he holds as to any planning permission for any use or operations or any reason for planning permission not being required for any use or operation;
 - (e) to state the nature of his interest (if any) in the land and the name and postal address of any other person known to him to have an interest in the land.
- (4) A planning contravention notice may give notice of a time and place at which -
- (a) any offer which the person on whom the notice is served may wish to make to apply for planning permission, to refrain from carrying out any operations or activities or to undertake remedial works, and
 - (b) any representations which he may wish to make about the notice,
- will be considered by the authority, and the authority shall give him an opportunity to make in person any such offer or representations at that time and place.
- (5) A planning contravention notice must inform the person on whom it is served -
- (a) of the likely consequences of his failing to respond to the notice and, in particular, that enforcement action may be taken, and
 - (b) of the effect of section 143(6).
- (6) Any requirement of a planning contravention notice shall be complied with by giving information in writing to the planning authority.
- (7) The service of a planning contravention notice does not affect any other power exercisable in respect of any breach of planning control.

- (8) In this section references to operations or activities on land include operations or activities in, under or over the land.

Penalties for non-compliance with planning contravention notice.

- 126.** (1) If at any time after the end of the period of 21 days beginning with the day on which a planning contravention notice has been served on any person, he has not complied with any requirement of the notice, he shall be guilty of an offence.
- (2) An offence under subsection (1) may be charged by reference to any day or longer period of time and a person may be convicted of a second or subsequent offence under that subsection by reference to any period of time following the preceding conviction for such an offence.
- (3) It shall be a defence for a person charged with an offence under subsection (1) to prove that he had a reasonable excuse for failing to comply with the requirement.
- (4) A person guilty of an offence under subsection (1) shall be liable on summary conviction to a fine not exceeding level 5 on the standard scale.
- (5) If any person -
- (a) makes any statement purporting to comply with a requirement of a planning contravention notice which he knows to be false or misleading in a material particular, or
- (b) recklessly makes such a statement which is false or misleading in a material particular,
- he shall be guilty of an offence.
- (6) A person guilty of an offence under subsection (5) shall be liable on summary conviction to a fine not exceeding level 5 on the standard scale.

Issue of enforcement notice

- 127.** (1) The planning authority may issue a notice (in this Act referred to as an "enforcement notice") where it appears to them -
- (a) that there has been a breach of planning control, and
- (b) that it is expedient to issue the notice, having regard to the provisions of the development plan and to any other material considerations
- (2) A copy of an enforcement notice shall be served-
- (a) on the owner and on the occupier of the land to which it relates, and
- (b) on any other person having an interest in the land, being an interest which, in the opinion of the authority, is materially affected by the notice.
- (3) The service of the notice shall take place -
- (a) not more than 28 days after its date of issue, and
- (b) not less than 28 days before the date specified in it as the date on which it is to take effect.

Contents and effect of notice

- 128.** (1) An enforcement notice shall state-
- (a) the matters which appear to the planning authority to constitute the breach of planning control, and
- (b)/

- (b) the paragraph of section 123(1) within which, in the opinion of the authority, the breach falls.
- (2) A notice complies with subsection (1)(a) if it enables any person on whom a copy of it is served to know what those matters are.
- (3) An enforcement notice shall specify the steps which the authority require to be taken, or the activities which the authority require to cease, in order to achieve, wholly or partly, any of the following purposes.
- (4) Those purposes are -
 - (a) remedying the breach by making any development comply with the terms (including conditions and limitations) of any planning permission which has been granted in respect of the land by discontinuing any use of the land or by restoring the land to its condition before the breach took place; or
 - (b) remedying any injury to amenity which has been caused by the breach.
- (5) An enforcement notice may, for example, require -
 - (a) the alteration or removal of any buildings or works,
 - (b) the carrying out of any building or other operations,
 - (c) any activity on the land not to be carried on except to the extent specified in the notice, or
 - (d) the contour of a deposit of refuse or waste materials on land to be modified by altering the gradient or gradients of its sides.
- (6) An enforcement notice issued in respect of a breach of planning control consisting of demolition of a building may require the construction of a building (in this section referred to as a "replacement building") which, subject to subsection (7), is as similar as possible to the demolished building.
- (7) A replacement building -
 - (a) must comply with any requirement imposed by or under any enactment applicable to the construction of buildings,
 - (b) may differ from the demolished building in any respect which, if the demolished building had been altered in that respect, would not have constituted a breach of planning control, and
 - (c) must comply with any regulations made for the purposes of this subsection (including regulations modifying paragraphs (a) and (b) of this subsection).
- (8) An enforcement notice shall specify the date on which it is to take effect and, subject to section 131(3), shall take effect on that date.
- (9) An enforcement notice shall specify the period for compliance with the notice at the end of which any steps are required to have been taken or any activities are required to have ceased, and may specify different periods for different steps or activities.
- (10)/

- (10) Where different periods apply to different steps or activities, references in this Part to the period for compliance with an enforcement notice, in relation to any step or activity, are to the period at the end of which the step is required to have been taken or the activity is required to have ceased.
- (11) An enforcement notice shall specify such additional matters as may be prescribed.
- (12) Regulations may require every copy of an enforcement notice served under section 127 to be accompanied by an explanatory note giving prescribed information as to the right of appeal under section 130.
- (13) Where -
 - (a) an enforcement notice in respect of any breach of planning control could have required any buildings or works to be removed or any activity to cease, but does not do so, and
 - (b) all the requirements of the notice have been complied with, then, so far as the notice did not so require, planning permission shall be treated as having been granted under section 33 in respect of development consisting of the construction of the buildings or works or, as the case may be, the carrying out of the activities.
- (14) Where -
 - (a) an enforcement notice requires the construction of a replacement building, and
 - (b) all the requirements of the notice with respect to that construction have been complied with,

planning permission shall be treated as having been granted under section 33 in respect of development consisting of that construction.

Variation and withdrawal of enforcement notice

- 129.** (1) The planning authority may-
- (a) withdraw an enforcement notice issued by them, or
 - (b) waive or relax any requirement of such a notice and, in particular, may extend any period specified in accordance with section 128(9).
- (2) The powers conferred by subsection (1) may be exercised whether or not the notice has taken effect.
- (3) The planning authority shall, immediately after exercising the powers conferred by subsection (1), give notice of the exercise to every person who has been served with a copy of the enforcement notice or would, if the notice were reissued, be served with a copy of it.
- (4) The withdrawal of an enforcement notice does not affect the power of the planning authority to issue a further enforcement notice.

Appeal against enforcement notice

- 130.** (1) A person on whom an enforcement notice is served or any other person having an interest in the land may, at any time before the date specified in the notice as the date on which it is to take effect, appeal to Scottish Ministers against the notice on any of the following grounds-
- (b) that the matters which, by virtue of section 128(1)(a) have been stated in the notice those matters have not occurred;
 - (c)/

- (c) that those matters (if they occurred) do not constitute a breach of planning control;
 - (d) that, at the date when the notice was issued, no enforcement action could be taken in respect of any breach of planning control which may be constituted by those matters;
 - (e) that copies of the enforcement notice were not served as required by section 127;
 - (f) that the steps required by the notice to be taken, or the activities required by the notice to cease, exceed what is necessary to remedy any breach of planning control which may be constituted by those matters or, as the case may be, to remedy any injury to amenity which has been caused by any such breach;
 - (g) that any period specified in the notice in accordance with section 128(9) falls short of what should reasonably be allowed.
- (2) An appeal under this section shall be made -
- (a) by giving written notice of the appeal to Scottish Ministers before the date specified in the enforcement notice as the date on which it is to take effect;
 - (b) by sending such notice to them in a properly addressed and prepaid letter posted to them at such time that, in the ordinary course of post, it would be delivered to them before that date; or
 - (c) by sending such notice to them using electronic communications at such time that, in the ordinary course of transmission, it would be delivered to them before that date.
- (3) A person who gives notice under subsection (2) shall submit to Scottish Ministers, either when giving the notice or within the prescribed time, a statement in writing-
- (a) specifying the grounds on which he is appealing against the enforcement notice, and
 - (b) giving such further information as may be prescribed.

Appeals:
supplementary
provisions

- 131.** (1) Scottish Ministers may by regulations prescribe the procedure which is to be followed on appeals under section 130 and, in particular, but without prejudice to the generality of the foregoing provisions of this subsection, in so prescribing may-
- (a) specify the matters on which information is to be given in a statement under section 130(3);
 - (b) require the planning authority to submit, within such time as may be specified, a statement indicating the submissions which they propose to put forward on the appeal;
 - (c) specify the matters to be included in such a statement;
 - (d) require the authority or the appellant to give such notice of an appeal as may be specified to such persons as may be specified;
 - (e) require the authority to send to Scottish Ministers, within such period from the date of the bringing of the appeal as may be specified, a copy of the enforcement notice and a list of the persons served with copies of it.

General provisions relating to determination of appeals

- (3) Where an appeal is brought under section 130 the enforcement notice shall be of no effect pending the final determination or the withdrawal of the appeal.
- (4) Schedule 4 applies to appeals under section 130, including appeals under that section as applied by regulations under any other provisions of this Act.

- 132.** (1) On the determination of an appeal under section 130, Scottish Ministers shall give directions for giving effect to the determination, including, where appropriate, directions for quashing the enforcement notice.
- (2) On such an appeal Scottish Ministers may-
- (a) correct any defect, error or misdescription in the enforcement notice, or
 - (b) vary the terms of the enforcement notice,
- if they are satisfied that the correction or variation will not cause injustice to the appellant or the planning authority.
- (3) Scottish Ministers may-
- (a) dismiss an appeal if the appellant fails to comply with section 130(3) within the prescribed time, and
 - (b) allow an appeal and quash the enforcement notice if the planning authority fail to comply with any requirement imposed by virtue of paragraph (b), (c) or (e) of section 131(1).
- (4) Where it would otherwise be a ground for determining an appeal in favour of the appellant that a person required by section 127(2) to be served with a copy of the enforcement notice was not served, Scottish Ministers may disregard that fact if neither the appellant nor that person has been substantially prejudiced by the failure to serve him.

Grant or modification of planning permission on appeal against enforcement notice.

- 133.** (1) On the determination of an appeal under section 130, Scottish Ministers may –
- (d) determine whether on the date on which the appeal was made, any existing use of the land was lawful, any operations which had been carried out in, on, over or under the land were lawful or any matter constituting a failure to comply with any condition or limitation subject to which the permission was granted was lawful and, if so, issue a certificate under section 150.
- (2) The provisions of sections 150 to 153 mentioned in subsection (3) shall apply for the purposes of subsection (1)(d) as they apply for the purposes of section 150, but as if-
- (a) any reference to an application for a certificate were a reference to the appeal and any reference to the date of such an application were a reference to the date on which the appeal is made, and
 - (b) references to the planning authority were references to Scottish Ministers.
- (3) Those provisions are sections 150(5) to (7), 152(4) (so far as it relates to the form of the certificate), (6) and (7) and 153.

134./

Validity of enforcement notices.

134. The validity of an enforcement notice shall not be questioned in any proceedings whatsoever on any of the grounds specified in section 130(1)(b) to (e) except by appeal under that section.

Execution and cost of works required by enforcement notice

- 135.** (1) If any steps which are required by an enforcement notice to be taken have not been taken within the compliance period, the planning authority may-
- (a) enter the land and take those steps, and
 - (b) recover from the person who is then the owner or lessee of the land any expenses reasonably incurred by them in doing so.
- (2) If that person did not appeal to Scottish Ministers although entitled to do so, he shall not be entitled to dispute the validity of the action taken by the planning authority under subsection (1) in accordance with the enforcement notice.
- (3) In computing the amount of the expenses which may be recovered by them under subsection (1), a planning authority may include in that amount such proportion of their administrative expenses as seems to them to be appropriate.
- (4) Where a copy of an enforcement notice has been served in respect of any breach of planning control-
- (a) any expenses incurred by the owner, lessee or occupier of any land for the purpose of complying with the notice, and
 - (b) any sums paid by the owner or lessee of any land under subsection (1) in respect of expenses incurred by the planning authority in taking steps required by such a notice to be taken,
- shall be recoverable from the person by whom the breach of planning control was committed.
- (5) If on a complaint by the owner of any land it appears to the sheriff that the occupier of the land is preventing the owner from carrying out work required to be carried out by an enforcement notice, the sheriff may by warrant authorise the owner to go on to the land and carry out that work.
- (6) A planning authority taking steps under subsection (1) may sell any materials removed by them from the land unless those materials are claimed by the owner within 3 days of their removal.
- (7) After any such sale the planning authority shall pay the proceeds to the owner less the expenses recoverable by them from him
- (8) Where a planning authority seek, under subsection (1), to recover any expenses from a person on the basis that he is the owner of any land, and such person proves that-
- (a) he is receiving the rent in respect of that land merely as trustee, tutor, curator, factor or agent of some other person, and
 - (b) he has not, and since the date of the service on him of the demand for payment has not had, in his hands on behalf of that other person sufficient money to discharge the whole demand of the authority,
- his liability shall be limited to the total amount of the money which he has or has had in his hands on behalf of that other person.
- (9)/

- (9) A planning authority who by reason of subsection (8) have not recovered the whole of any such expenses from a trustee, tutor, curator, factor or agent may recover any unpaid balance from the person on whose behalf the rent is received.
- (10) Any person who wilfully obstructs a person acting in the exercise of powers under subsection (1) shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 3 on the standard scale
- (11) In this section and in sections 136, 136A, 140 and 141 any reference to the compliance period, in relation to an enforcement notice, is a reference to the period specified in the notice for compliance with it or such extended period as the planning authority may allow for compliance with it.

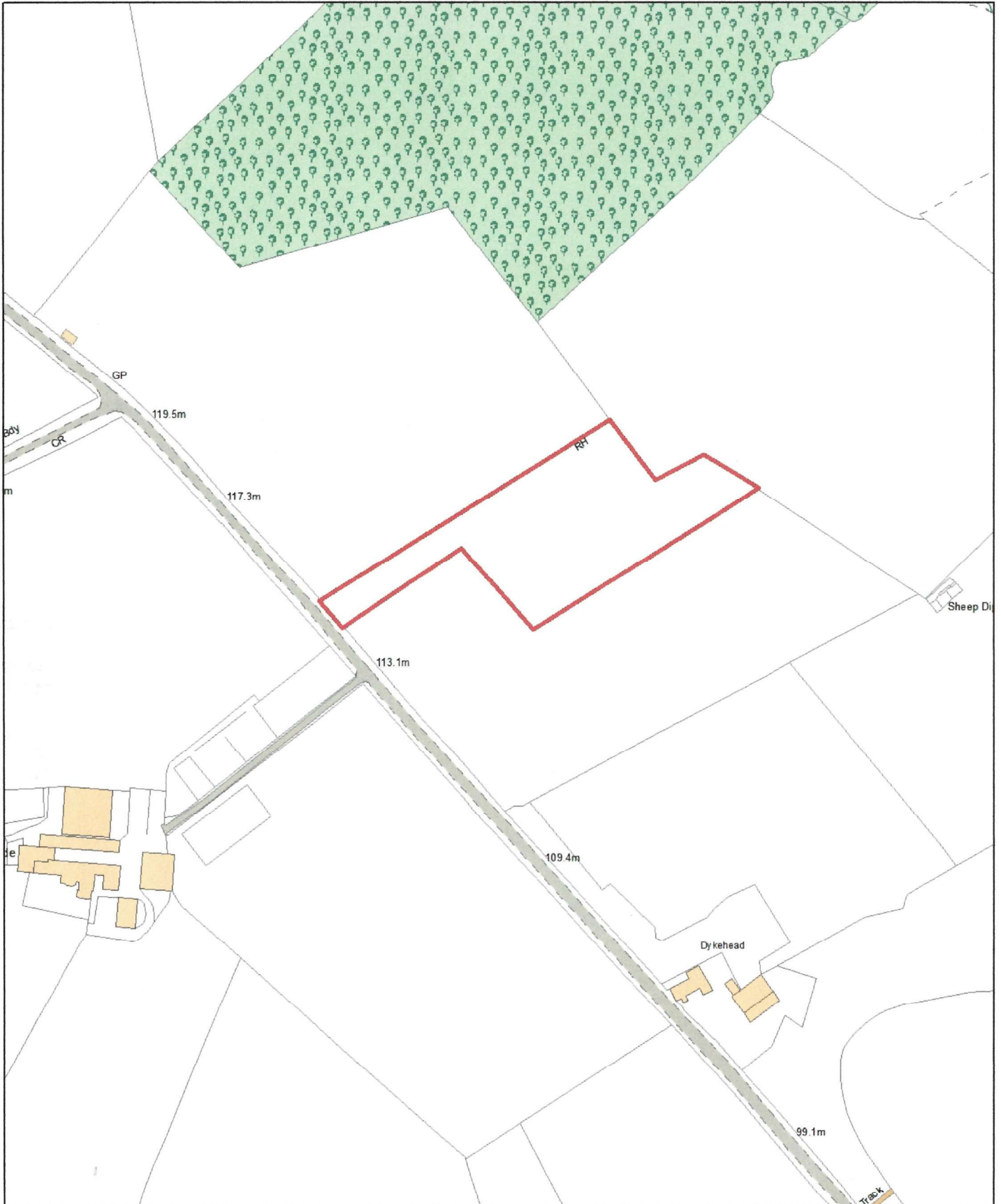
Offence where enforcement notice not complied with.

- 136.**-(1) Where, at any time after the end of the compliance period in respect of an enforcement notice, any step required by the notice to be taken has not been taken or any activity required by the notice to cease is being carried on, the person who is then the owner of the land is in breach of the notice.
- (2) Where the owner of the land is in breach of the notice he shall be guilty of an offence.
 - (3) In proceedings against any person for an offence under subsection (2), it shall be a defence for him to show that he did everything he could be expected to do to secure compliance with the notice.
 - (4) A person who has control of or an interest in the land to which an enforcement notice relates (other than the owner) must not carry on any activity which is required by the notice to cease or cause or permit such an activity to be carried on.
 - (5) A person who, at any time after the end of the period for compliance with the notice, contravenes subsection (4) shall be guilty of an offence.
 - (6) An offence under subsection (2) or (5) may be charged by reference to any day or longer period of time and a person may be convicted of a second or subsequent offence under the subsection in question by reference to any period of time following the preceding conviction for such an offence.
 - (7) Where -
 - (a) a person charged with an offence under this section has not been served with a copy of the enforcement notice, and
 - (b) the notice is not contained in the appropriate register kept under section 147,
 - (c) it shall be a defence for him to show that he was not aware of the existence of the notice.
 - (8) A person guilty of an offence under this section shall be liable-
 - (a) on summary conviction, to a fine not exceeding £50,000, and
 - (b) on conviction on indictment, to a fine.
 - (9)/

- (9) In determining the amount of any fine to be imposed on a person convicted of an offence under this section, the court shall in particular have regard to any financial benefit which has accrued or appears likely to accrue to him in consequence of the offence.

136A Fixed penalty notice where enforcement notice not complied with

- (1) Where a planning authority have reason to believe that, by virtue of subsection (1) of section 136, a person is in breach of an enforcement notice they may, provided that the conditions mentioned in subsection (7) are satisfied, serve on him a fixed penalty notice as respects that breach.
- (2) The fixed penalty notices is to specify -
- (a) the step specified, under subsection (3) of section 128, in the enforcement notice which has not been taken, or
- (b) the activity so specified which has not ceased.
- (3) It is not competent to serve more than one fixed penalty notice in relation to a particular step or activity.
- (4) For the purpose of this section, a “fixed penalty notice” is a notice offering the person the opportunity of discharging, by paying to the planning authority, within the period of 30 days which immediately follows the day on which that notice is served, a penalty of an amount (being a prescribed amount) specified in the notice, any liability to conviction for an offence under section 136 as respects the breach of the enforcement notice.
- (5) But if payment is made within the first 15 days of the period mentioned in subsection (4) the amount payable is reduced by 25%.
- (6) The fixed penalty notice is to identify the period mentioned in subsection (4) and is also to state that if payment is made within the first 15 days of that period the amount payable is reduced by 25%.
- (7) The conditions are that the fixed penalty notice -
- (a) is served within the period of 6 months which immediately follows the compliance period in relation to the enforcement notice, and
- (b) is not served after the person has been charged with an offence under section 136 as respects the breach of the enforcement notice.
- (8) During the period mentioned in subsection (4) it is not competent to commence proceedings against the person for an offence under section 136 as respects that breach.
- (9) If the amount (or as the case may be the reduced amount) is timeously paid it is not competent to commence proceedings against the person for an offence under section 136 as respects that breach.
- (10) A penalty received by a planning authority by virtue of subsection (4) is to accrue to that authority.
- (11) In prescribing an amount for the purpose of subsection (4), the Scottish Ministers may make different provision for different cases or for different classes of case.



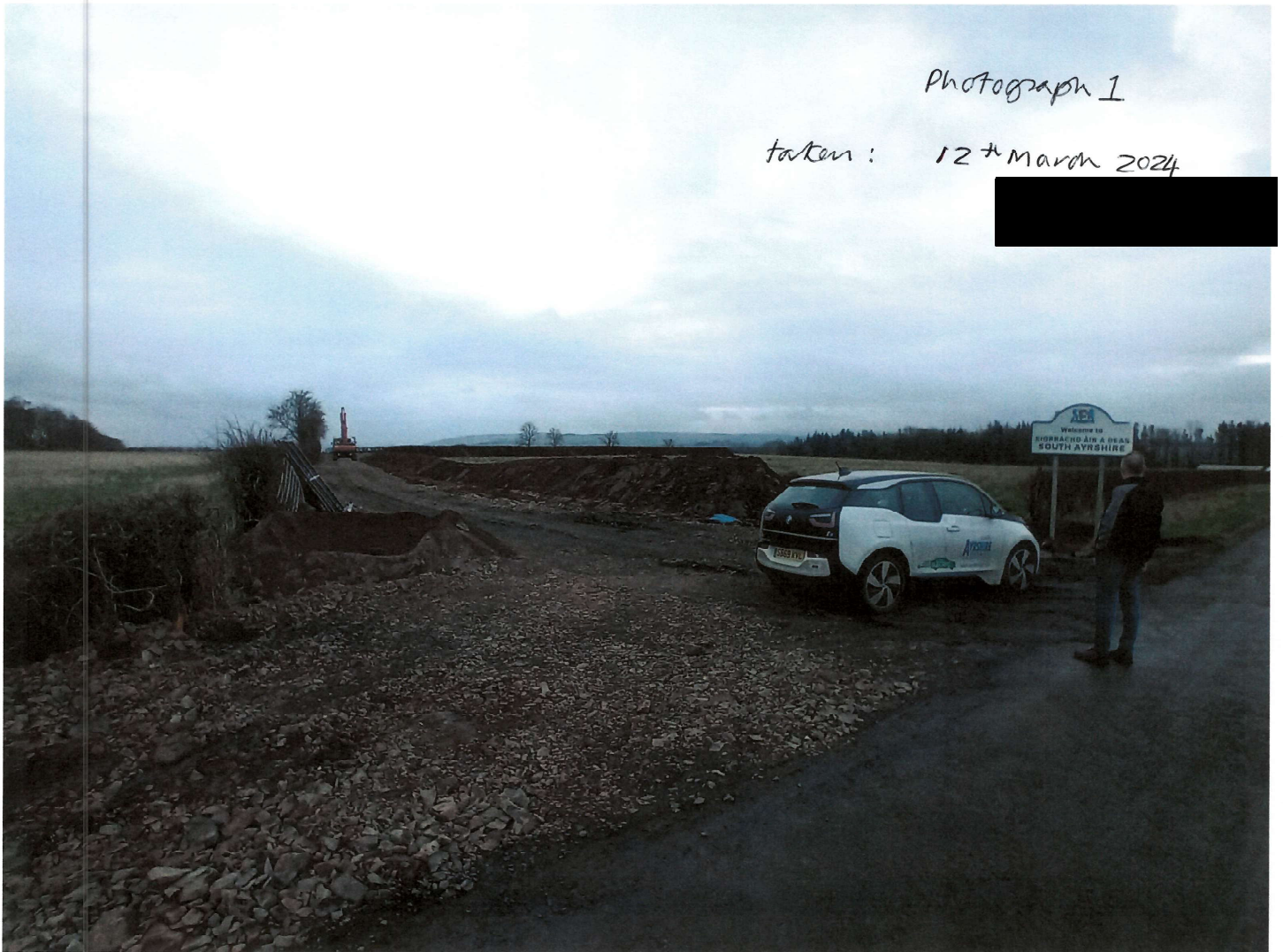
**Enforcement Notice
East Mossie Farm Fiveways,
Hurlford, Kilmarnock,
KA1 5JR - AYR72537**



Scale 1:2500

**Registered owner – JMD Plant Hire Limited
having a registered office at 8 Queen's Street,
Londonderry BT48 7EF.**

Grid Reference Number: NS 245864 632829



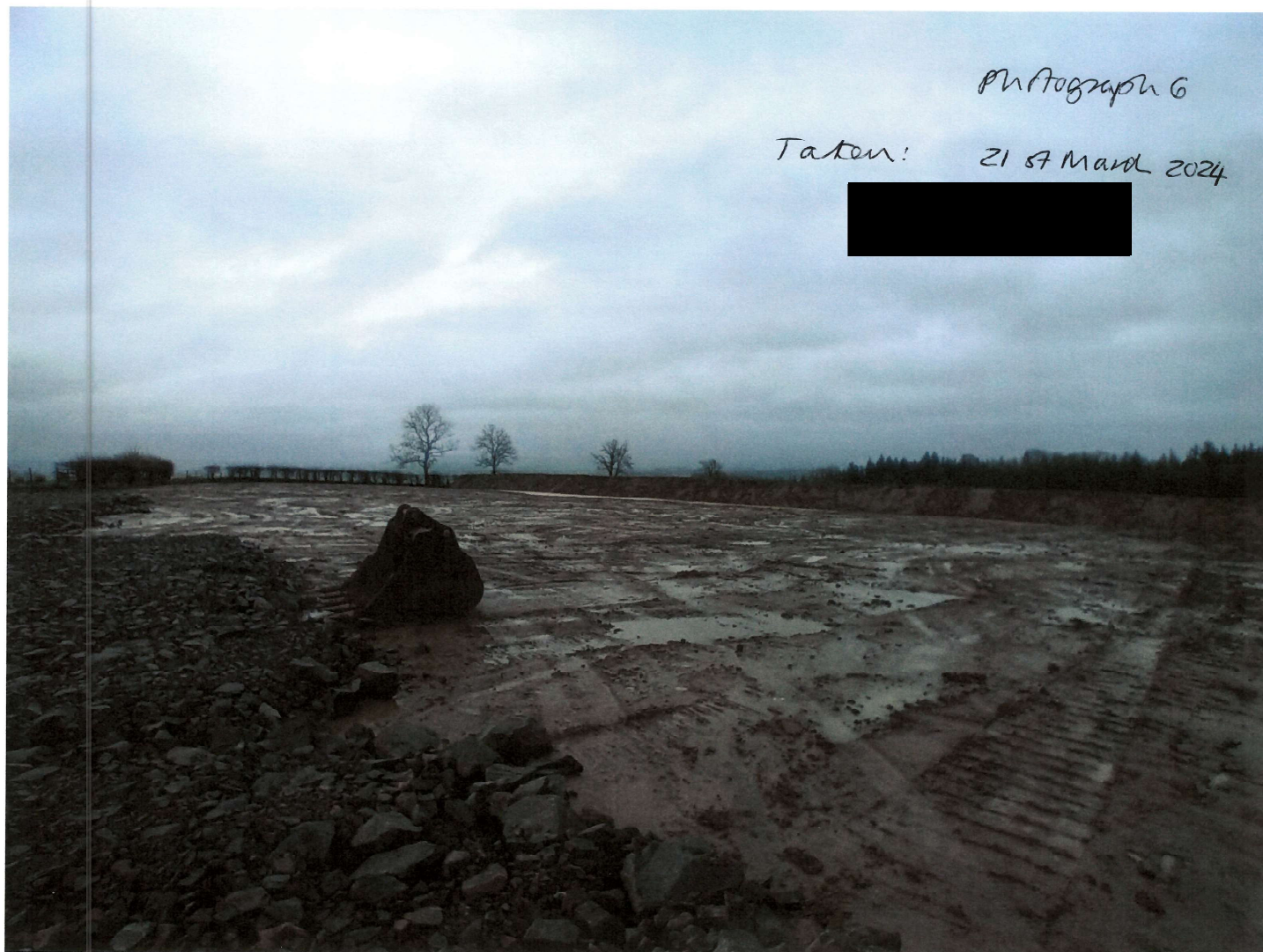


Photograph 3 Taken: 21st March 2024

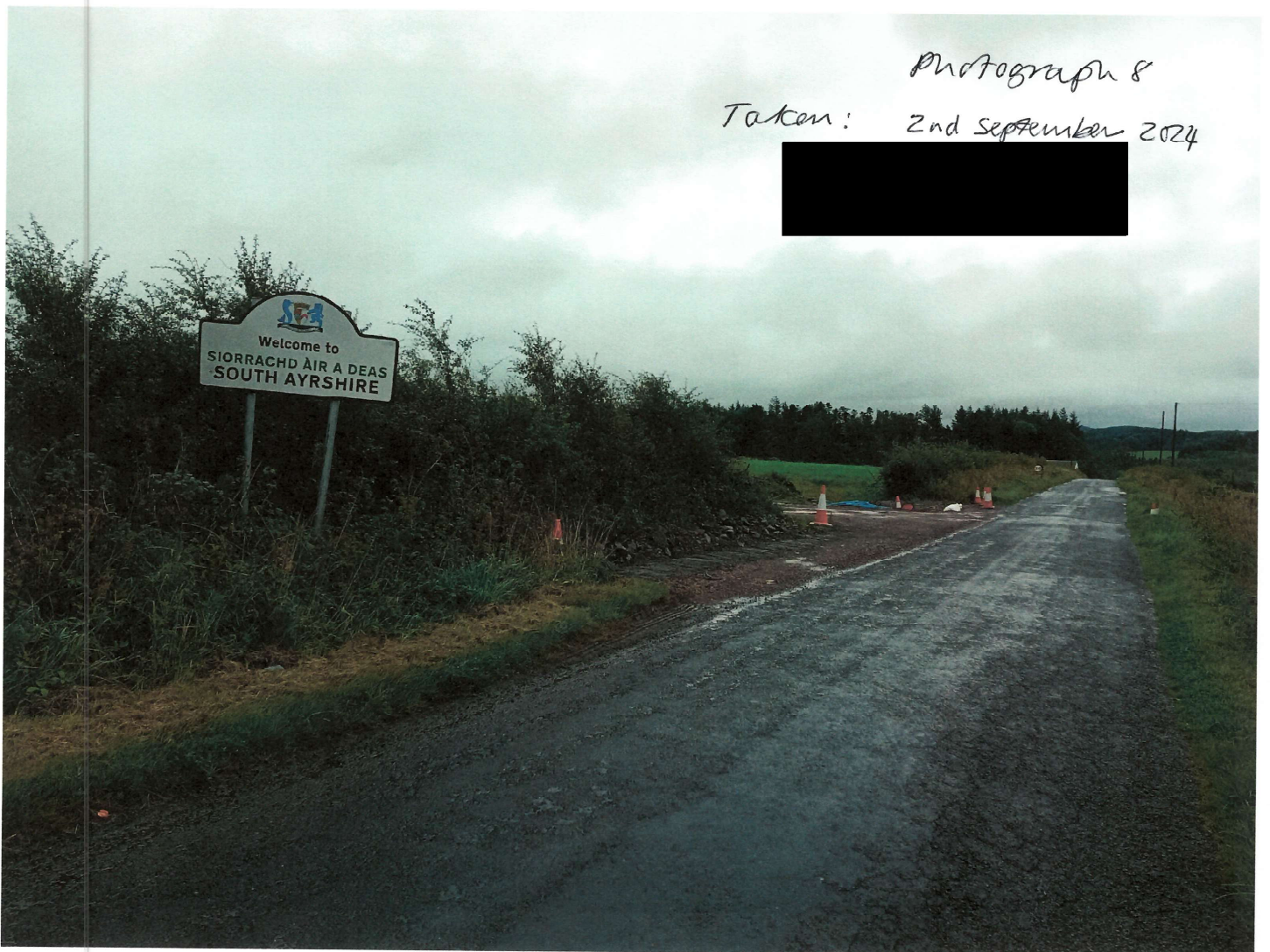


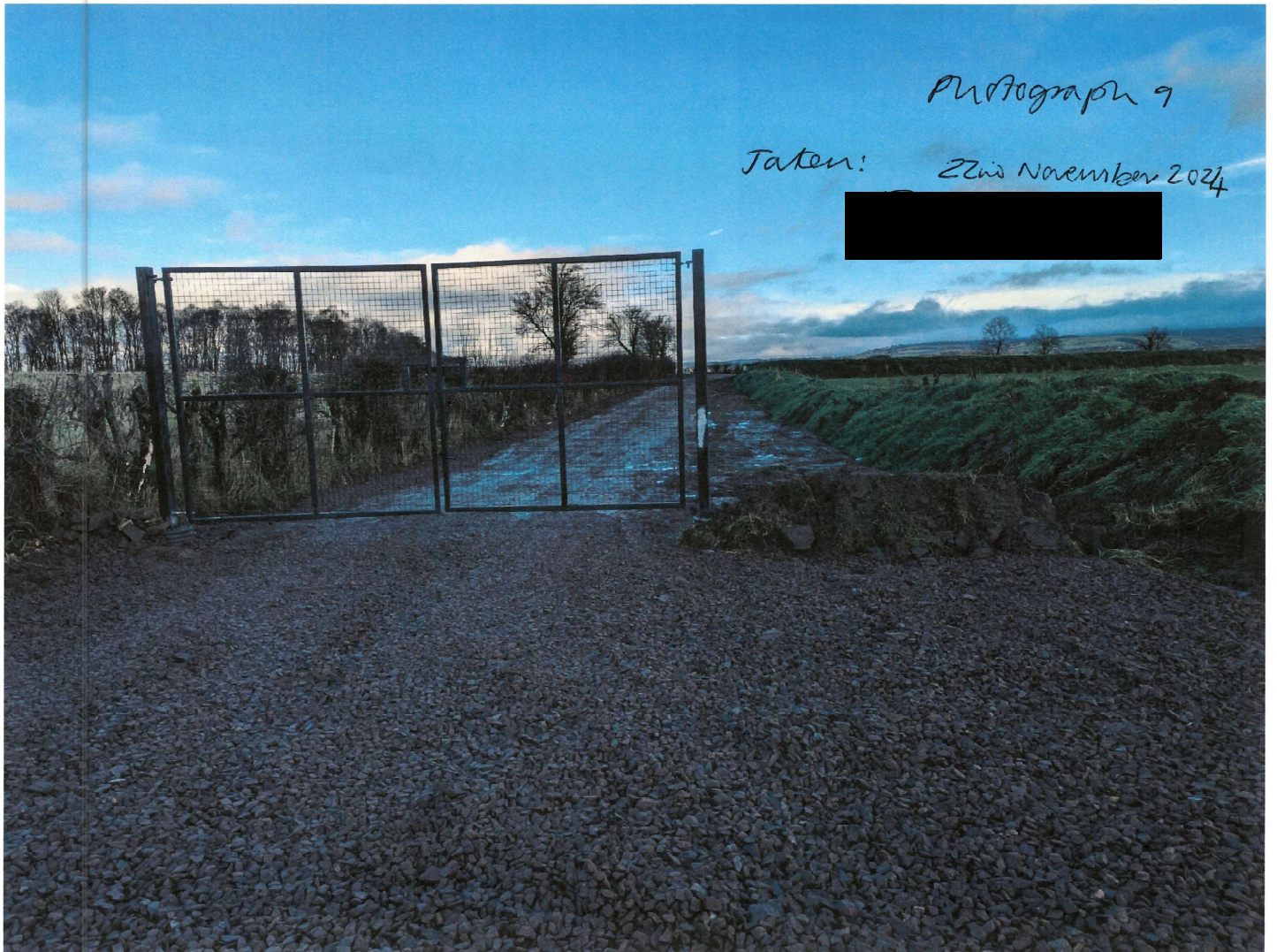












Photograph 10

Taken: 22nd November 2024

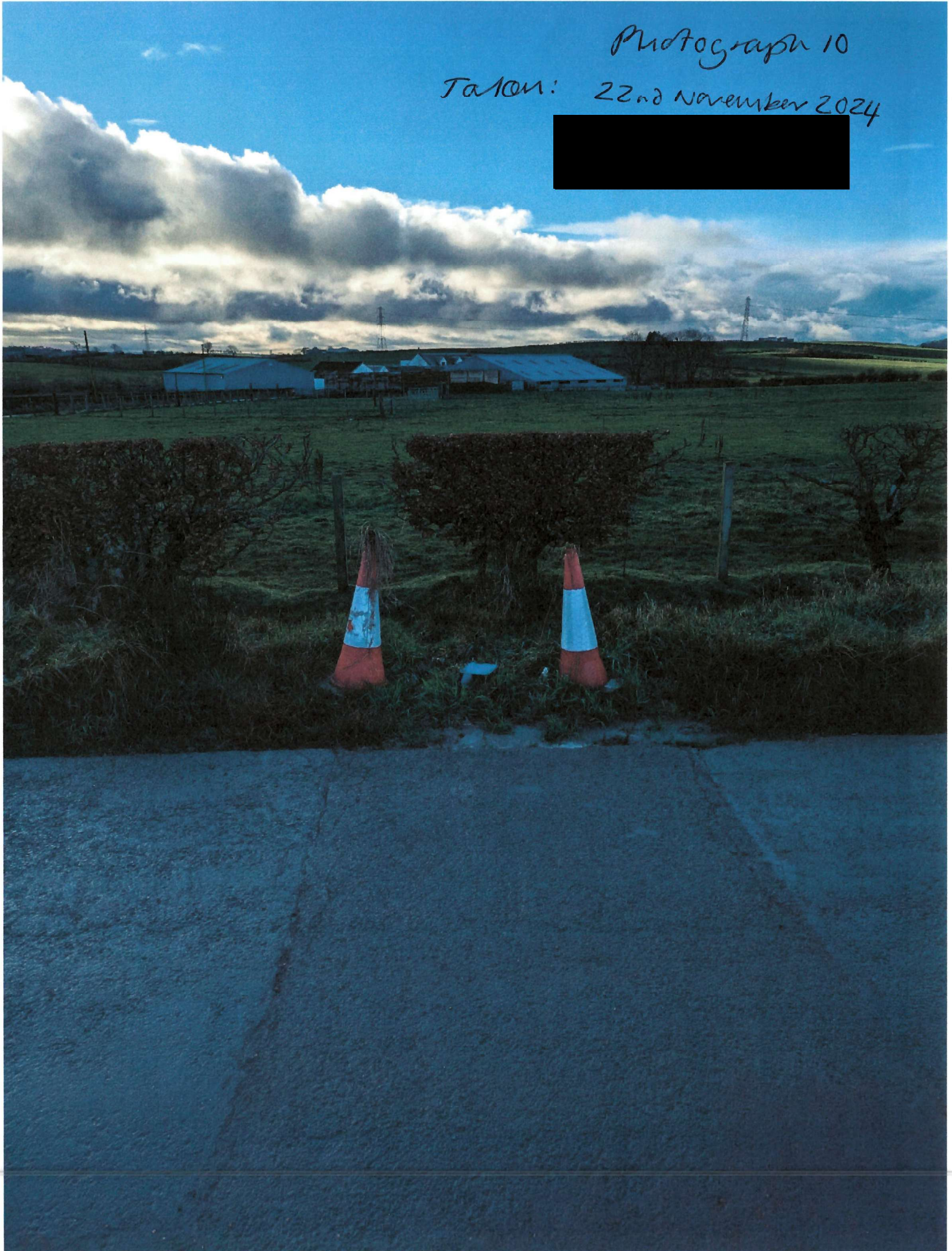
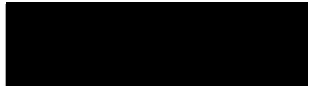


Image 1



Google Streetview June 2023



Image 2 [REDACTED]
Google Street View June 2023



LRB/25/00042/APP – ARA Comments following Case Officer Photographs - received on 12 November 2025

From: [REDACTED]
Sent: Wednesday, November 12, 2025 10:04 AM
To: [REDACTED]
Subject: [OFFICIAL]Re: LRB/25/00042/APP - Dykehead Cottage, Kilmarnock

Official

No further comments - ARA's previous LRB response covers all main areas of concern held.

Kind regards,

[REDACTED]

[REDACTED]

Team Leader - Traffic
Ayrshire Roads Alliance

Website www.ayrshireroadsalliance.org



From: [REDACTED]
Sent: 11 November 2025 10:02
To: [REDACTED]
Cc: [REDACTED]
Subject: LRB/25/00042/APP - Dykehead Cottage, Kilmarnock

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

Good morning,

Please see attached photographs submitted by the case officer.
Should you wish to make comment, please do so by the close of business (4.45pm) on Tuesday the 25th of November 2025.

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