

County Buildings
Wellington Square
AYR KA7 1DR
Telephone No.01292 612436



2 December 2025

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

All other Members for Information Only

Dear Councillor

REGULATORY PANEL (PLANNING)

You are requested to participate in the above Panel to be held on **Wednesday 10 December 2025 at 10.00 a.m.** for the purpose of considering the undernoted business.

Please note that a briefing meeting will take place for all Panel Members at 9.15 a.m., online and in the Dundonald Room.

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/>

Yours sincerely

CATRIONA CAVES
Chief Governance Officer

B U S I N E S S

1. Declarations of Interest.
2. Minutes of previous meeting of:-
 - (a) 12 November 2025; and
 - (b) 13 November 2025(Copies herewith)
3. Hearings relating to Applications for Planning Permission - Submit reports by the Housing, Operations and Development Directorate (copies herewith - Agenda Item 3/2 to follow).

For more information on any of the items on this agenda, please telephone June Chapman,
Committee Services on at 01292 272015, at Wellington Square, Ayr or
e-mail: june.chapman@south-ayrshire.gov.uk
www.south-ayrshire.gov.uk

Webcasting

Please note: this meeting may be filmed for live and subsequent broadcast via the Council's internet site. At the start of the meeting, it will be confirmed if all or part of the meeting is being filmed.

You should be aware that the Council is a Data Controller under the Data Protection Act 2018. Data collected during this webcast will be retained in accordance with the Council's published policy, including, but not limited to, for the purpose of keeping historical records and making those records available via the Council's internet site.

Generally, the press and public will not be filmed. However, by entering the Council Meeting, you are consenting to being filmed and consenting to the use and storage of those images and sound recordings and any information pertaining to you contained in them for webcasting or training purposes and for the purpose of keeping historical records and making those records available to the public. In making use of your information, the Council is processing data which is necessary for the performance of a task carried out in the public interest.

Live streaming and webcasting takes place for all public South Ayrshire Council meetings. By entering a public Council meeting you are consenting to the possibility that your image may be live streamed on our website, be available for viewing online after this meeting, and video and audio recordings will be retained on Council Records. Further information on how we process your personal data can be found at: <https://south-ayrshire.gov.uk/59239>

If you have any queries regarding this and, in particular, if you believe that use and/or storage of any particular information would cause, or be likely to cause, substantial damage or distress to any individual, please contact Committee.Services@south-ayrshire.gov.uk

Copyright

All webcast footage is the copyright of South Ayrshire Council. You are therefore not permitted to download footage nor upload it to another website nor take still photographs from this footage and distribute it without the written permission of South Ayrshire Council. Please be aware that video sharing websites require you to have the permission of the copyright owner in order to upload videos to their site.

Agenda Item No 2a.

REGULATORY PANEL (SITE VISIT)

Minutes of meeting to undertake a site visit on 12 November 2025 at 11:30am.

Present: Councillors Alan Lamont (Chair), Ian Cavana, Martin Kilbride, Mary Kilpatrick, Craig MacKay and Duncan Townson.

Attending: C. Iles, Service Lead – Planning and Building Standards; D. Clark, Co-ordinator (Development Management) - Planning and Building Standards; A. Brown, Co-ordinator Legal Services (Property and Contracts); S. Greig, Ayrshire Roads Alliance and J. Chapman, Committee Services Officer.

Councillors Clark and Lyons did not attend the meeting of the Regulatory Panel (Planning) on 11 September 2025. Councillors Hogg and Weir were newly appointed to the Board and did not attend the meeting of the Regulatory Panel (Planning) on 11 September 2025. Accordingly, Councillors Clark, Hogg, Lyons and Weir could not participate in this site visit.

1. Declarations of Interest

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

2. Continued Planning Application - 22/00220/APP – Land at Annfield Road, Prestwick, South Ayrshire

Reference was made to the Minutes of 11 September 2025 when it had been agreed to continue consideration of a planning application - Land at Annfield Road, Prestwick, South Ayrshire (Ref 22/00220/APP) to allow a site visit to be conducted.

Having viewed the site, the Panel

Decided: to continue determination of the application to the next meeting of this Panel, scheduled to take place on 13 November 2025.

The meeting ended at 11:45am.

Agenda Item no 2b.**REGULATORY PANEL (PLANNING)**

Minutes of a hybrid webcast meeting
on 13 November 2025 at 10.00 a.m.

Present
in County
Buildings: Councillors Alan Lamont (Chair), Ian Cavana, Wullie Hogg, Martin Kilbride,
Mary Kilpatrick, Duncan Townson and George Weir.

Present
Remotely: Councillors Alec Clark and Craig Mackay.

Attending
In County
Buildings: A. Brown, Co-ordinator - Legal & Licensing; C. Iles, Service Lead – Planning
and Building Standards; D. Clark, Co-ordinator (Development Planning), E.
Goldie, Co-ordinator (Place Planning); E. McKie, Supervisory Planner –
Planning and Building Standards; B. McDonnell, Ayrshire Roads Alliance; R.
Dominay, Planning Assistant, J. Chapman, Committee Services Officer; and
E. Moore, Clerical Assistant.

Also Attending:

Chair's Remarks.

The Chair

- (1) welcomed everyone to the meeting; and
- (2) outlined the procedures for conducting this meeting and advised that this meeting would be broadcast live.

1. Sederunt and Declarations of Interest.

The Service Lead, Legal and Licensing called the Sederunt for the meeting and having called the roll, confirmed that there were no declarations of interest by Members of the Panel in terms of Council Standing Order No. 17 and the Councillors' Code of Conduct.

2. Minutes of previous meetings.

The Minutes of previous meeting of 9 October 2025 (issued) were submitted and approved.

Decided: to approve these minutes.

The Chair thanked Councillor Lyons for his work on the Panel and welcomed Councillors Hogg and Weir to the Panel.

3. Hearing relating to an Application for Planning Permission.

There was submitted a report (issued) of November 2025 by the Housing, Operations and Development Directorate on planning applications for determination.

The Panel considered the following applications: -

(1) 25/00585/APP GARTON SUNDRUM AYR SOUTH AYRSHIRE KA6 6LR (planning permission is sought for the formation of pitches for 15 static caravans for holiday use at the site know as 'Garton' to the west of Coylton)

Following discussions,

The Panel

Decided: to approve, subject to the following conditions: -

(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.

(3C) That the holiday accommodation units shall not be promoted, advertised, let or used for any purpose other than as holiday accommodation.

(3R) To clarify the terms of the permission, and to ensure that the accommodation is used for holiday purposes only.

(4C) The holiday accommodation shall be operated in accordance with the submitted Management and Operation Arrangements document, to the satisfaction of the planning authority.

(4R) To ensure that the accommodation is used for holiday purposes only.

(5C) That before any works start on site, the developer shall submit, details and specifications of the protective measures necessary to safeguard the trees on the site during operations. This Planning Authority shall be formally notified in writing of the completion of such measures and no work on site shall commence until the Planning Authority has confirmed in writing that the measures as implemented are acceptable.

The protective measures shall be retained in a sound and upright condition throughout the operations and no building materials, soil or machinery shall be stored in or adjacent to the protected area, including the operation of machinery.

(5R) In order to ensure that no damage is caused to the existing trees during development operations.

(6C) That the existing trees shall be retained and protected in accordance with BS5837:2012 Trees in relation to Construction, to the satisfaction of the Planning Authority.

(6R) In the interests of visual amenity; to ensure that all trees worthy of retention are satisfactorily protected before and during works on site.

(7C) That before any works start on site, a scheme of landscaping comprising of appropriate native species only shall be submitted for the prior written approval of the Planning Authority. The scheme should indicate 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 earth mounding. The scheme as approved shall be implemented within first planting season following the completion or occupation of the first holiday accommodation unit, whichever is the sooner, and shall be retained to this approved standard.

(7R) In the interests of visual amenity and to contribute to the enhancement of biodiversity at the locale.

(8C) That the proposed access shall be constructed in accordance with the specifications in the SCOTS National Roads Development Guide and be a minimum of 6.0 metres wide over the initial 10.0 metres as measured from the rear of the public roadway. The access shall be constructed, as approved by condition and in conjunction with any necessary Roads Construction Consents and/or Permits, prior to operation of the development.

(8R) In the interest of road safety and to ensure an acceptable standard of construction.

(9C) The applicant shall make provision of an appropriate package of warning signage and road markings on the A70 on both directions of approach to the site access prior to operation of the development. The precise details and specifications of all infrastructure improvements shall be submitted for the approval of the Planning Authority in consultation with ARA prior to the commencement of work on site.

(9R) For the purposes of road safety and the functional operation of the local road network.

(10C) That junction access visibility sightline splays of 2.4 metres by 215 metres, as shown in drawing B072607-TTE-XX-XX-DR-H-000001-P02 (included as Appendix D of the Transport Statement prepared by Tetra Tech Ltd) shall be maintained in both directions at the junction with the public road. There shall be no obstacle greater than 1.05 metres in height within the visibility sightline splays.

(10R) In the interest of road safety and to ensure an acceptable standard of construction. To avoid the possibility of unnecessary reversing of vehicles onto the public road.

(11C) That prior to occupation of the development any gates shall be set back a minimum of 10.0 metres from the rear of the public footway/ roadway, and open inwards away from the public roadway.

(11R) In the interest of road safety.

(12C) That the discharge of water onto the public road carriageway shall be prevented by drainage or other means. Precise details and specifications of how this is to be achieved shall be submitted for the approval of the Planning Authority in consultation with ARA, before any work commences on site.

(12R) In the interest of road safety and to avoid the discharge of water onto the public road.

(13C) That a maximum of 30 off-road parking spaces shall be provided within the existing site boundary.

(13R) In the interest of road safety and to ensure adequate off-street parking provision.

(14C) That defined parking bays and associated aisle widths shall accord with the dimensions as set out within paragraphs 3.6.2 and 3.6.3 of the National Roads Development Guide publication, adopted for use by the Council.

(14R) In the interest of road safety and to ensure that there is adequate space for manoeuvring and turning.

(15C) That plans supplemented by swept path analysis of the largest vehicle type reasonably expected to be serving the development, shall be submitted for the approval of the Planning Authority in consultation with ARA. The turning areas shall be constructed, as approved, prior to completion of the development.

(15R) To reasonably avert the reversing of vehicles onto the main road, and in the interests of road safety.

(16C) That prior to the commencement of the development, a swept path analysis accommodating the largest size of vehicle expected to be serving the development shall be submitted for the approval of the Planning Authority in consultation with ARA.

(16R) In the interest of road safety.

(17C) No development shall commence unless and until a Construction Traffic Management Plan (CTMP) has been submitted to, and approved by, the Planning Authority in consultation with the Ayrshire Roads Alliance. The CTMP shall be required to include:

1. Full confirmation of the approved/agreed routes for use by construction traffic movements;
2. Full details of any mitigation and/or control measures required on the public road network to facilitate construction traffic. Where this requires public road layout or alignment mitigation this requires to include full detailed design/ construction details;
3. Details of parking facilities to accommodate all construction traffic throughout the construction programme to avoid placing the adjacent road network under undue pressure;

4. Details of measures to minimise traffic impacts in existing road users where practicable, including consideration of avoiding busy road periods, and requirements for all drivers to drive in a safe and defensible manner at all times.

Thereafter, the development shall be carried out in full accordance with the approved CTMP, unless approved otherwise in writing with the Planning Authority, in consultation with the Ayrshire Roads Alliance.

(17R) In the interests of road safety.

(18C) Prior to occupation of the development, a Service Management Plan (SMP) shall be submitted to and approved in writing by the Planning Service in consultation with Ayrshire Roads Alliance as the Council's Roads Service. The SMP shall provide details of all management measures associated with vehicular movements required in relation to regular servicing activities on the application site and the operation of the development and provide details of measures to limit the impacts that servicing activity may have on the adjacent local road network. The expectation is that the SMP also covers associated with any necessary controls or procedures associated with the delivery of, or removal of, static caravan units to or from site. Thereafter, the approved SMP and associated details and arrangements shall be implemented as approved prior to occupation of the development and shall be maintained as such for a period of 1 year from that date, unless otherwise agreed in writing by the Planning Service (in consultation with Ayrshire Roads Alliance as the Council's Roads Authority). Following a period of 1 year from that date, an updated SMP reflecting and responding to the initial year of operation shall be submitted to and approved in writing by the Planning Service (in consultation with Ayrshire Roads Alliance as the Council's Roads Authority). Thereafter, the approved updated SMP shall be implemented as approved for the lifetime of the development unless otherwise agreed in writing by the Planning Service (in consultation with the Ayrshire Roads Alliance as the Council's Roads Authority).

(18R) For the purposes of road safety and the functional operation of the local road.

Advisory Notes:

- (1) Please note that work should be undertaken in compliance with legislation and guidance relating to Scottish Environment Protection Agency (SEPA) Guidance Note No.8 which can be found at the website of SEPA as follows: www.sepa.org.uk
- (2) The Council as Environmental Health Authority has advised that the Waste Water/Sewage System is to be constructed and installed in accordance with BS6279 Code of Practice for Design and Installation of drainage fields for use in wastewater treatment (as amended). BS 6279 is applicable to systems for handling discharges from domestic and commercial sources from single households and upwards. These sources are typically septic tanks and package sewage treatment plants.
- (3) If planning permission is granted, then you should contact South Ayrshire Council Environmental Health Service to apply to amend the caravan site licence before the site opens and the site must meet the conditions stated in the Caravan sites and Control of Development Act 1960 and amendment's therewith included in the Act.
- (4) The Council as Roads Authority advises that a Road Opening Permit will be required for any work within the public road limits.

- (5) 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.
- (6) The Council as Roads Authority advises that any costs associated with the relocation of any street furniture will require to be borne by the applicant/developer.
- (7) 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.
- (8) The Council as Roads Authority advises that promotion of Traffic Regulation Orders resulting from this development will require to be fully funded by the applicant - including any relevant road signs and markings.
- (9) The Council as Roads Authority advises that only signs complying with the requirements of 'The Traffic Signs Regulations and General Directions 2016' are permitted within public road limits.
- (10) The Council as Roads Authority advises that prior to the commencement of works to construct any new or amended roads infrastructure; a Stage 2 Road Safety Audit in compliance with GG119 of the Standard for Highways Design Manual for Roads and Bridges shall be submitted for the approval of the Planning Authority in consultation with ARA. This applies to all proposed new roads and any alterations to existing roads carried out under a Section 56 Agreement with the Council as Roads Authority & the applicant. The requirement to complete a Road Safety Audit includes for addressing the recommendations contained within the audit report.
- (11) The Council as Roads Authority advises that a Stage 3 Road Safety audit in compliance with GG 119 of the Standard for Highways Design Manual for Roads and Bridges shall be submitted for the approval of the Planning Authority in consultation with ARA by no later than 1 month after completion of the development, unless an alternative time period is approved. This applies to all proposed new roads and any alterations to existing roads carried out under a Section 56 Agreement with the Roads Authority & the applicant. The requirement to complete a Road Safety Audit includes for addressing the recommendations contained within the audit report.

List of Determined Plans:

- Drawing - Reference No (or Description): RDD-943-24-01
- Drawing - Reference No (or Description): RDD-943-24-02
- Drawing - Reference No (or Description): RDD-943-24-03
- Drawing - Reference No (or Description): RDD-943-24-04
- Drawing - Reference No (or Description): RDD-943-24-05
- Supporting Information - Reference No (or Description): Planning Statement
- Supporting Information - Reference No (or Description): Management and Operation Arrangements
- Supporting Information - Reference No (or Description): Transport Statement

Reason for Decision:

1. The siting and design of the development hereby approved is considered to accord with the provisions of the development plan and there is no significant adverse impact on the amenity of neighbouring land and buildings.
2. The explanation for reaching this view is set out in the Report of Handling and which forms a part of the Planning Register.

(2) [25/00525/APP](#)

FLAT 2 27 WELLINGTON SQUARE AYR SOUTH AYRSHIRE KA7 1HH (planning permission is sought for the change of use of a dwelling flat to short-term letting accommodation at Flat 2, a one-bedroom ground-floor flat within a seven-flat residential block at 27 Wellington Square, Ayr.)

At this point and the time being 10:52 am, the Panel agreed to adjourn.

The panel reconvened at 11:02 am.

Following discussions,

The Panel

Decided: to refuse on the following grounds: -

that the proposal is contrary to the Policy 30 of NPF4 as the use of the application site for purposes of a short term let would have a detrimental effect on other residents of 27 Wellington Square and the availability of residential accommodation within the immediate area.

(3) Application continued from the Regulatory Panel of 11 September 2025 - 22/00220/APP – Land at Annfield Road, Prestwick, South Ayrshire (erection of five dwellinghouses on land accessed from Annfield Road, Prestwick).

Following discussions,

The Panel

Decided: to approve, subject to the following conditions: -

(1C) 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.

(1R) To ensure that the development is carried out in accordance with the approved plans unless otherwise agreed.

(2C) That notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992, (or any order revoking and re-enacting the Order) all development falling within Classes 1 and 3 (covering the enlargement of a dwellinghouse and other development within the curtilage of a dwellinghouse) shall be the subject of a formal application for planning permission.

(2R) In the interests of the amenity of the area.

(3C) That the private access shall be surfaced for a minimum of 10 metres as measured from the rear of the public roadway, prior to the occupation of the first dwelling. Precise details and specifications of the required surfacing shall be submitted for the prior written approval of the Council as Planning Authority (in consultation with the Council as Roads Authority) before any work commences on site.

(3R) In the interest of road safety and to ensure an acceptable standard of construction.

(4C) That a maximum of 10 off-road parking spaces shall be provided within the site boundary as shown on Drawing Number L(00)003 Rev K, to satisfy provision levels as defined within the SCOTS National Roads Development Guide.

(4R) In the interest of road safety and to ensure adequate off-street parking provision.

(5C) That the discharge of water onto the public road carriageway shall be prevented by drainage or other means. Precise details and specifications of how this is to be achieved shall be submitted for the prior written approval of the Council as Planning Authority (in consultation with the Council as Roads Authority) before any work commences on site.

(5R) In the interest of road safety and to avoid the discharge of water onto the public road.

(6C) That designated bin collection points shall be located a maximum of 15 metres from the public carriageway, prior to the occupation of the development. Details and specification of the siting and design of bin collection points shall be submitted for the prior written approval of the Council as Planning Authority (in consultation with the Council as Roads Authority) before any work commences on site.

(6R) In the interests of road safety.

(7C) No work shall be carried out on any phase of the development unless and until an effective vehicle wheel washing facility has been installed in accordance with details that shall be submitted for the written approval of the Council as Roads Authority prior to its installation, if required for that phase. When required, such facility shall be retained in working order and used such that no vehicle shall leave the site carrying earth and mud in such a quantity which will cause a nuisance or hazard to the road system in the locality.

(7R) In the interest of road safety.

(8C) The applicant/developer shall, prior to the movement of any construction traffic to or from the site, submit a Construction Traffic Management Plan for the written approval of the Council as Roads Authority. The plan shall describe the methodology for the movement of construction traffic to and from the site, including agreement on suitable routes, and shall be implemented as approved.

(8R) In the interest of road safety.

(9C) No development shall take place on site until such time as a surface and foul water drainage scheme has been submitted to and approved in writing by the Planning Authority, in consultation with the Ayrshire Roads Alliance (Flooding). The scheme shall incorporate the findings of the Flood Risk Assessment and BRE 365 soakaway testing, and shall include details of long-term maintenance arrangements. The approved scheme shall thereafter be implemented in full prior to the occupation of the dwellings.

(9R) To ensure satisfactory drainage and to protect the site and surrounding area from flood risk.

(10C) The applicant must provide a trespass-proof fence of at least 1.8 metres in height adjacent to Network Rail's boundary, with provision made for future maintenance and renewal. Details of the proposed fencing shall be submitted for the prior written approval of the Planning Authority (in consultation with Network Rail) before development commences, and thereafter erected as approved.

(10R) In the interests of public safety and the protection of Network Rail infrastructure.

(11C) The applicant must provide a safety barrier along the boundary of the railway where adjacent to roads, turning circles and parking areas, designed to prevent vehicles driving onto the railway or damaging lineside fencing. Details shall be submitted for the prior written approval of the Planning Authority (in consultation with Network Rail) before development commences, and the barrier shall be installed as approved prior to occupation of the dwellings.

(11R) In the interests of public safety and the protection of Network Rail infrastructure.

(12C) Any Sustainable Urban Drainage features shall not be located within 10 metres of the railway boundary.

(12R) To protect the stability of the adjacent railway lines and the safety of the rail network.

(13C) No development shall take place until such time as a scheme of landscaping has been submitted to and approved in writing by the Planning Authority. The scheme shall include:

Hard and soft landscaping works;
Boundary treatments;
Details of trees and vegetation to be retained;
Species and planting locations;
Phasing and implementation programme.

Where trees/shrubs are proposed adjacent to the railway boundary these must be positioned at a distance greater than their predicted mature height, and certain broadleaf species shall be avoided.

The approved scheme shall be implemented in accordance with the agreed phasing and thereafter maintained.

(13R) To safeguard residential amenity, enhance biodiversity, and protect railway operations.

(14C) Prior to occupation of the dwellings, details of biodiversity enhancement measures (such as native planting, bird/bat boxes, and hedgehog highways) shall be submitted for the written approval of the Planning Authority, and thereafter implemented as approved.

(14R) To ensure the development delivers biodiversity enhancement in line with NPF4 requirements.

(15C) No dwelling shall be occupied until the noise mitigation measures set out in the Noise Impact Assessment (ref: 7480-00-00, dated 2 September 2022) have been fully implemented. These shall include the erection of a mitigation barrier as specified in Section 9.1 of the report. The approved mitigation shall thereafter be retained in perpetuity.

(15R) To protect the amenity of future occupiers from railway noise and vibration.

(16C) The external materials of the development shall be in accordance with the approved plans unless otherwise agreed in writing by the Planning Authority.

(16R) In the interests of visual amenity and to safeguard the character of the area.

Advisory Notes:

- (1) Road Will Not Be Adopted: The Council as Roads Authority advises that the Council will not adopt the road on its completion.
- (2) Road Opening Permit: That a Road Opening Permit shall be applied for, and obtained from the Council as Roads Authority, for any work within the public road limits, prior to works commencing on site.
- (3) Roads (Scotland) Act: The Council as Roads Authority advises that all works on the carriageway to be carried out in accordance with the requirements of the Transport (Scotland) Act 2005 and the Roads (Scotland) Act 1984.
- (4) New Roads and Street Works Act 1991: In order to comply with the requirements of the New Roads and Street Works Act 1991, all works carried out in association with the development on the public road network, including those involving the connection of any utility to the site, must be co-ordinated so as to minimise their disruptive impact. This co-ordination shall be undertaken by the developer and his contractors in liaison with the local roads authority and the relevant utility companies.
- (5) Costs of Street Furniture: The Council as Roads Authority advises that any costs associated with the relocation of any street furniture shall require to be borne by the applicant / developer.
- (6) Costs of TROs: The Council as Roads Authority advises that promotion of Traffic Regulation Orders resulting from this development shall require to be fully funded by the applicant - including any relevant road signs and markings.
- (7) Signage to TSRGD 2016: The Council as Roads Authority advises that only signs complying with the requirements of 'The Traffic Signs Regulations and General Directions 2016' are permitted within public road limits.
- (8) Construction works must be undertaken in a safe manner which does not disturb the operation of the neighbouring railway. Applicants must be aware of any embankments and supporting structures which are in close proximity to their development.

Details of all changes in ground levels, laying of foundations, and operation of mechanical plant in proximity to the rail line must be submitted to Network Rail's Asset Protection Engineer for approval prior to works commencing on site. Where any works cannot be carried out in a "fail-safe" manner, it will be necessary to restrict those works to periods when the railway is closed to rail traffic i.e. by a "possession" which must be booked via Network Rail's Asset Protection Engineer and are subject to a minimum prior notice period for booking of 20 weeks.

The developer must contact our Asset Protection Engineers regarding the above matters, contact details below:

Network Rail Asset Protection Engineer
151 St. Vincent Street, GLASGOW, G2 5NW

E-mail: AssetProtectionScotland@networkrail.co.uk

List of Determined Plans:

Plan Type	Reference	Version No	Received Date
Drawing	L(00)002		09.03.2022
Drawing	L(00)003	K	24.05.2025
Drawing	L(00)004	F	24.05.2005
Drawing	L(00)01		09.03.2002
Drawing	L(01)301	House Type A Floor Plans	09.03.2022
Drawing	L(01)301	House Type B Floor Plans	09.03.2022
Drawing	L(02)301		09.03.2022
Drawing	L(02)301		09.03.2022

Reason for Decision:

1. The siting and design of the development hereby approved is considered to accord with the provisions of the development plan and there is no significant adverse impact on the amenity of neighbouring land and buildings.
2. The explanation for reaching this view is set out in the Report of Handling and which forms a part of the Planning Register.

The meeting ended at 11.20pm

Agenda Item No 3

South Ayrshire Council

List of Planning Applications for Regulatory Panel (Planning) Consideration on 10 December 2025

List No.	Reference Number	Location	Development	Applicant	Recommendation
1.	25/00689/APP David Clark (Objections) (Application Summary)	Townend House Townend Drive Symington South Ayrshire KA1 5QL	Alterations to Townend House and formation of car park and associated hardstandings	Enhance Healthcare Ltd	Approval with Condition(s)
2.	25/00687/APP David Clark (Objections) (Application Summary)	32A Kyle Street Ayr South Ayrshire KA7 1RZ	Change of use from Class 9 dwellinghouse to short-term let accommodation	Russell Property Solutions & Investment Soucing LTD	
3.	25/00650/FURM Alastair McGibbon (Objections) (Application Summary)	Land At Manse Road Coylton South Ayrshire	Further application so as not to comply with Condition 19 of previously consented 22/00779/MSCM	Milestone Developments	Approval with Condition(s)

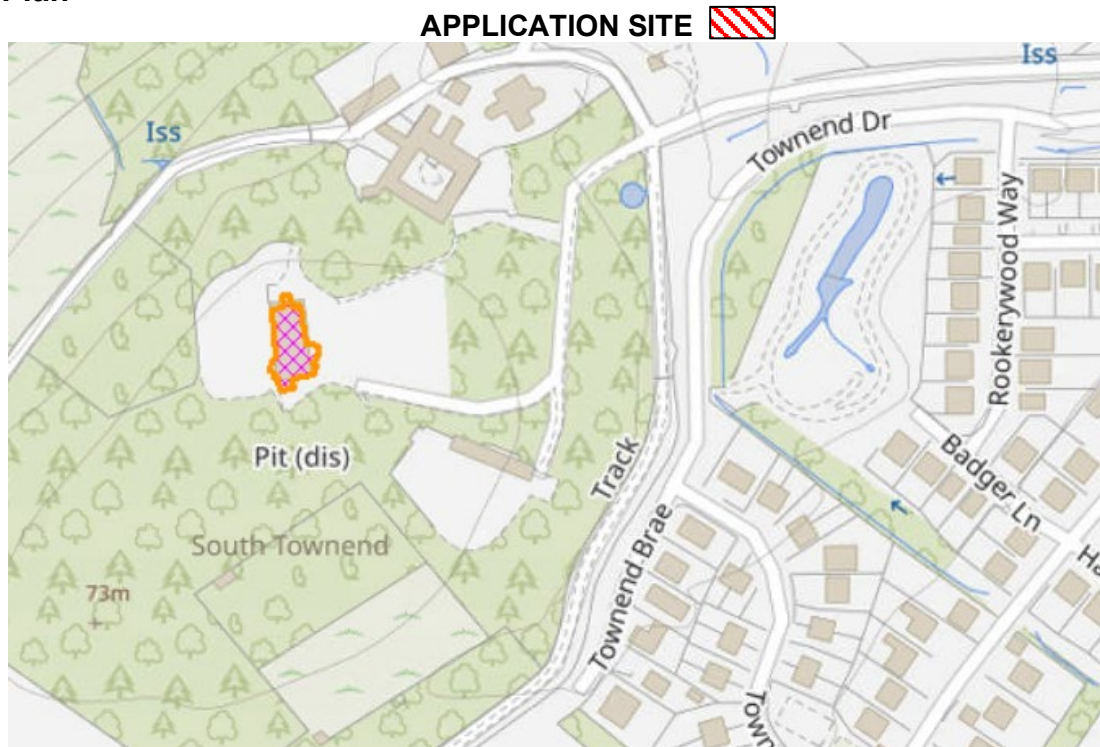
REGULATORY PANEL: 10 DECEMBER 2025

REPORT BY HOUSING, OPERATIONS AND DEVELOPMENT

25/00689/APP

TOWNEND HOUSE TOWNEND DRIVE SYMINGTON SOUTH AYRSHIRE KA1 5QL

Location Plan



This product includes mapping data licensed from Ordnance Survey with permission of the Controller of Her Majesty's Stationery Office.
© Crown copyright and/or database right 2018. All rights reserved. Licenced number 100020765.

The drawings and other documents relating to this application, can be accessed on the Council's website via the link below:

[\(Application Summary\)](#)

Summary

Planning permission is sought for external alterations to Townend House, a mid-19th century Category B Listed building located within the Townend Estate to the south-west of Symington, together with the formation of a car park within its landscaped grounds. The application is retrospective and relates primarily to alterations to cast-iron rainwater goods and the creation of a surfaced parking area on previously grassed land. The use of the building as a Class 8 residential institution remains unchanged, and no change of use is proposed.

The building comprises long-established Class 8 residential accommodation with associated grounds. No alterations to the internal layout of the building forms part of this application. The proposal solely seeks permission for the external drainage works and the formation of the parking area.

The application has attracted a significant number of objections, largely relating to the perceived future use of the building, traffic, residential amenity, biodiversity impacts, and procedural matters. These concerns have been considered in the context of relevant planning policy and the physical works proposed by this application. It is considered that none of the objections raise material planning reasons to warrant refusal of the application.

The proposed development has been assessed against the provisions of National Planning Framework 4 and South Ayrshire Local Development Plan 2. The works are considered to be acceptable and, subject to appropriate landscaping, biodiversity, and lighting conditions, are unlikely to result in unacceptable impacts on the listed building, its setting, or the wider locality. Accordingly, the application is recommended for approval subject to conditions.

REPORT BY HOUSING, OPERATIONS AND DEVELOPMENT

REGULATORY PANEL: 10 DECEMBER 2025

SUBJECT:	PLANNING APPLICATION REPORT
APPLICATION REF:	25/00689/APP
SITE ADDRESS:	Townend House Townend Drive Symington South Ayrshire KA1 5QL
DESCRIPTION:	Alterations to Townend House and formation of car park and associated hardstandings
RECOMMENDATION:	Approval with conditions

APPLICATION REPORT

This report fulfils the requirements of Regulation 16, Schedule 2, paragraphs 3 (c) and 4 of The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013 (as amended). The application is considered 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 23 October 2025.
- The application was validated on 28 October 2025.
- The case officer visited the application site on 23 October 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 29 October 2025.
- No Site Notice was required.
- No Public Notice in the Local Press was required.

1. Proposal:

The application site comprises Townend House, a mid-19th-century Category B Listed building located to the south-west of Symington within the Townend Estate. The application site includes Townend House itself together with its landscaped grounds. Access is taken via a private estate road shared with several other properties. Areas of woodland within the wider grounds are identified within the Ancient Woodland Inventory.

Townend House has most recently operated as a residential care facility (Class 8 of the Use Classes Order) providing long-term accommodation and support for adults with a range of physical and learning disabilities and associated care needs.

Planning permission is sought for alterations to Townend House and for the formation of a car park within its grounds. The application is retrospective insofar as a number of the external alterations to the listed building have already been undertaken, and the car park area has also been constructed on site.

The external works primarily relate to alterations to the cast-iron drainage outlets and associated ventilation serving the building. These include the installation of new cast-iron downpipes, the repositioning of existing outlets, and the introduction of new or revised ventilation terminals to serve internal services. Ancillary works comprise making-good to areas of masonry where previous rainwater goods and vents had been removed or altered.

The proposal also includes the formation of a vehicular parking area within the grounds of Townend House. The car park is shown on the submitted site layout plan and consists of a surfaced parking area located to the east of Townend House.

Background information

Historically, the site has operated as a Class 8 residential institution under the Use Classes Order (Planning (Scotland) Act), providing long-term residential accommodation and support for adults with a range of physical and learning disabilities and associated care needs. Most recently, Townend House has operated as a residential care facility delivering long-term support for adults with a range of physical and learning disabilities and associated care needs.

It is understood that Townend House is proposed to be used as an alcohol and drug rehabilitation facility. This prospective use has generated significant public interest and correspondence, with numerous objections received relating primarily to the intended use of the building. However, in planning terms, this proposed use is also considered to fall within Class 8. Residents attending the facility would do so voluntarily, and the accommodation would continue to operate as a residential institution. The Planning Service has advised the applicant that a Certificate of Lawfulness (Proposed Development) could be submitted to formally establish the proposed use, although this is not mandatory. Based on the information available, the proposal does not constitute a change of use for planning purposes.

Accordingly, the purpose of this planning application is to consider solely the external alterations to Townend House - primarily the removal, repositioning, and reinstatement of cast iron drainage outlets - and the formation of a car park to the south-east of the building. While the prospective use has been a focal point of public concern, it is not a material consideration in the determination of this application. The assessment of the proposal will therefore focus exclusively on the physical works to the building's exterior and the associated car parking provision.

The application requires to be reported to the Council's Regulatory Panel, as more than ten competent written objections have been received, together with an objection from the Community Council, who express a different view to the recommendation to approve the application subject to conditions.

2. Consultations:

Ayrshire Roads Alliance - offer no objections.

Council's Environmental Health Service - offer no objections.

3. Submitted Assessments/Reports:

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

None.

4. S75 Obligations:

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

None.

5. Scottish Ministers Directions:

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

None.

6. Representations:

33 representations have been received, 33 of which object to the proposed development. The Symington community Council has made representation, objecting to the proposed development. All representations can be viewed online at <https://publicaccess.south-ayrshire.gov.uk/online-applications/applicationDetails.do?keyVal=T4KKOWBDIRP00&activeTab=summary>

The issues raised by Representees can be summarised as follows.

Change of Use / Nature of Facility

- Residents express concern that the building is changing from a care home for adults with learning difficulties to a drug and alcohol rehabilitation facility.
- It is alleged that future occupants may include individuals recently released from prison or with complex needs.
- Concerns are raised regarding potential risks to the safety and security of children, families, and vulnerable residents.
- Fears have been expressed regarding the potential for increased crime, anti-social behaviour, and disturbance.
- Concerns have also been raised regarding the introduction of up to 24 adult residents into an estate currently home to 20 residents, including elderly pensioners, young children, and adults living alone, and the impact this may have on the safety, wellbeing, and amenity of existing residents.

Impact on Residential Amenity

- Anticipated increase in traffic along a narrow, private, and unlit access road.
- Potential adverse impacts arising from noise, light pollution (including floodlighting and car park lighting), and loss of privacy.
- Loss of informal recreational space and disturbance to wildlife, including deer, foxes, bats, and bird species.
- Perceived erosion of the quiet, rural, and conservation character of the village.
- Residents have highlighted stress, fear, and anxiety caused by the proposed use, including concerns over physical confrontation and mental health impacts.

Car Park and Access Concerns

- Objection to the construction of a new car park as opposed to resurfacing existing hardstanding areas.
- Removal of mature trees and the potential impact on biodiversity, including bats.
- Increased vehicle movements, deterioration of the access road, and the associated maintenance burden on residents.
- Concerns regarding inadequate drainage provision and an increased risk of flooding arising from the new car park.
- Allegations have been made regarding inaccuracies in the submitted plans, including the size of the car park, the number of spaces created, and the inclusion of land not owned by the applicant.

Listed Building and Heritage Concerns

- Internal alterations, including the installation of en-suite bathrooms and associated structural works, are considered by residents to be excessive.
- External works, including the installation of vents, drainage pipes, and other alterations, are perceived as harmful to the character and appearance of the listed building.
- A lack of clarity is expressed as to whether the requisite Listed Building Consent has been obtained for the works undertaken.
- Evidence submitted by residents suggests that additional bore holes and pipework have been installed beyond what would constitute maintenance or replacement of existing features.

Procedural and Transparency Concerns

- Allegations that retrospective works have been carried out without prior planning/listed building consent.
- Concerns regarding the absence of consultation with local residents prior to the commencement of works or the alleged change of use.
- Claims within the application are alleged to be misleading in relation to site ownership and land use.
- Doubts are raised as to whether the appropriate planning procedures have been followed, including matters relating to risk assessment and public notification.
- Failure to carry out an Integrated Impact Assessment (IIA) prior to the submission of the application, particularly given the potential impacts on children, elderly residents, and vulnerable groups.

Practical Impact on Residents

- Concerns regarding potential property devaluation, failed property sales, and wider impacts on community wellbeing.
- Queries regarding the adequacy of existing water supply and drainage infrastructure to accommodate additional en-suite facilities.
- General anxiety relating to public safety and the absence of a prior risk assessment.
- Residents have reported changes to daily routines, such as avoiding walking after dark, arranging alternative school transport, and increased concerns about personal and community safety.

The matters raised by the representees are considered elsewhere in this report.

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

7. Assessment:

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

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

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

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

(i) National Planning Framework 4 (NPF4)

The following policies of NPF4 are considered particularly 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):

Policy 2 – Climate mitigation and adaptation

Policy 3 – Biodiversity

Policy 6 – Forestry, woodland and trees

Policy 7 – Historic assets and places

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.

(ii) South Ayrshire Local Development Plan 2

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

- o Strategic Policy 1: Sustainable Development;
- o Strategic Policy 2: Development Management;
- o LDP Policy: Historic Environment;
- o LDP Policy: Woodland and Forestry;
- o LDP Policy: Preserving trees; and
- o LDP 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.

(iii) Planning History

The relevant planning history of the site is summarised as follows:

- 08/00039/FUL – Alterations to the existing building, including the sub-division of bedrooms. *Approved.*
- 08/01318/LBC – Internal alterations to the listed building. *Approved.*
- 22/00751/APP – Alterations and extension to the existing care home. *Approved.*
- 22/00752/LBC – Alterations and extension to the listed building. *Approved.*
- 25/00690/LBC – Listed Building Consent for cast iron works, submitted alongside the current planning application. *Pending consideration.*

In respect of the 2022 approvals, it is noted that development has commenced on site, with foundations laid for the approved extension. It appears, however, that these works have since ceased, with subsequent activity focused on works to Townend House itself.

In addition, unauthorised internal works have been undertaken within Townend House. These matters are currently being progressed by the Planning Service through the enforcement process, and a further retrospective Listed Building Consent application is anticipated to be submitted in due course in connection with those works.

(iv) Objector Concerns

The concerns of the objectors are summarised and consider as follows: -

Change of Use / Nature of Facility

Objection: Residents express concern that the building is changing from a care home for adults with learning difficulties to a drug and alcohol rehabilitation facility. It is alleged that future occupants may include individuals recently released from prison or with complex needs. Concerns are raised regarding potential risks to the safety and security of children, families, and vulnerable residents. Fears have been expressed regarding the potential for increased crime, anti-social behaviour, and disturbance.

Objectors also highlight the introduction of up to 24 adult residents into an estate currently home to 20 residents, including elderly pensioners, young children, and adults living alone. They consider this may have adverse impacts on the safety, wellbeing, and amenity of existing residents, raising stress and anxiety in the local community.

Response: The current application does not propose a change of use. Townend House remains within Class 8 (Residential Institutions - Care Home). The planning assessment is therefore restricted to the physical works proposed, including external alterations and the formation of a car park. Matters relating to the client group, operational practices, or perceived future use are not material to the determination of this application.

Impact on Residential Amenity

Objection: Anticipated increase in traffic along a narrow, private, and unlit access road. Potential adverse impacts arising from noise, light pollution (including floodlighting and car park lighting), and loss of privacy. Loss of informal recreational space and disturbance to wildlife, including deer, foxes, bats, and bird species. Perceived erosion of the quiet, rural, and conservation character of the village.

Residents further raise stress, fear, and anxiety caused by the proposed use, including concerns over potential physical confrontation and mental health impacts. Daily routines are reportedly disrupted, with residents avoiding walking after dark and arranging alternative school transport.

Response: The planning assessment is confined to the land-use and physical effects arising from the proposed development. The lawful use of Townend House already generates vehicular movements, and the proposed car park is intended to manage existing parking demand. No alterations to the access are proposed, and the level of additional traffic on the private access road is not considered significant in road or amenity terms.

External lighting, including car park and security lighting, can be controlled by condition to prevent light spill, glare, and disturbance to residents or wildlife. The layout of the car park does not directly overlook neighbouring dwellings, and separation distances are sufficient to safeguard residential privacy.

The loss of the existing grassed area represents a change to the character of the site. However, this loss is considered in the context of operational requirements and the benefits of providing formalised parking to prevent uncontrolled encroachment onto wider green areas. Comprehensive landscaping, replacement planting, boundary treatment, and biodiversity enhancement measures can be secured by condition.

No evidence has been submitted indicating unacceptable harm to protected species or local wildlife. Appropriate ecological safeguards and habitat enhancement measures can be imposed by condition. Subject to these measures, the development is not considered to result in an unacceptable erosion of the established character of the area.

Car Park and Access Concerns

Objection: Concerns are raised to the construction of a new car park rather than resurfacing existing hardstanding areas. Concerns include the potential removal of mature trees, impacts on biodiversity (including bats), increased vehicle movements, deterioration of the access road and the associated maintenance burden on residents, together with concerns regarding surface water drainage and a potential increased risk of flooding.

Response: It is acknowledged that some damage has occurred to a tree located in close proximity to the car park during the course of works. Concerns have also been raised regarding the potential felling of other trees within the wider grounds of the Townend Estate. The current application, however, does not propose the removal of any trees, and no tree felling forms part of the approved development.

The affected tree is not protected by a Tree Preservation Order nor is it located within a Conservation Area. Consent is not therefore required to undertake works. While parts of the wider estate are identified within the Ancient Woodland Inventory, this designation does not, in itself, require the Planning Authority to give written consent for works or confer statutory protection on individual trees. Planning control is therefore limited to the direct physical impacts of the car park works, and any tree damage occurring outside the scope of the approved development falls outwith the powers of the Planning Service under this application. The integrity of the woodland resource is not considered to be materially affected.

Mitigation can be secured through planning conditions, including landscaping, replacement planting, tree protection during any remaining works, and biodiversity enhancement measures to ensure that any localised damage is addressed and the overall ecological value of the site is maintained.

The application site is not identified within the SEPA Flood Risk Map as being at risk from river, coastal, or surface water flooding. Surface water drainage is therefore not considered to require control by condition and is instead addressed by advisory note, to ensure runoff is appropriately managed and does not adversely affect neighbouring land or the private access road.

Traffic generation associated with the lawful use of the building and the future maintenance of the private access road fall outwith the scope of planning control. The Ayrshire Roads Alliance has raised no objection to the proposal. Proportionate landscaping and biodiversity enhancement measures can be secured by condition to mitigate the loss of grassed areas, offset localised impacts, and support the wider ecological value of the site.

Listed Building and Heritage Concerns

Objection: Internal alterations, including the installation of en-suite bathrooms and associated structural works, are considered by residents to be excessive. External works, including the installation of plastic vents, drainage pipes, and other alterations, are perceived as harmful to the character and appearance of the listed building. A lack of clarity is expressed as to whether the requisite Listed Building Consent has been obtained for the works undertaken.

Response: The external works proposed as part of this planning application primarily relate to alterations to the cast-iron drainage outlets and associated ventilation serving the building. Internal works are not part of this planning application and are considered separately under Listed Building legislation. No significant harm to the character or appearance of the listed building is identified as part of the assessment of this planning application. The separate Listed Building Consent process addresses any works requiring heritage consent.

Procedural and Transparency Concerns

Objection: Retrospective works have been carried out without prior planning or listed building consent. Concerns are raised regarding the absence of consultation with local residents, alleged misleading claims about land ownership and use, and compliance with planning procedures. In particular, objectors suggest that the applicant may not own all of the land within the application site.

Concerns are also raised regarding the absence of an Integrated Impact Assessment (IIA) prior to submission of the application.

Response: The retrospective nature of the works is noted. Planning allows assessment of retrospective applications in the same manner as prospective proposals.

With respect to land ownership, the applicant has certified that they are the legal owner of all land within the red line application site. Planning permission enables development to be undertaken on land where consent is granted but does not override other statutory functions, such as land ownership or property rights. Alleged false declarations of ownership would need to be challenged through the courts rather than being a consideration to the assessment of this application .

Regarding the IIA, this is a Council governance tool designed to inform policy or strategic decisions that may affect vulnerable groups. While an IIA may be relevant for broader Council decision-making, it is not a statutory requirement for the determination of an individual planning application. Therefore, the absence of an IIA does not prevent the planning assessment of this application.

Pre-application consultation with residents is not a statutory requirement for this type of planning application. The current assessment focuses on the material planning considerations, and the Council can impose conditions, including landscaping, biodiversity mitigation, and lighting controls, to address potential impacts.

Practical Impacts on Residents

Objection: Concerns regarding potential property devaluation, failed property sales, and wider impacts on community wellbeing. Queries regarding the adequacy of existing water supply and drainage infrastructure to accommodate additional en-suite facilities. General anxiety relating to public safety and the absence of a prior risk assessment.

Response: These matters largely relate to the perceived use of the building rather than the physical works proposed. Planning assessment is confined to the material impacts of the development, including the car park, hardstanding, and external works. Issues relating to property values, water infrastructure beyond the site boundary, or public safety associated with future operational practices fall outwith the scope of the planning assessment.

(v) Impact on the Locality

Planning permission is required for the alterations to Townend House and the formation of a car park within its grounds. The assessment of the current application is required to consider the physical impacts of these proposals on the locality, having regard to the development plan, and other material considerations, including representations received and consultation responses. It is important to emphasise that the application does not propose a change of use. Accordingly, the assessment and planning decision focus exclusively on the physical works and their effects on the grounds and the surrounding environment.

Matters relating to Listed Building Consent will be considered separately as part of the assessment of the Listed Building application(s) submitted (see Planning History above).

Townend House, a mid-19th-century Category B Listed building, is located within landscaped grounds that include areas of woodland identified in the Ancient Woodland Inventory. The property has a long-established lawful use as a Class 8 residential institution, most recently operating as a care facility. The proposed works include the removal, repositioning, and reinstatement of cast-iron drainage outlets and the formation of a surfaced car park to the east of the building. These works have been carried out retrospectively. It is disappointing that the applicant undertook these works without dialogue with neighbours or the Council, resulting in retrospective enforcement implications and public concern.

The car park works, while described in the application as “resurfacing,” have involved the conversion of a previously grassed embankment into a hardstanding area. This has resulted in the loss of grassed amenity and potential habitat, which is regrettable. In line with Policy 3 (Biodiversity) of NPF4 and LDP2 policies on woodland and trees, appropriate mitigation in the form of landscaping and biodiversity enhancements can be secured through conditions, providing compensatory ecological benefit and ensuring that the development is proportionate to its scale.

Concerns have been raised regarding trees and woodland, including potential damage during car park formation. The application does not propose the felling of any trees, and while minor damage to one tree is acknowledged, the integrity of the Ancient Woodland Inventory is not materially compromised. Any mitigation measures would be limited to landscaping improvements consistent with the scale of the car park and the surrounding grounds, in accordance with Policy 6 (Forestry, Woodland and Trees) of NPF4 and LDP2 provisions on tree preservation.

The external alterations to Townend House are minor and largely relate to rainwater management. While retrospective, these works are not considered to materially harm the character or setting of the listed building, in accordance with Policy 7 (Historic Assets and Places) of NPF4 and LDP2 policies on the historic environment. Internal works, such as the installation of en-suite facilities, fall outside the scope of this application.

Issues regarding traffic, road safety, or potential operational impacts associated with the proposed use of Townend House as a rehabilitation facility are not material to the assessment, as the use of the building remains Class 8. Similarly, concerns regarding perceived increases in noise, lighting, or general amenity are either outside planning control or can be mitigated by conditions where associated with the physical works (e.g., lighting associated with the car park).

Overall, while it is disappointing that the applicant undertook retrospective works and did not engage proactively with the local community, the proposed alterations to the Townend House and the formation of the car park are modest and proportionate. The application seeks to regularise the development, and planning conditions can be attached to secure biodiversity and landscaping mitigation, to ensure that the physical works respect the character of the listed building, its grounds, and the wider locality. On balance, the impact on the locality is acceptable and in accordance with the relevant provisions of NPF4 (Policies 2, 3, 6, and 7) and South Ayrshire LDP2 (Strategic Policies 1 and 2, Historic Environment, Woodland and Forestry, Preserving Trees, and Land Use and Transport).

8. Conclusion:

The application seeks planning permission for alterations to Townend House, a Category B Listed building, and for the formation of a surfaced car park within its grounds. The works are retrospective, involving external alterations to rainwater goods/ vents and the creation of a hardstanding area on previously grassed land. While the proposals have generated public concern, particularly regarding the perceived change of use and operational impacts, it is considered that Townend House remains within Class 8 (Residential Institutions – Care Home). Accordingly, the use of the building and potential client group are not material considerations in the determination of this application.

The external works are relatively minor and do not materially affect the character or setting of the listed building. The car park, although constructed on a previously grassed embankment, can be mitigated through appropriate landscaping and biodiversity enhancements. Overall, the integrity of the Ancient Woodland Inventory is considered to be maintained.

On balance, the proposed alterations and car park formation are proportionate, acceptable in design, and sympathetic to the character of the listed building and its grounds. Appropriate conditions can secure biodiversity, landscaping, and lighting mitigation, ensuring that the works integrate with the surrounding locality. The proposals are therefore considered to accord with the relevant provisions of NPF4 (Policies 2, 3, 6, and 7) and South Ayrshire LDP2 (Strategic Policies 1 and 2; Historic Environment; Woodland and Forestry; Preserving Trees; Land Use and Transport). Approval of the application, subject to conditions, is recommended.

9. Recommendation:

It is recommended that the application is approved subject to the following conditions:

- (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.
- (3C) That within three months of the date of this permission, a landscaping and biodiversity mitigation scheme shall be submitted to and approved in writing by the Planning Authority. This shall include planting, habitat enhancements, and measures to mitigate the loss of grassed areas. The approved scheme shall be implemented and maintained in perpetuity.
- (3R) To offset the ecological and visual impact of the car park.
- (4C) That no external lighting shall be installed in association with the car park hereby approved unless a lighting scheme has first been submitted to and approved in writing by the Planning Authority. Any approved lighting shall be installed and maintained in accordance with the approved details, for the lifetime of the development.
- (4R) To safeguard residential amenity, reduce light pollution, and protect ecological interests in the event that external lighting is installed.

9.1 Advisory Notes:

- (1) The applicant is advised to ensure that surface water from the car park does not adversely affect the private access road or neighbouring properties. Any drainage measures required beyond the site boundary are the responsibility of the landowners concerned.

9.2 List of Determined Plans:

- Drawing - Reference No (or Description): AE(00)010
- Drawing - Reference No (or Description): AE(00)011
- Drawing - Reference No (or Description): AE(00)012
- Drawing - Reference No (or Description): AE(00)013
- Drawing - Reference No (or Description): AE(00)014
- Drawing - Reference No (or Description): AE(00)015
- Drawing - Reference No (or Description): AE(00)016
- Drawing - Reference No (or Description): AE(00)017
- Drawing - Reference No (or Description): AE(00)00L Rev A
- Drawing - Reference No (or Description): AL(00)0CP

9.3 Reason for Decision (where approved):

The proposed external alterations to Townend House and the formation of a car park are not considered to materially harm the character, appearance, or setting of the Category B Listed building or its landscaped grounds. The development accords with the relevant provisions of National Planning Framework 4 and South Ayrshire Local Development Plan 2.

Background Papers:

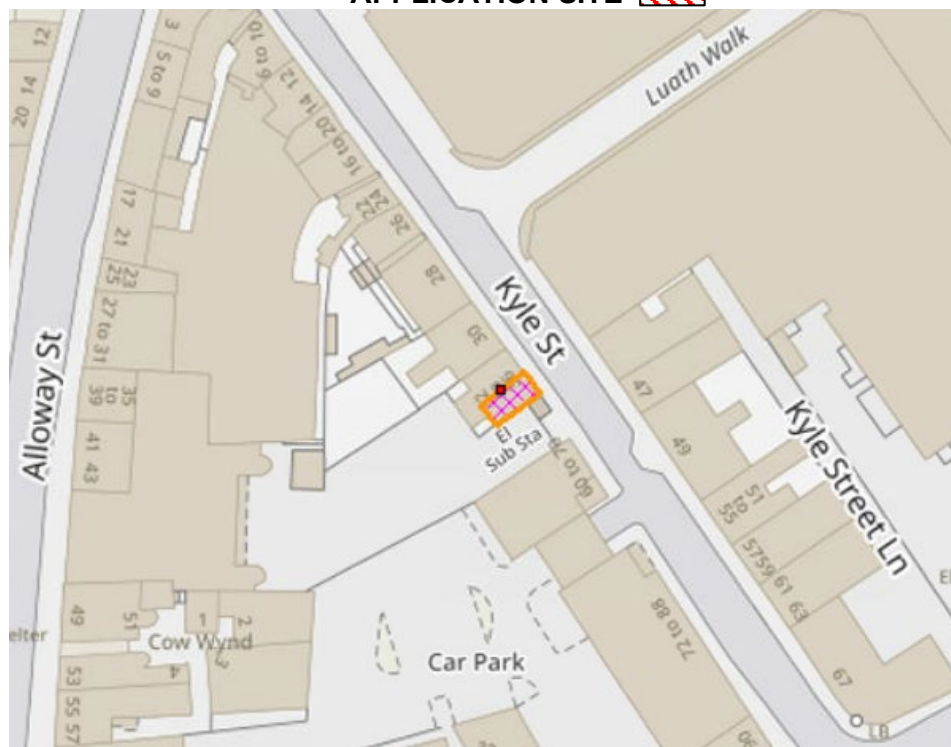
1. Application form, plans and submitted documentation.
2. Representations.
3. Adopted South Ayrshire Local Development Plan (LDP2).
4. National Planning Framework 4 (NPF4).
5. Use Classes Order (Planning (Scotland) Act)

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.

Person to Contact:

David Clark, Co-ordinator (Development Management) - Telephone 01292 616 118

REGULATORY PANEL: 10 DECEMBER 2025**REPORT BY HOUSING, OPERATIONS AND DEVELOPMENT****25/00687/APP****32A KYLE STREET AYR SOUTH AYRSHIRE KA7 1RZ****Location Plan****APPLICATION SITE** 

This product includes mapping data licensed from Ordnance Survey with permission of the Controller of Her Majesty's Stationery Office.
© Crown copyright and/or database right 2018. All rights reserved. Licenced number 100020765.

The drawings and other documents relating to this application, can be accessed on the Council's website via the link below:

[\(Application Summary\)](#)

Summary

Planning permission is sought for the change of use of a dwelling flat to short-term letting accommodation at 32A Kyle Street, Ayr. The application site comprises a one-bedroom first-floor flat within a three-storey building containing a total of four residential units. The building is located within Ayr town centre and lies within the Ayr Conservation Area. There are no other short-term lets operating within the building.

The flat comprises a hall, lounge/kitchen/diner, a single bedroom, and a bathroom. No alterations to the internal layout or external appearance of the building are proposed; the application solely seeks permission for the change of use to short-term letting purposes in accordance with the Scottish short-term letting licensing scheme. The application is supported by an Operational Statement which sets out proposed management arrangements including a maximum occupancy of two guests, house rules, quiet hours, secure guest access, and professional cleaning between stays.

The application has attracted a single objection from the Fort, Seafield and Wallacetown Community Council, raising concerns regarding over-provision of short-term lets, shared access and bin facilities, the loss of long-term housing, and the financial motivations for the proposal. These matters have been carefully considered in the context of relevant planning policy, the town centre location, the flat's modest scale, and the operational management measures proposed.

The proposed development has been assessed against National Planning Framework 4 (NPF4) and the South Ayrshire Local Development Plan 2 (LDP2). Given the flat's scale, location, and management measures, the use is unlikely to

result in unacceptable impacts on local amenity, communal areas, or the character of the building and Conservation Area. Any potential impacts on amenity, including noise or disturbance, would be addressed through licensing and enforcement mechanisms.

Accordingly, the application is recommended for approval with conditions restricting the use to short-term holiday accommodation.

REPORT BY HOUSING, OPERATIONS AND DEVELOPMENT

REGULATORY PANEL: 10 DECEMBER 2025

SUBJECT:	PLANNING APPLICATION REPORT
APPLICATION REF:	25/00687/APP
SITE ADDRESS:	32A Kyle Street Ayr South Ayrshire KA7 1RZ
DESCRIPTION:	Change of use from Class 9 dwellinghouse to short-term let accommodation
RECOMMENDATION:	Approval with conditions

APPLICATION REPORT

This report fulfils the requirements of Regulation 16, Schedule 2, paragraphs 3 (c) and 4 of The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013 (as amended). The application is considered 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 23 October 2025.
- The application was validated on 27 October 2025.
- The case officer visited the application site on 25 November 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 31 October 2025.
- A Site Notice was posted in the locality under Section 65 of Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 (as amended) by the Planning Authority on 11 November 2025.
- A Public Notice, under The Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 (as amended) was placed in the Local Press on 11 November 2025.

1. Proposal:

Planning permission is sought for the change of use of a dwelling flat to form short-term letting accommodation. The application site comprises a one-bedroom first-floor flat located at 32A Kyle Street, Ayr. The flat is part of a three-storey building containing a total of four residential units, with shared access and communal areas. The building is situated within Ayr Town Centre and lies within the Ayr Conservation Area, which is characterised by a mix of commercial and residential uses.

The proposed use of the flat for short-term letting purposes does not involve any alterations to the internal layout or external appearance of the building, with the application solely seeking permission for the change of use in order to comply with the Scottish short-term letting licensing scheme.

The application is accompanied by an Operational Statement submitted with the application, which sets out the following operational and management arrangements:

- Maximum occupancy of 2 guests at any one time.
- Short-term let available year-round, with minimum stays of 2 nights and maximum stays of 28 nights, and a total of up to 365 days per year.
- Access via a secure key safe; check-in from 4:00 pm and check-out by 10:00 am, with all guest instructions provided digitally via a guest portal and email.
- Guests are provided with a Digital Guest Book, including instructions on parking, key access, property layout, appliance use, and Wi-Fi.
- Professional cleaning and linen service provided between guest stays, including removal of waste from the property to avoid pressure on communal bins.
- House rules include quiet hours from 10:00 pm to 8:00 am, prohibition of parties, respect for neighbours, and maximum occupancy limits; breach of rules may result in early termination of the rental agreement.
- Any complaints from guests or neighbours are documented and addressed promptly via email, telephone, or in-person visit if required.

The flat shares a common entrance with three other units, and communal bin provision is also shared among the four flats. No external amenity space or private parking is associated with the flat; on-street public parking is available nearby.

The application requires to be reported to the Council's Regulatory Panel, as the Fort, Seafield and Wallacetown Community Council has objected to the application, thereby expressing a different view to the recommendation to approve the application subject to conditions.

2. Consultations:

No consultations were undertaken for this application.

3. Submitted Assessments/Reports:

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

None.

4. S75 Obligations:

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

None.

5. Scottish Ministers Directions:

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

None.

6. Representations:

One representation has been received from the Fort, Seafield and Wallacetown Community Council, objecting to the proposed development. All representations can be viewed online at <https://publicaccess.south-ayrshire.gov.uk/online-applications/applicationDetails.do?keyVal=T4KKOQBDIRF00&activeTab=summary>

The objection raises the following key concerns:

- Perceived over-provision of short-term lets within South Ayrshire, and particularly in Ayr;
- Shared access to the property, which could result in disturbance of amenity and overuse of communal bin facilities;
- The loss of a residential property from the housing stock, which could exacerbate a shortage of long-term accommodation;
- The view that the proposal is primarily for financial gain, without regard to local housing needs.

In accordance with the Council's procedures for the handling of planning applications, Representees have the opportunity to make further submissions upon the issue of this Panel Report by addressing the Panel directly. A response to the points raised in the objection is included within the assessment section of this report.

7. Assessment:

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

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

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

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

(i) National Planning Framework 4 (NPF4)

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):

Policy 30 of the National Planning Framework 4 states that development proposals for the reuse of existing buildings for short term holiday letting will not be supported where the proposal will result in:

- i. An unacceptable impact on local amenity or the character of a neighbourhood or area; or
- ii. The loss of residential accommodation where such loss is not outweighed by demonstrable local economic benefits.

An assessment of the application proposals on the impact on local amenity is set out elsewhere in this report.

In considering the local economic benefit of the application proposal, the Scottish Government's 'Research into the impact of short-term lets on communities across Scotland' document is of relevance to the assessment of the application. The document sets out 5 key impacts that short-term lets have on communities, which include local economic benefits. The document acknowledges that STLs encourage tourism which supports local economic benefits. Specifically, the benefits identified relate to increased spend, increased availability of jobs (often all year round) and direct jobs and trade for the STLs supply chain including property managers, cleaners and the property maintenance industry.

The application site is located within the settlement of Ayr and guests of the STL will have easy access to services and amenities located nearby. It is not unreasonable to assume that guests of the STL will use such services and amenities and thus increase spend within the local area. Furthermore, it is noted from the submitted Operating Plan that the applicant uses a cleaning company which is considered to support local economic benefit. Overall, it is considered that the loss of the existing residential accommodation can be justified due to the local economic benefits associated with the application proposals.

A more detailed assessment of the proposals against the provisions of NPF4 is set out below.

(ii) South Ayrshire Local Development Plan 2

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

- o Strategic Policy 1: Sustainable Development;
- o Strategic Policy 2: Development Management;
- o LDP Policy: Historic Environment;
- o LDP Policy: Tourism.

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.

(iii) Objector Concerns

The Fort Seafield and Wallacetown Community Council objects to the proposed short-term letting at 32A Kyle Street on the following grounds:

1. **Over-provision of Short-Term Lets (STLs) in Ayr:** The Community Council considers that there are already around 540 STLs in South Ayrshire, most of which are in Ayr, and that no further STLs are needed.
2. **Shared Access and Facilities:** The flat shares communal access and bin facilities with three other flats, which the Community Council believes will result in disturbance and overuse of shared areas.
3. **Impact on Long-Term Housing Supply:** The conversion of the flat to a short-term let will reduce the availability of long-term accommodation in Ayr, potentially conflicting with local housing needs.
4. **Profit Motive:** The Council considers that the proposal is primarily intended to generate profit for the owner, with little regard for local housing needs or community benefit.

Response to Objection

1. **Provision of Short-Term Lets:** While it is acknowledged that Ayr contains a number of existing STLs, each application is assessed on its individual merits. The proposed flat is modest in size, with a single bedroom and maximum occupancy of two guests. The operational arrangements, including house rules, quiet hours, and active management, are designed to ensure minimal impact on neighbouring residents. The proposal does not contribute to cumulative adverse impacts in the wider town centre.
2. **Shared Access and Facilities:** The flat shares a common entrance and bin store with three other flats. The Operational Statement confirms that waste will be managed by the cleaning service, removing it from the property, which mitigates the risk of overuse. Guests are provided with clear instructions regarding access, behaviour, and property use, which will minimise potential disturbances to neighbours.
3. **Long-Term Housing Supply:** The application involves a single one-bedroom flat within a four-unit block. While there is a finite supply of residential properties, the modest scale and temporary nature of the proposed short-term letting use mean that the impact on long-term housing availability is minimal and is outweighed by the local economic benefits associated with tourism spend and supporting local businesses.
4. **Profit Motive:** Profit generation is not, in itself, a material planning consideration. The Planning Authority must consider the proposal in relation to planning policy, amenity, and the character of the area. The management measures proposed demonstrate consideration for neighbour amenity and operational sustainability, mitigating potential adverse impacts on the local community.

(iv) Impact on the Locality

Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997 require that planning decisions are made in accordance with the development plan unless material considerations indicate otherwise. The Development Plan comprises National Planning Framework 4 (NPF4) and the South Ayrshire Local Development Plan 2 (LDP2), as outlined above. The main issues in this case are whether the proposal complies with development plan policy, and whether any other material considerations justify a departure from policy.

NPF4 was adopted on 13 February 2023 and carries increased weight over previous national frameworks. In the absence of specific Council guidance relating to short-term lets, Policy 30 of NPF4 is relevant. It states that proposals for the reuse of existing buildings for short-term holiday letting should not be supported where they would result in an unacceptable impact on local amenity or the character of a neighbourhood, or where the loss of residential accommodation is not outweighed by demonstrable local economic benefits.

The submitted Operational Statement demonstrates management measures designed to mitigate potential impacts on amenity, including house rules, quiet hours, secure guest access, and operator availability. The modest scale of the flat, with one bedroom and a maximum occupancy of two guests, further limits potential disturbance. Any persistent issues would be addressed through Police Scotland, the Council's Environmental Health Service, or the Short-Term Lets Licensing Team.

In terms of economic impact, the Scottish Government's research on short-term lets in Scotland highlights local economic benefits, including increased spend, additional employment (including property management, cleaning, and maintenance), and support for tourism-related services. The flat is located in Ayr town centre, providing guests with convenient access to local services and amenities, and the Operational Statement confirms use of local cleaning services. These economic benefits support the justification for the limited loss of long-term residential accommodation.

The site at 32A Kyle Street is a first-floor, one-bedroom flat within a three-storey, four-unit building in the town centre and within the Conservation Area. Shared access and bin provision are in place, and there are no other short-term lets in the building. No neighbouring residential properties have objected. Parking and access have been considered; while the flat relies on public street parking, the modest occupancy and central location, combined with a public car park immediately to the rear, suggest that additional parking demand would be minimal.

No external alterations are proposed. The short-term letting use will retain the residential character of the flat and will be restricted to holiday occupancy only. The operational measures and licensing controls are considered sufficient to prevent unacceptable impacts on neighbours or the character of the locality.

The Regulatory Panel has considered multiple applications for short-term let accommodation across South Ayrshire, and their decisions are acknowledged as material considerations. Each application is assessed on its individual merits, with careful attention to potential impacts on residential amenity, property scale, over-provision of short-term lets, and parking. These decisions highlight the scrutiny applied by the Panel in balancing the benefits of short-term letting against potential adverse impacts on local amenity and the character of residential areas.

In the context of this application, 32A Kyle Street is a modest one-bedroom first-floor flat. Its scale, operational management measures, and town centre location suggest that the likelihood of significant adverse impacts on neighbouring amenity is limited. Expectations of residential amenity in a town centre context differ from predominantly residential areas, where the Panel's previous refusals were based. No other neighbouring residents have objected, and the Operational Statement demonstrates robust measures to manage occupancy, guest behaviour, and waste.

While the Regulatory Panel retains the discretion to reach a different view, the proposal is considered to comply with Policy 30 of NPF4 and relevant LDP2 provisions. Licensing arrangements provide ongoing operational control, including measures to address noise or anti-social behaviour, with licences requiring renewal every three years.

Taking into account NPF4 Policy 30, relevant LDP2 provisions, the flat's scale, operational management measures, and town centre context, the proposal is not expected to result in unacceptable impacts on local amenity or the character of the area. Approval is recommended, subject to conditions restricting use to short-term holiday accommodation only.

8. Conclusion:

The application has been assessed against the various material considerations, including the provisions of the development plan, relevant supplementary guidance, consultations, representations received, and the impact of the proposed development on the locality.

The assessment concludes that the principle of the proposed development complies with the development plan and relevant guidance. The consultation responses do not raise any issues of overriding concern that cannot be addressed by condition. Similarly, the points raised in the objection have been fully considered but do not raise any matters that would merit refusal of the application. It is considered that the site context, the character of the area, and the operational management arrangements for the short-term let are satisfactory and, together with the imposition of suitable planning conditions, will ensure an acceptable form of development.

Given the above assessment, and having balanced the applicant's rights against the general interest, the application is recommended for approval, subject to conditions restricting the use to short-term holiday accommodation only.

9. Recommendation:

It is recommended that the application is approved subject to the following conditions: -

- (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.
- (3C) That the accommodation hereby approved shall not be promoted, advertised, let, or used for any purpose other than as holiday accommodation, to the satisfaction of the Planning Authority.
- (3R) To define the terms of this planning permission, and to retain proper planning control over the development.

9.1 Advisory Notes:

None.

9.2 List of Determined Plans:

Drawing - Reference No (or Description): Floor Plan

Drawing - Reference No (or Description): Location Map

Other - Reference No (or Description): Operational Statement

9.3 Reason for Decision (where approved):

The proposed change of use proposal is supported by the framework of planning policy including National Planning Framework 4 and Local Development Plan 2 in that it could bring economic benefits to the area and is not expected to have a detrimental impact on residential amenity or the character of the surrounding area. Should any residential amenity issues arise in the future, it would be for Police Scotland, the Council's Environmental Health Service or Licensing Team to pursue through their regulatory powers.

Regulatory Panel (Planning): 10 December 2025

Report by Housing, Operations and Development (Ref: 25/00687/APP)

Background Papers:

1. Application form, plans and submitted documentation.
2. Representations.
3. Adopted South Ayrshire Local Development Plan (LDP2).
4. National Planning Framework 4 (NPF4).

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.

Person to Contact:

David Clark, Development Management Co-ordinator (Development Management) - Telephone 01292 616 118

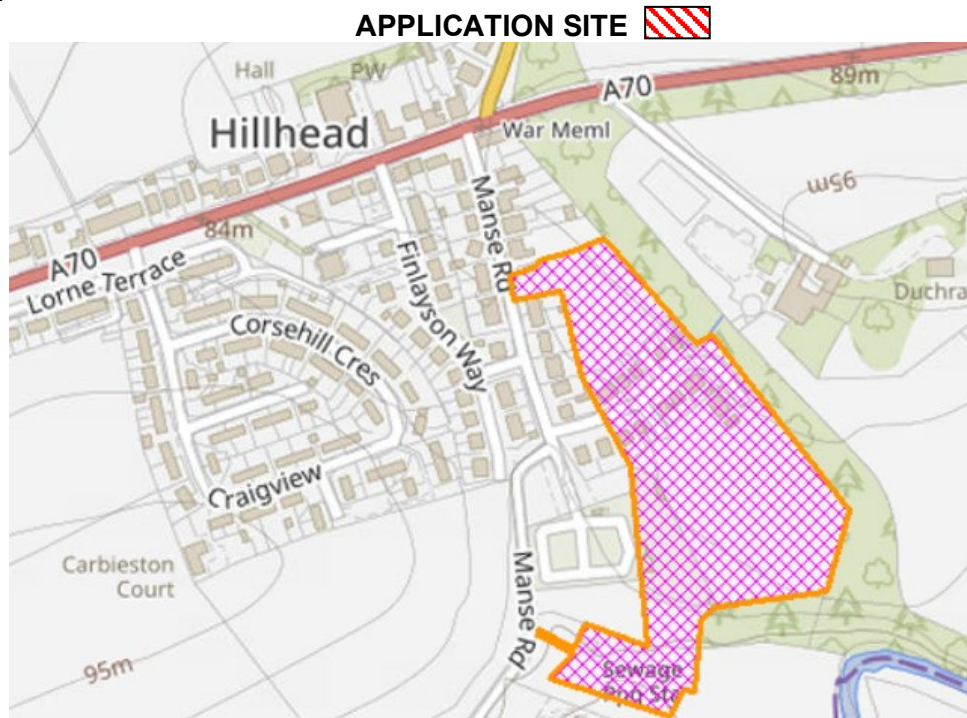
REGULATORY PANEL: 10 DECEMBER 2025

REPORT BY HOUSING, OPERATIONS AND DEVELOPMENT

25/00650/FURM

LAND AT MANSE ROAD COYLTON SOUTH AYRSHIRE

Location Plan



This product includes mapping data licensed from Ordnance Survey with permission of the Controller of Her Majesty's Stationery Office.
© Crown copyright and/or database right 2018. All rights reserved. Licenced number 100020765.

The drawings and other documents relating to this application, can be accessed on the Council's website via the link below:

[\(Application Summary\)](#)

Summary

This application seeks permission so as not to comply with condition 19 of previously consented application Ref. 22/00779/MSCM – this relates to the removal of the requirement to provide on-site affordable housing. The applicant has submitted evidence outlining the steps taken to deliver affordable housing on the site, including attempts to engage and secure a Registered Social Landlord; however, these efforts have not been successful. Two letters of objection have been received and the matters raised include issues in relation to non-compliance with existing planning conditions, concern in respect of the request to remove the requirement for a commuted sum and that no details have been provided in respect of proposed replacement housing. A consultation response has been received from the Council's Housing Strategy and Regeneration Service which states that they are supportive of the removal of the condition requiring affordable housing on site in lieu of an agreed commuted sum which considers costs incurred to date. It is considered that based on the submitted evidence available, relevant guidance and Development Plan considerations, it is appropriate to delete the affordable housing condition in this instance.

REPORT BY HOUSING, OPERATIONS AND DEVELOPMENT

REGULATORY PANEL: 10 DECEMBER 2025

SUBJECT:	PLANNING APPLICATION REPORT
APPLICATION REF:	25/00650/FURM
SITE ADDRESS:	Land At Manse Road Coylton South Ayrshire
DESCRIPTION:	Further application so as not to comply with Condition 19 of previously consented 22/00779/MSCM
RECOMMENDATION:	Approval with conditions

APPLICATION REPORT

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

Key Information:

- The application was received on 9 October 2025.
- The application was validated on 9 October 2025.
- No Site Visit was undertaken by the Planning Authority as the application relates to the deletion of a planning condition associated with a previous consent (Ref 22/00779/MSCM)
- 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 13 October 2025.
- 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 21 October 2025.
- Under the Council's Scheme of Delegation for Determination of Planning (and other related) Applications, the current application does not require to go before Regulatory Panel. However, as per the aforementioned document, the Service Lead – Planning and Building Standards - considers that it would be appropriate for members of the planning authority to take the decision on the application as the application relates to a significant issue.

1. Site Description:

The application site extends to approximately 2.75 hectares, with the site located on the eastern edge of the settlement of Coylton. The site is bound to the east and south by an existing, established and mature tree belt, most of which is designated as part of an Ancient Woodland Inventory (Reference: 27148). Part of this same woodland along the southern boundary edge of the site also forms part of a provisional wildlife site (Reference: 88, Name: Water of Coyle Bridgend to Mill of Shield). Beyond the existing tree belt closest to the southwest corner of the application site is Coylton Cemetery. The remaining part of the northern and western boundary of the site is neighbored by existing residential properties which face onto Manse Road. The proposed affordable housing is approved within the northern section of the application site.

2. Planning History:

17/01115/PAN - Proposal of application notice for the erection of residential development with associated access road, open space, landscaping and other required infrastructure – Approved October 2017.

18/00585/PPPM - Planning permission in principle for the erection of residential development with associated access roads, open space, landscaping and infrastructure – Approved June 2019.

22/00779/MSCM - Approval of matters specified in conditions for erection of 53 residential dwellings with associated access road, open space landscaping and infrastructure – Approved November 2022.

25/00425/APP - Variation of House Types on Plots 9, 39, 13 and 15 of Planning Permission Reference 22/00779/MSCM – Approved August 2025.

3. Proposal:

Planning permission is sought to remove condition 19 of planning permission 22/00779/MSCM which is copied below:

“The 13 affordable housing units associated with the development hereby approved shall be constructed and delivered on site in strict accordance with the approved 'Site Plan Proposed (Drawing No. AL (00)03 Rev 04)' and shall be completed as part of Phase 3 of the development in line with the approved 'Site Phasing Plan (Drawing No. AL(00)04 Rev 2)'. Thereafter and once construction of the affordable housing units is complete, the affordable housing units shall function and be let/rented, occupied and maintained in strict accordance with the approved 'Letter Regarding Affordable Housing Provision (Ayrshire Housing, dated 15th September 2022)' and 'Statement in Response to Condition 28 - Affordable Housing Provision and Details (Milestone Developments, dated 28th October 2022)', unless otherwise agreed in writing by the Planning Authority”.

The application seeks to remove this condition and therefore the requirement to provide affordable housing provision within the site.

4. 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 has submitted a statement in support of their submission which outlines the reasons for the current application for the removal of the condition outlined within section 3, above. The statement also seeks to justify the removal of any commuted sum which may be applicable in lieu of the development of affordable housing units. In the unsuccessful process of identifying a Social Landlord partner, the applicant has evidenced, significant financial outgoings as a result of abortive negotiations with Ayrshire Housing and subsequently with the Council's Housing Strategy and Regeneration Service.

5. Consultations:

Council's Housing Strategy and Regeneration Service: SAC became aware in October 2023 that the applicant was struggling to conform with Planning condition 19 as the proposed delivery partner for the affordable element had withdrawn support. From there, Officers worked to ascertain whether SAC could become the delivery partner for this project in order to allow the developer to meet their obligations and for affordable housing to be delivered on site. Discussions lasted until June 2025 when SAC Housing Strategy and Regeneration confirmed they would be unable to enter into an agreement with the developer to deliver on planning condition 19. Therefore, the Housing Strategy and Regeneration Service is supportive of the removal of this clause in lieu of an agreed commuted sum which considers costs incurred to date.

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:

2 representations have been received, both of which object to the proposed development. All representations can be viewed online at <https://publicaccess.south-ayrshire.gov.uk/online-applications/applicationDetails.do?keyVal=T3UNBZBDIF600&activeTab=summary>

In summary, the objectors have expressed principal concerns relating to:

- **Non-compliance with existing planning conditions**
Condition 4 – requirement to resurface the existing public footpaths prior to commencement of works has not been met.
Condition 5 – no effective wheel washing facility has been installed.
Phasing of Development – works do not appear to be following the approved phasing plan. Phase 2 is not complete, yet properties within phase 4 are.
Condition 13 – Phase 2 well advanced and Phase 4 has started but the required play area has not been installed.

Response: The compliance or otherwise with planning conditions cannot be considered within the assessment of the current application. Notwithstanding, the matters raised will be investigated separately by the Planning Service.

- **Concern in relation to request to remove commuted sum.**

Response: This matter is addressed within the assessment section of this report (section 11).

- **No details have been provided in relation to proposed replacement dwellings. Any dwelling should be conditioned to no more than 1.5 storeys in height.**

Response: The application under consideration relates solely to the removal of condition 19 of planning consent (22/00779/MSCM) in relation to the deletion of the requirement to provide on-site affordable housing provision. Any revised scheme would be subject to a further planning application.

In accordance with the Council's procedures for the handling of Planning applications the opportunity exists for Representees to make further submissions upon the issue of this Panel Report by addressing the Panel directly.

9. Development Plan:

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.

The principle of the development has been established through the approval of various previous planning applications (listed in section 2). The purpose of the current application is to determine whether it is appropriate to delete the condition attached to planning consent 22/00779/MSCM which stipulated the requirement for the provision of on-site affordable housing. By extension, this raises the matter of a possible developer contribution in lieu of this onsite affordable housing. The developer does not wish to make such a contribution and has submitted justification which is outlined within the assessment section of this report.

National Planning Framework 4 (NPF4)

The following policy of NPF4 is 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 16 Quality Homes

An assessment of the proposals against the provisions of NPF4 is set out below.

South Ayrshire Local Development Plan 2

The following policy of the South Ayrshire Local Development Plan 2 is 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):

- LDP Policy Affordable (including Specialist) Housing

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):

Planning Guidance – New Housing Developments and Affordable Housing: A Guideline for Developers (September 2006).

This document outlines the continued need for affordable housing across South Ayrshire, sets a policy context, outlines the application of Affordable Housing Policy, outlines partnership development and considers commuted sums. In this respect, the document states that the commuted payment will be the value of the land for affordable housing. While this document has been in place for approximately 19 years, the national policy framework and wider economic landscape have evolved over this period.

Taking account of the document's age, together with changes in policy and economic circumstances since its publication, it is considered that only limited weight can be afforded to it in the assessment of this application. Accordingly, the Development Plan provides the most appropriate basis for the assessment in this instance. Notwithstanding the age of the document, the Planning Authority sought to obtain a commuted sum in lieu of the affordable homes. However, the applicant has indicated that due to previous expenditure incurred in trying to deliver affordable homes on the site, that it is not viable for them to make a commuted sum contribution.

11. Assessment:

The applicant has submitted the current application to remove condition 19 of planning permission 22/00779/MSCM which relates to the provision and construction of 13 affordable housing units within a residential development which comprises 53 units in total. The development comprises 4 phases. Phases 1, 2 and 4 relate to the private housing to be built by the applicant, with Phase 3 covering the portion of the site within the northern area dedicated to the affordable housing (to which condition 19 of planning permission 22/00779/MSCM relates). Condition 19 also stated that the affordable housing units should be delivered on site in a timely manner.

The relevant policies of the Development Plan of key consideration in the assessment of the current application are NPF4 Policy 16 and LDP2 Policy: Affordable (including Specialist Housing). Policy 16 of NPF4 seeks to encourage, promote and facilitate the delivery of more high quality, affordable and sustainable homes in the right locations, providing choice across tenures that meet the diverse housing needs of people and communities across Scotland. The policy states that development proposals for new homes will be supported where they make provision for affordable homes to meet identified need. Proposals for market homes will only be supported where the contribution to the provision of affordable homes on a site will be at least 25% of the total number of homes, unless the LDP sets out locations or circumstances where: a higher contribution is justified by evidence of need or a lower contribution is justified, for example, by evidence of impact on viability, where proposals are small in scale or to incentivise particular types of homes that are needed to diversify the supply, such as self-build or wheelchair accessible homes.

LDP2 Policy: Affordable (including Specialist Housing) outlines that in all areas, with the exception of Maybole and Girvan, there is a target contribution of 25% of the total number of units from all new housing developments of 15 units or more, or a site equal to the size of 0.6 hectares to provide affordable housing. Affordable (including specialist) housing is expected to be provided onsite where possible and in the first instance, through social rented housing. Where this is not practical or the Council considers it inappropriate or would not meet local needs, a range of other housing tenures and mechanisms to provide affordable housing may be considered acceptable. In all areas, where the prospective developer can demonstrate, to the Council's satisfaction, that affordable housing would have a critical effect on the economic viability of the proposal this will be taken into account in considering the range of affordable tenure types and delivery mechanisms that would be appropriate in the circumstances.

The applicant has submitted a statement in support of their submission which outlines the reasons for the current application and for the removal of the condition outlined within section 3, above.

Applicant Engagement with Ayrshire Housing

The applicant has submitted a timeline which outlines their engagement with Ayrshire Housing. Ayrshire Housing is listed as a Scottish Housing Regulator (SHR) Registered Social Landlord (RSL). The design of the dwellings comprised a mix of semi-detached and 4-in-a-block flats. The applicant states that they obtained for the entire site planning permission, building warrant, Scottish Water Technical Approval and Roads Construction Consent. It is outlined within the application submission that the applicant agreed Formal Heads of Terms in respect of lands costs, constructions costs, design costs, housing mix, programme and specification with Ayrshire Housing in February 2022. It is further stated that Ayrshire Housing issued a full set of Employers Requirements including all contract terms and conditions in June 2022, this instructs the contractor to prepare a full set of contractor's proposals to facilitate a Scottish Government funding application. Planning permission was granted for the residential development in November 2022.

Various processes were undertaken, including Ayrshire Housing making a full tender application for Scottish Government grant funding in June 2023, with the project being stated as viable in its current form relative to private finance and Scottish Government funding. It is outlined that between June 2023 to October 2023, the applicant submitted additional information and assisted Ayrshire Housing with Scottish Government funding queries. It is stated that Ayrshire Housing subsequently thought that the costs were too high to secure approval, despite the applicant receiving previous assurances on project viability.

In order to move things forward, it is outlined that the applicant re-issued a contract sum analysis on 14th September 2023 in an effort to maintain the programmed start date, with Ayrshire Housing advising on 20th September 2023 that the Scottish Government intend to support the projects at the revised costs level and seeking a pre-start meeting. The applicant received an email from Ayrshire Housing on 6th October 2023 stating that they no longer wished to take part in the development or contract with the applicant.

Applicant Engagement with South Ayrshire Council Housing Strategy and Regeneration Service

The planning submission contains details outlining that the applicant subsequently engaged with the Council's Housing Strategy and Regeneration Service in late 2023 in an attempt to take the affordable housing forward. The timeline submitted by the applicant in relation to their engagement with the Council's Housing Strategy and Regeneration Service highlights that from September 2024 to November 2024, several meetings were held between the applicant and the Council during which design, housing mix, costs, specification, funding and project timescales were discussed. The Council's Housing Strategy and Regeneration Service are stated as having considered that the costs were feasible. The applicant states that they subsequently were instructed to prepare detailed Contractor's proposals to facilitate a Scottish Government funding application and to amend the previously consented mix of homes in Phase 3, with the most notable inclusion of a new house type with a wheelchair specific ground floor bedroom and bathroom. It is further outlined within the current application submission that a formal head of terms was thereafter agreed between the Council and the applicant in January 2025, following which the applicant was instructed to progress their Contractor's proposals, which were submitted to the Council in May 2025. The applicant finally states that in June 2025, following a lack of progress with tender approval and land acquisition, the Council informed the applicant that they would no longer be pursuing the project due to a procurement issue.

In the context of this planning assessment, it is not necessary to explore the procurement matters referred to; however, the above timeline has been noted as part of the applicant's evidence of efforts to deliver the affordable housing provision as required by condition.

As outlined above, both NPF4 Policy 16 and LDP2 Policy: Affordable (including specialist) Housing consider the impact on development viability on providing affordable housing. The LDP2 policy states that in all areas, where the prospective developer can demonstrate, to the Council's satisfaction, that affordable housing would have a critical effect on the economic viability of the proposal this will be taken into account in considering the range of affordable tenure types and delivery mechanisms that would be appropriate in the circumstances. In this instance, the developer has submitted information in relation to the failed attempt to engage with two providers, Ayrshire Housing and the Council's Housing Strategy and Regeneration Service and state that they have approached other Registered Social Landlords (RSLs) over the summer of 2025 – Cunninghame Housing Association, Sanctuary and Riverside – who advise that they have no interest in the site. In light of the aforementioned, it is considered that the applicant has exhausted this route to aid affordable unit provision at the site.

The Affordable Housing Supply Programme (AHSP) provides the principal mechanism by which affordable homes – including social rent, mid-market rent, and low-cost ownership housing are funded across Scotland. In addition, the Rural and Islands Housing Fund (RIHF) offers grant support for rural projects, and allows private developers (for example, a house builder) to apply for funding on suitable sites. These mechanisms mean that, in principle, small or private housebuilders can access public funding to help deliver affordable housing – not only housing associations or local authorities. However, it is understood that one of the criteria for accessing these funds is that the project must deliver long term affordable housing. In practice, this requires that the homes are managed and maintained by a RSL to ensure they remain affordable over time. The applicant, Milestone, is not a registered RSL and therefore is unlikely to qualify for either of the funding opportunities noted above. Furthermore, they have sought to onboard an RSL without success.

The relevant LDP2 policy, states that where social rented housing is not practical or the Council considers it inappropriate or would not meet local needs, a range of other housing tenures and mechanisms to provide affordable housing may be considered acceptable. The Planning Service therefore sought confirmation from the applicant as to whether other housing tenures or mechanisms had been explored at the site, such as 80% market value scheme which would allow eligible buyers to purchase a home for a proportion of the open market value. The applicant provided a response and stated that they had incurred substantial financial losses as a result of the failed aforementioned efforts and that Milestone does not achieve the 20% profit margin that would allow them to support an 80% market value sale of homes. They further advise that they have incurred considerable costs over a period of 3.5 years in attempting to agree a scheme – particularly in respect of professional fees for consultants, statutory fees and legal fees. The applicant also therefore does not consider that a commuted sum in lieu of on-site affordable housing is appropriate in this instance, stating that the total expense of the work undertaken in an attempt to take the affordable housing element forward considerably outweighs any possible commuted sum.

The applicant has submitted information in support of the application outlining the attempts made over a period of 3.5 years to engage with Ayrshire Housing and the Council's Housing Strategy and Regeneration Service in order to provide on-site affordable housing at the development site. It is considered that based on the submitted evidence available, relevant guidance and other considerations such as the Development Plan, it is appropriate to delete the affordable housing condition in this instance. While not part of this application, it is anticipated that, if approved, Milestone will submit a subsequent application for open market housing on the part of the site originally intended for affordable housing. The delivery of additional open market homes would contribute to responding to the housing emergency.

The Planning Service will be required to review affordable housing policies and guidance as part of the preparation of Local Development Plan 3, taking account of both national policy and government guidance. This will ensure that future planning policy continues to reflect best practice and supports the delivery of housing in a way that meets the needs of communities across South Ayrshire.

12. Recommendation:

It is recommended that the application is approved subject to the following conditions:

Conditions and Reasons

1(C) That the proposed development shall commence within five years (unless otherwise agreed in writing by the Planning Service) from the approval of this 'Matters Specified in Conditions' application, or in the case of approval of different matters on different dates, from the requisite approval for the last such matter being obtained.

1(R) To be in compliance with Section 59 of The Town and Country Planning (Scotland) Act 1997 as amended by Section 32 of The Planning (Scotland) Act 2019.

2(C) That the development hereby granted shall be implemented in accordance with the approved plans(s) as listed below and as forming part of this permission unless a variation required by a condition of the permission, or a non-material variation has been agreed in writing by the Planning Authority.

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

3(C) Prior to the occupation of the first dwellinghouse within the development site, a Residential Travel Pack/Plan shall be submitted to and approved in writing by the Planning Authority (in consultation with the Council as Roads Authority). The Residential Travel Pack/Plan shall include information on walking, cycling and public transport facilities and services within the vicinity of the development sites (including journey times by sustainable modes of transport to key local destinations) as well as including details which promote feasible sustainable travel to and from the site alongside appropriate measures and actions to reduce car dependence for the development. In addition to this, the Residential Travel Pack/Plan shall include details of the contents of an information pack which will be provided to future occupants of the development to ensure that they are aware of their public transport and active travel options available within the area. Thereafter, the approved Residential Travel Pack/Plan and all associated measures and actions shall be in place and implemented in full prior to the occupation of the first dwellinghouse within the site and as part of this, the approved information pack associated with the Residential Travel Pack/Plan shall be distributed to all new residents within the development.

3(R) To encourage sustainable means of travel.

4(C) That the existing public footway on both sides of Manse Road shall be resurfaced from the proposed site access to the A70. Details of the resurfacing works shall be submitted to and approved in writing by the Planning Authority (in consultation with the Council as Roads Authority) prior to the commencement of development on site. Thereafter, the approved resurfacing details shall be implemented as approved in a timescale to be agreed in writing by the Planning Authority (in consultation with the Council as Roads Authority).

4(R) To ensure that the surrounding public footpaths are of an appropriate standard to serve the footfall associated with the development and encourage and facilitate sustainable means of travel.

5(C) Prior to the commencement of development on site, details for an effective vehicle wheel washing facility shall be submitted to and approved in writing by the Planning Authority (in consultation with the Council as Roads Authority). The details provided shall demonstrate that the facility will be sufficient enough to prevent or limit the occurrence of vehicles leaving the site carrying earth and mud in their wheels in such a quantity which could cause a hazard to the road system in the locality. The approved wheel washing facility shall be installed immediately before any other construction works commence on site. Thereafter, the wheel washing facility shall be retained in effective working order for the duration of construction (including all phases), until all construction activity associated with the full development is completed on site unless otherwise agreed in writing by the Planning Authority.

5(R) In the interest of road safety and to ensure that no vehicle shall leave the site carrying earth and mud in their wheels in such a quantity which will cause a nuisance or hazard to the road system in the locality.

6(C) Prior to the commencement of development on site, a Construction Traffic Management Plan (CTMP) shall be submitted to and approved in writing by the Planning Authority (in consultation with the Council as Roads Authority). The CTMP shall describe the methodology for the movement of construction traffic to and from the site and shall provide confirmation that all construction vehicles associated with the development when statutory shall be parked within the site and not on any adjacent streets or road networks. The approved CTMP shall thereafter be implemented on site and will be adhered to for the duration of construction (including all phases), until all construction activity associated with the full development is completed on site.

6(R) In the interest of road safety.

7(C) Prior to the occupation of the first dwellinghouse within the development site, the two bus stops located on A70 (Naptan reference numbers: 6190472 and 6190473) shall be upgraded to incorporate Real Time Passenger Information screens (RTPI) compatible with the existing Ayrshire Real Time system. This shall include supply and installation of an isolatable power source within a power termination pillar, the required ducting, a post retention socket compatible with a Trueform Elite pole, a Trueform Elite pole, and a 6 line bann display or equivalent, the cost of which will be met by the applicant/developer. The applicant/developer shall also be responsible for providing 5 years maintenance cover for the screens. Prior to the commencement of development on site, details of the designs, locations and specifications of the RTPI screens associated with the bus stop(s) shall be submitted to and approved in writing by the Planning Authority (in consultation with the Council as Roads Authority).

7(R) To enhance and improve existing accessible public transport facilities to ensure they are sufficient to support additional demand as a result of the proposed development.

8(C) The presence of any previously unencountered contamination that becomes evident during the development of the site shall be reported to the Planning Authority in writing within one week, and work on the affected area shall cease with immediate effect. At this stage, if requested by the Planning Authority, an investigation and risk assessment shall be undertaken and an amended remediation scheme shall be submitted to and approved by the Planning Authority prior to the re-commencement of works in the affected area. The approved details shall be implemented as approved.

8(R) To ensure all unencountered contamination within the site is dealt with appropriately.

9(C) Prior to the commencement of development on site, details of measures to protect trees and hedgerows located within and adjacent to the site (including those forming part of the Ancient Woodland Inventory Designation to the northern, eastern and southern site boundary) shall be submitted for the written approval of the Planning Authority. The trees and hedgerows shall be protected during the course of development by the erection of fencing in accordance with British Standard BS 5837(2012) 'Trees in Relation to Construction', or by such other means of protection deemed necessary and shall be agreed in advance in writing with the Planning Authority. No changing of levels, movement or parking of vehicles, storage of building materials, machinery, plant equipment or soil/aggregate shall take place within the protected areas established pursuant to this condition. The development shall be undertaken in accordance with the approved tree protection details and shall be implemented before any other construction works commence on site. Thereafter, the measures agreed shall be maintained as such for the duration of the construction works until the development is complete on site.

9(R) In order to ensure no damage is caused to trees within or adjacent to the site during development operations.

10(C) All construction work and activity on site relevant to the development shall be carried out in strict accordance with the recommendations and mitigation measures outlined within Section 5.2 of the approved 'Extended Phase 1 Habitat Survey' (Wild Surveys Ltd, Dated 23rd February 2022). These measures and recommendations shall remain in effect until all construction work associated with the development is complete on site.

10(R) In the interests of protecting local wildlife and minimising impact on ecology.

11(C) Further to condition 10 above and the mitigation measures and recommendations outlined within Section 5.2 of the approved 'Extended Phase 1 Habitat Survey' (Wild Surveys Ltd, Dated 23rd February 2022), all ground and vegetation clearance works shall take place out with the main breeding bird season (specifically March to August, inclusive). If this is not possible, and works are due to take place between March and August, then a suitably qualified ornithologist/ecologist shall be engaged and appointed to undertake surveys and scrub vegetation and nesting bird checks and advise of any actions required to protect birds immediately prior to any scrub or vegetation removal works commencing on site.

11(R) In the interest of protecting local wildlife and to advise the applicant/contractor/developer of any bird nesting activity and any actions required to protect birds.

12(C) Prior to the occupation of the 25th dwellinghouse within the development site, evidence that the upgraded and modified pumping station has been formally vested and adopted by Scottish Water shall be submitted to and approved in writing by the Planning Authority (in consultation with the Council's Environmental Health Service). Until such time as this has been received and in the interim period until formal adoption by Scottish Water has been achieved, the upgraded and modified pumping station shall be maintained in efficient working order in line with the approved 'Drainage and Waste Report and Strategy (Milestone Developments, dated 09/09/22)' and 'Hope Homes Letter Regarding Pumping Station (Hope Homes, dated 21/09/22)'.

12(R) To ensure that the existing pumping station is appropriately maintained and serviced and to ensure that it is accepted as being of sufficient capacity to support the proposed development.

13(C) Notwithstanding approved drawing 'Site Phasing Plan (Drawing No. AL(00)04 Rev 2)' hereby approved, prior to the completion of the construction of the 8th dwelling unit within phase 2 of the development site, the approved play area scheme including all associated play equipment shall be installed and completed in its entirety in line with approved plan 'Play Park Layout (Drawing No. AL(00)09 Rev 1)'. All matters relating to the proposed play area facility including; the design and manufacture of the equipment, the installation of the equipment, the installation of the safer-surfacing, and the maintenance and repair programme following completion shall all be in compliance in accordance to the British and European Play Standards BS EN 1176 and BS EN 1177. No alterations or deviations to the approved and installed play area scheme shall be made without the further written consent of the Planning Authority.

13(R) To ensure that the play area scheme is installed and completed in a timely manner to serve future residents of the development.

14(C) Unless otherwise agreed in writing by the Planning Authority, the soft landscaping scheme for the site approved as shown on approved drawings 'Landscape Proposals' (Drawing Nos. Sheet 1, 2, 3, 4 and 5) shall be implemented as approved prior to the completion of the construction of the last dwellinghouse within each respective phase of development in accordance with approved drawing 'Site Phasing Plan (Drawing No. AL(00)04 Rev 2)'. Once implemented, the soft landscaping scheme shall be maintained as such in line with the approved maintenance arrangements. Any trees, shrubs, plants or grass forming part of the approved landscape scheme which die, are removed or become seriously damaged or diseased, within a period of 5 years from the date of their planting, shall be replaced (at no cost to the Council) in line with good horticultural practice with others of similar sizes and species unless the Planning Authority gives written approval to any variation.

14(R) To ensure that the soft landscaping scheme is implemented in a timely manner, in the interests of visual amenity of the site.

15(C) Prior to the commencement of development on site, details and plans demonstrating how the identified areas of public open space as shown on approved plan 'Site Plan Proposed (Drawing No. AL(00)03 Rev 4)' shall function and operate shall be submitted to and approved in writing by the Planning Authority. As part of this, this shall include any details and specifications of park/street furniture, cycle storage/parking, walkways and path connections, lighting, art or any other features to be installed in the public open space areas. Thereafter, the public open space areas shall be implemented in accordance with the approved details and within the timescales set out in Condition 14 above. No alterations or deviations from the approved public open space arrangements shall be undertaken without the further written consent of the Planning Authority.

15(R) To ensure that the formal open spaces provide meaningful and usable areas which align with the requirements of the relevant planning guidance.

16(C) Further to condition 15 above, other than where they share mutual boundaries with existing and proposed dwelling plots, no fencing or other means of enclosure shall be erected around the any of the areas of open space within the development site as shown on approved 'Site Plan Proposed (Drawing No. AL (00)03 Rev 04)' unless otherwise agreed in writing by the Planning Authority. This includes the area of public open space situated on the northwest corner of the application site nearest the pedestrian linkage to Manse Road and the area of open space which surrounds the play area on the southwestern corner of the development site.

16(R) To ensure all areas of open space approved as part of the development are accessible and usable to future occupants of the development.

17(C) Prior to the commencement of development on site, full details of the design and location of any retaining walls and other retention features required as part of the development shall be submitted to and approved in writing by the Planning Authority. Thereafter, the agreed retention details shall be implemented prior to the occupation of any associated houses or completion of associated open space area. No alterations or deviations from the approved retention arrangements shall be undertaken without the further written consent of the Planning Authority.

17(R) To ensure that any areas of retention are appropriately designed and treated so that they are commensurate to the development site.

18(C) The development hereby approved shall be constructed strictly in accordance with the finished site levels and finished floor levels as shown on approved plan 'Vertical Geometry (Drawing No. 21228-100-101)'. Any alterations or deviations to these finished site and floor levels shall first be agreed in writing with the Planning Authority.

18(R) In the interests of residential amenity.

Advisory Notes:

None.

List of Determined Plans:

Drawing - Reference No (or Description): AL (00) LOC 02

Background Papers:

- Application form, plans and supporting documents.
- National Planning Framework 4 (NPF4).
- South Ayrshire Local Development Plan 2 (LDP2).
- Representations received.
- 17/01115/PAN - Proposal of application notice for the erection of residential development with associated access road, open space, landscaping and other required infrastructure – Approved October 2017.
- 18/00585/PPPM - Planning permission in principle for the erection of residential development with associated access roads, open space, landscaping and infrastructure – Approved June 2019.
- 22/00779/MSCM - Approval of matters specified in conditions for erection of 53 residential dwellings with associated access road, open space landscaping and infrastructure – Approved November 2022.
- 25/00425/APP - Variation of House Types on Plots 9, 39, 13 and 15 of Planning Permission Reference 22/00779/MSCM – Approved August 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.

Person to Contact:

Alastair McGibbon, Supervisory Planner (Development Management) - Telephone 01292 616 177