

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

20 February 2026

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, 4 March 2026 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 5 February 2026 (copy herewith).
3. Hearings relating to Applications for Planning Permission - Submit reports by the Housing, Operations and Development Directorate (copies herewith).
4. Application continued from the Regulatory Panel of 5 February 2026 and the Regulatory Panel (Site Visit) to take place on 26 February 2026: 25/00689/APP – Townend House, Townend Drive, Symington, South Ayrshire (report considered by the Regulatory Panel on 5 February 2026 copy herewith).

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

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REGULATORY PANEL (PLANNING)

Minutes of a hybrid webcast meeting
on 5 February 2026 at 10.00 a.m.

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

Present
Remotely: Councillors Mary Kilpatrick.

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

Also Attending: S. Mulholland, Director of Education, G. Cockburn, Service Lead – Education Support Services, S. Callan, Planning Consultant and Douglas Harman, Planning Consultant.

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 Coordinator, 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 10 December 2025 ([issued](#)) were submitted and approved.

Decided: to approve these minutes.

3. Hearing relating to an Application for Planning Permission.

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

The Panel considered the following application: -

(3/1) [25/00689/APP](#) TOWNEND HOUSE, TOWNEND DRIVE, SYMINGTON, SOUTH AYRSHIRE (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).

Following discussions,

The Panel

Decided: that the application be continued to allow the Panel to undertake a site visit and thereafter consider at a future meeting of this Panel.

(3/2) [25/00765/APP](#) 8B NEW BRIDGE STREET, AYR, SOUTH AYRSHIRE, KA7 1JX (Planning permission is sought for the change of use of a dwelling flat to short-term letting accommodation at 8B New Bridge Street, Ayr).

Following discussions,

The Panel

Decided: to approve with 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.

List of Determined Plans:

Drawing - Reference No (or Description): Location Plan

Drawing - Reference No (or Description): Floor Plan

Supporting Information - Reference No (or Description): Operational Statement

Reason for Decision:

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.

Background Papers:

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

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.

(3/3 & 3/4) [225/00364/MDO and 25/00372/MDO](#) LAND AT GREENAN DUNURE ROAD AYR SOUTH AYRSHIRE (Applications seeking to modify the Minutes of Agreement associated with the Section 75 obligations for planning permissions 09/00683/OUT and 18/00311/FURM, the latter being a renewal of the original permission 09/00683/OUT).

Following discussions,

The Panel

Decided: to approve the applications and the decision reported to Cabinet for noting due to financial implications for the Council.

Reason for Decision:

In view of the available evidence in respect of pupil numbers/projections and school capacities within the catchment (and at Kyle Academy which is out with the catchment), and having considered the tests within Circular 4/2025 in relation to Planning Obligations, the Development Plan and representations from interested parties, it has been concluded that retaining these unspent contributions is not necessary and would be unreasonable. The Planning Authority has obtained KC legal opinion on this matter which indicates that there would be little evidence to justify the retention of the unspent

contributions. It is recommended that the applicants proposed wording to modify the S75 Agreements is approved.

List of Determined Plans:

Drawing - Reference No (or Description): Location Plan 264.30/PA/SP01 Rev: 0

Background Papers:

- Application form, plans and supporting documents.
- National Planning Framework 4 (NPF4).
- South Ayrshire Local Development Plan 2 (LDP2).
- Circular 4/2025 - Planning Obligations and Good Neighbour Agreements.
- Section 75 Legal Agreement associated with 09/00683/OUT.
- Section 75 Legal Agreement associated with 18/00311/FURM.
- Education Capacity Assessment (Lichfields, September 2025) – on behalf of the applicant.
- Council's 2009 Education Impact Assessment.
- Council's Recent Postcode Analysis.
- Representations received.
- Consultation response received.

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.

**(4) Consultation under Section 36 of the Electricity Act 1989
([23/00472/DEEM](#)) – Proposed Wind Farm at Knockodhar B734 from A714
Junction at Pinmore Bridge to Barr Pinmore, South Ayrshire.**

Following discussions,

The Panel

Decided:

- (a) to submit this report to The Scottish Government Energy Consent Unit as a position of maintaining our objection on behalf of the Planning Authority to the Section 36 application for the proposed development (ECU Reference: ECU00002153) unless the conditions set out in the appendix below are imposed in their entirety or that suitable alternative;
- (b) to approve delegated authority to officers of the Planning Service to conclude planning conditions with the Scottish Government Energy Consents Unit, in writing, should the Scottish Ministers be minded to grant consent under Section 36 of the Electricity Act 1989 and deemed planning permission pursuant to Section 57 (2) of the Town and Country Planning (Scotland) Act 1997.

Councillor Clark left the meeting at this point.

**(5) Consultation under Section 36 of the Electricity Act 1989
([23/00334/DEEM](#)) – Proposed Wind Farm, U27 from B741 Junction at
Cloyntie to U66 Junction at South Balloch, Maybole, South Ayrshire.**

Following discussions,

The Panel

Decided: to submit this report to The Scottish Government as an objection to the proposed wind farm.

The meeting ended at 12.25pm.

DRAFT

South Ayrshire Council

List of Planning Applications for Regulatory Panel (Planning) Consideration on 4 March 2026

List No.	Reference Number	Location	Development	Applicant	Recommendation
1.	25/00553/APPM Alan Edgar (Objections) (Application Summary)	Proposed Holiday Accommodation Maybole South Ayrshire	Change of use from agricultural land to a holiday accommodation site incorporating holiday lodges, upgrading of vehicle access, extended and new pedestrian routes with associated landscaping and parking	Alex Paton And Son	Approval with Condition(s)

REGULATORY PANEL: 04 MARCH 2026

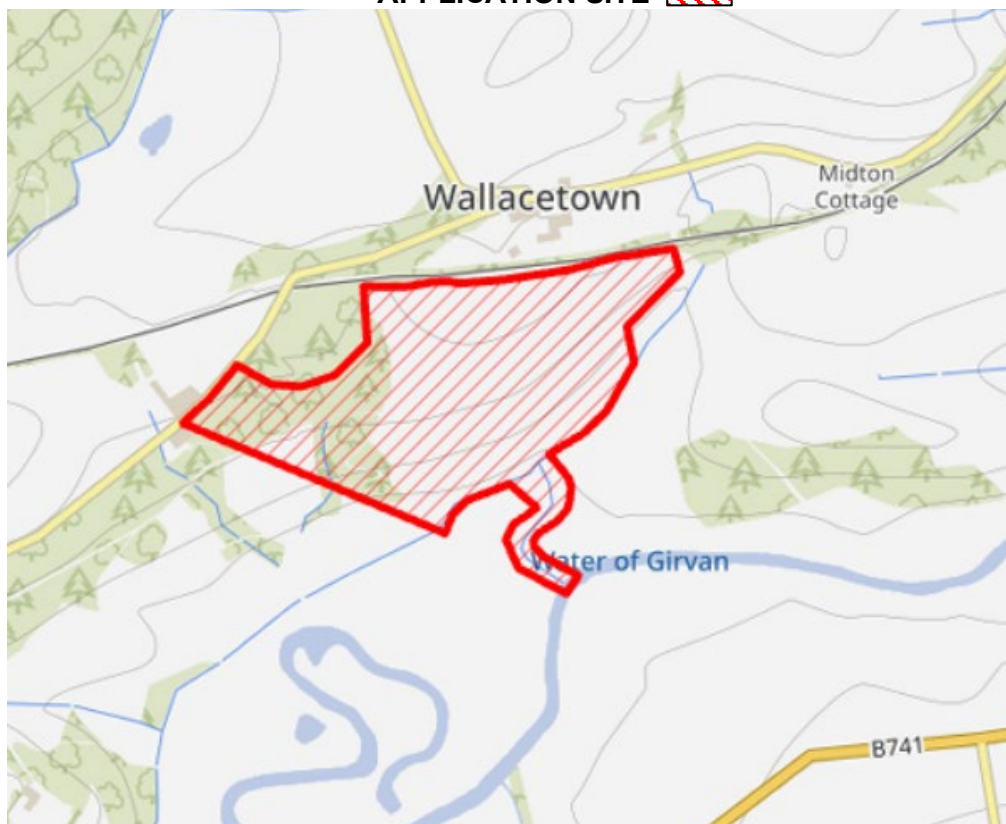
REPORT BY HOUSING, OPERATIONS AND DEVELOPMENT

25/00553/APPM

PROPOSED HOLIDAY ACCOMMODATION MAYBOLE SOUTH AYRSHIRE

Location Plan

APPLICATION SITE 



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

[\(Application Summary\)](#)

Summary

The application proposes use of land within the grounds of Dalquharran Castle estate for siting 95 holiday lodges and construction of access roadways, land engineering works, installation of a wastewater treatment plan and construction of a system of swales and drains to manage surface water. A substantial landscaping scheme is proposed to both mitigate the landscape impact and enhance the biodiversity value of the application site. A major program of ecological enhancement is proposed within the wider Dalquharran estate. The development has been designed to reduce the volume of Greenhouse Gas emissions and to adapt to future climate change risks. The lodge designs incorporate low profile buildings with a variety of roof shapes and orientations and timber walls to help the units blend into the landscape. The location within the estate was selected to protect the settings of the historic castles and archaeological sites within the estate and to avoid areas of significant biodiversity value and flood risk. The proposals have been assessed positively against the provisions of the Development Plan that seek to address climate change mitigation and adaptation, protect important habitats and species, protect soil resources, protect trees and woodland, strengthen and expand green and blue infrastructure networks, support outdoor access, conserve the historic environment, manage flood risk and encourage quality in design.

The development will, however, impact on the landscape character of the Water of Girvan Local Landscape Area as the result of the site's elevated position on the side of the valley and lack of existing screening. Whilst substantial tree planting is proposed to help screen the development, the lodges will nonetheless be visible from the B741 road and the Core Paths located on the opposite side of the valley. The adverse visual impact is, however, balanced by the employment creation potential to create employment within this remote rural area. In principle, the proposal is consistent with the Development Plan aims to encourage appropriate development within the remote rural area that will revitalise rural economies and support and maintain population. Further support is provided by the proposals to undertake a significant scale of habitat management covering 16 ha of broadleaved woodland that form part of the setting for Dalquharran Castle and to undertake habitat diversification on a further 3 ha of land within the estate. The proposals are therefore considered to be an acceptable departure to the landscape and tourism policies of the Development Plan.

REPORT BY HOUSING, OPERATIONS AND DEVELOPMENT

REGULATORY PANEL: 04 MARCH 2026

SUBJECT:	PLANNING APPLICATION REPORT
APPLICATION REF:	25/00553/APPM
SITE ADDRESS:	Proposed Holiday Accommodation Maybole South Ayrshire
DESCRIPTION:	Change of use from agricultural land to a holiday accommodation site incorporating holiday lodges, upgrading of vehicle access, extended and new pedestrian routes with associated landscaping and parking
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 1 September 2025.
- The application was validated on 9 September 2025.
- Site Visit was undertaken by the Planning Authority on 16 September 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 23 December 2025. Neighbour Notification was reissued on 23 December 2025 following receipt of revised & additional supporting information and drawings
- A Site Notice was posted in the locality under Section 60 of Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 (as amended) by the Planning Authority on 16 September 2025. A second site notice was posted on 13 January 2026.
- A Public Notice, under The Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 (as amended) was placed in the Local Press on 16 September 2025. A further Public Notice was published on 13 January 2026 following receipt of revised & additional supporting information and drawings.

1. Proposal:

The proposal is for the development of up to 95 holiday lodges, requiring land engineering works to form individual platforms for siting of the lodges, construction of an accessway from the public road, construction of accessways within the site, construction of parking spaces, construction of new footpaths linking to the existing network of footpaths, installation of exterior lighting, formation of bin storage area (including recycling collection bins), construction of a surface water drainage system and construction of a private sewerage treatment works with associated pipework and outfall to the Water of Girvan. Four different lodges designs are proposed which will be a mix of two bed and three bed units. The units will be single storey with a variety of low-pitch roof shapes. The walls will be clad externally with natural timber and coloured in a variety of neutral tones. The roofs will be clad in tile-effect sheeting coloured dark grey. Each lodge will have a decking area for guests to sit out.

The lodges will be mounted on screw-pile foundations to avoid the use of concrete and reduce the impact of the development on the environment. Vehicular access to the site will be from the C28 classified road via an existing junction with the public road. The existing junction will be reconstructed to form a bellmouth and surfaced in tarmac. Visibility splays of 160m will be cleared in both directions. A small number of trees will require to be felled within the woodland adjoining the public road to facilitate construction of the improved access. From the new junction on the public road an accessway will be formed along the route of an existing estate track. The new accessway will be of sufficient width to permit two-way traffic and will be surfaced in tarmac.

Site Description

The application site is an area of agricultural land forming part of the Dalquharran Estate, near Dailly. The site is located approximately 1 km to the northeast of Dalquharran Castle and 1.5 km from the centre of the village of Dailly. The land is elevated above the floodplain of the Water of Girvan, approximately 370m to the north of the river. The site slopes down from north to south. The lower lying part of the site is circa 40m AOD (Above Ordnance Datum) and the higher part of the site is circa 60m AOD. The landcover within the site comprises a mix of lower grade/semi improved and improved grassland, with patchy areas of scrub. The holiday lodges will be located on the better-quality agricultural land within the upper part of the site whereas the lower lying areas of scrubby vegetation will form part of a landscaping and biodiversity enhancement scheme. A footpath/estate access track traverses the site from east to west. This path/track will form a continuation of the new accessway from the public road and will be used as the main access for the holiday lodges. The path/track currently links to Core Path SA43, that runs along the southern bank of the Water of Girvan (outwith the application site). A new path connection will be made to SA43 as part of the proposals.

Planning History

- 01/01373/FUL - Alterations and extension to castle and associated stables to form hotel (Permitted).
- 01/01374/LBC - Alterations and extension to castle to form hotel (Permitted).
- 04/00165/OUT - Outline planning permission for golf course and associated development and housing (Permitted).
- 07/00419/REM - Reserved matters application for construction of a golf course (Permitted).
- 07/01389/FUL - Application so as not to comply with conditions 2, 3 and 13 of outline planning permission (Permitted).
- 07/01511/OUT - Renewal of planning permission 04/00165/OUT (Permitted).
- 09/01163/APP - Erection of fencing and installation of window bars (Permitted).
- 10/01401/PAN - Proposal of Application Notice for further application not to comply with condition 1 of outline planning permission 07/1511/OUT for proposed golf course associated development and housing (Permitted).
- 11/00020/FURM - Further application so as not to comply with condition 1 of outline planning permission 07/1511/OUT (Permitted).
- 14/00314/MSCM - Application for approval of matters specified in conditions of planning permission 04/00165/OUT (Permitted).
- 21/00777/APP - Restoration of existing paths and formation of new paths (Permitted).

The previous planning permission (ref 07/00419/REM) for the golf course is extant as work to implement that permission was commenced prior to expiry of the permission. All other permissions have lapsed.

Procedural Matters

The application falls within the 'Major' development category. In accordance with the relevant Development Management Regulations, *Pre-Application Consultation* with the public was undertaken prior to submission. A report on the pre-application consultation process was submitted with the application and is summarised in Section 3 of this report. The application site boundary and description of the development contained within the Pre-Application Consultation Report correspond with the details submitted with this application and I am satisfied that the applicant has complied with the Pre-Application Consultation requirements set out in the relevant legislation.

The Development Management Regulations also require submission of a "*Design and Access Statement*" for all Major Developments. A Design and Access Statement was submitted and is summarised in Section 3 below.

Additional supporting information and revised application drawings were received during the processing of the application. These documents relate to ecology, site levels, layout of the lodges and additional supporting information. A second round of neighbour notification, publicity and site notice was undertaken to ensure that the public have had the opportunity to comment on this new information.

The proposed development has been screened under the Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2017. A Screening Opinion was issued on 23 May 2025 confirming that the development is not EIA development.

Determination Route

In accordance with the Council's published *Scheme of Delegation* all applications falling within the "Major" category of development require to be determined by the Regulatory Panel.

2. Consultations:

Scottish Water - have no objection, noting that there is sufficient capacity within the water supply system to service the development. It is noted there is no public waste water infrastructure within the vicinity of the proposed development.

Environmental Health - do not object.

Waste Management - no objection.

Scottish Environment Protection Agency - Initially objected to the application and requested additional information regarding proximity of the site to the public waste water infrastructure. Following confirmation that the site is too distant from the nearest sewer SEPA withdrew their holding objection and have advised that the proposed waste water treatment plant will require to comply with the applicable technical standards and will require a complex level licence from SEPA.

Independent Ecological Adviser - Advised that the Ecological Impact Assessment submitted with the application did not adequately assess the impact of the development on important ecological features and further information is required. In response the applicant submitted a revised Ecological Impact Assessment.

Historic Environment Scotland - do not object, noting that the proposals do not impact the settings of the Listed Building and Ancient Monuments in the surrounding estate.

West Of Scotland Archaeology Service - No further archaeological investigation is required.

Ayrshire Roads Alliance - no objections subject to conditions.

Douglas Harman Landscape Planning - The site and the surrounding landscape are highly sensitive due to the site's sloping landform and the relatively high scenic quality of this part of the Water of Girvan LLA. There are views afforded of the site from across the valley to the south which increase the overall effect of the development. It is recognised that the development is well designed and the proposed mitigation strategy endeavours to address any adverse effects as far as reasonably possible. However, notwithstanding the apparent understatement of most visual effects within the applicant's Landscape and Visual Assessment, the 'materially important' adverse effects that the applicant predicts provides irrefutable evidence that there would be a pronounced deterioration of the Water of Girvan LLA. The development conflicts with LDP2 policy for protection of landscape quality and the development is unacceptable in landscape and visual terms.

Network Rail (Railtrack Property) - Have no objection but require that all work adjacent to the operational railway is carried out in a safe manner. The applicant is advised to notify Network Rail of civil engineering and construction work in proximity to the railway line.

Transport Scotland - does not advise against granting of planning permission.

Dailly Community Council - do not object to the application but have raised queries and concerns on a number of aspects of the proposed development. These matters are addressed in Section 7 (Assessment) of this report.

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.

Design and Access Statement: Provides a written statement on the design principles and concepts that were applied to the development and issues relating to access for disabled people. The report fulfils the requirements of Regulation 13 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013. The statement explains that the design of the development has been influenced by the results of the community engagement, ecological and arboricultural assessments, landscape and visual impact assessment, economic assessment, flooding and drainage modelling and review of previous planning applications. The site area was reduced to reduce the landscape and visual impacts and avoid loss of the more diverse areas of habitat. The layout of the lodges adopts a dispersed and informal approach that follows existing contours. The masterplan prioritises ecological enhancement, visual integration and visitor experience. The form of the lodges is low and linear, with a shallow pitched roof. A range of neutral colours will be used on the exterior surfaces. 5% of the lodges will be customised to meet the needs of guests with disabilities or restricted mobility and a fully compliant path network will provide connections between lodges and parking spaces.

Pre-Application Consultation Report: the report describes the consultation undertaken with the local community and stakeholders prior to the submission of the application in accordance with Town and Country Planning (Pre Application Consultation) (Scot) Amendment Regulations 2021. Two community engagement events were held in Dailly in April and June. Information relating to the proposed development was available online at a dedicated project website. 34 people visited the first public engagement event and 17 attended the second event. An additional informal community engagement event was held at the Dailly Village Fete in May. The feedback from the public during the consultation events was largely positive. The PAC report details the and varied routes. The applicant considers that the pre-application process was thorough and considered. The proposal has taken a balanced account of the views expressed.

Planning Statement: Provides a description of the site and review of the planning history for Dalquharran Estate. The proposals are assessed against the relevant policies of NPF4 and LDP2 and material considerations. The documents provides an assessment of the proposals against the relevant policies of the development plan. The key determining issues are noted as landscape and visual impact, natural heritage/biodiversity enhancement, heritage impact, transportation/road safety, water/drainage/flood risk and design team's responses to the questions raised by the community through the consultation events. The key changes made following consultation were to move the development area northwards to avoid the more sensitive steeper slope within the southern portion of the site and expanding the path network to create many community and economic benefits. In all respects the proposals are found to be consistent with the development plan and that all other material considerations indicate that the development should be supported.

Socio-Economic Impact Assessment: The purpose of the report is to assess, measure and quantify the potential economic and social impacts of the proposed development during construction and operation. It also seeks to outline some of the wider community benefits that the development could help deliver for the local Dailly area. The report assesses the socio-economic impacts based on the maximum number of lodges being developed, which are envisaged to be phased over five years (57, 2 bed lodges and 38, 3 bed lodges). The total capital cost of the 95 lodges is estimated at £11.9 million based on a development cost of £125,000 per lodge. The construction phase is expected to support 55 one-off construction jobs in South Ayrshire, supporting £1.3m in wages and £3.2m in *gross value added* to the local economy. The completed development will support a range of operational roles including cleaning, reception/booking, management and maintenance. A net of 11 full time equivalent jobs will be created, supporting £300k in annual wages and contributing £600k in GVA to the South Ayrshire economy. Guest's off-site expenditure is estimated as £1.6m annually and is expected to create 13 jobs (full time equivalent) in South Ayrshire.

Arboricultural Report: provides details of a detailed tree survey undertaken in May 2025. The report notes that two broadleaf woodland areas are potentially affected, including areas of ancient woodland. All high value and mature trees are to be retained and only a small number (12) poor quality trees are to be removed at the site access. The report concludes that the proposal integrates new native tree and shrub planting to strengthen green infrastructure, ensuring that the development enhances overall tree cover in line with NPF4's policy for woodland expansion. In summary the design minimises arboricultural impact and demonstrates full compliance with national policy.

Updated Ecological Appraisal and Impact Assessment: provides a summary of a preliminary ecological appraisal undertaken of the development area as well as a survey of potential biodiversity enhancements within the wider Estate. Following a review of the original report by the Council's independent ecology advisers, an updated report was submitted in response to queries raised. Habitat and protected species surveys were undertaken to determine the ecological baseline conditions. The EIA concludes that the impact on the Water of Girvan Provisional Wildlife Site, which includes all of the application site will be low, and limited to the loss of 12 trees. The landscaping plan for the lodge site includes planting 1.6 ha of woodland and 585 individual trees and these will create habitats that are of higher ecological value than the existing improved grassland habitat. The surveys relating to protected species found no evidence of bat roosts, however the site of lodges provides suitable habitat for bat fly-way and foraging. No direct evidence of badger was found. It is likely that otters will use the Water of Girvan, however, no shelters were located. Moderate impacts on two species of protected birds were identified. A number of mitigation measures are proposed and an Outline Habitat Management Plan has been submitted which will provide ecological enhancement of the Estate's current biodiversity value. These include scrub planting in the meanders of the Water of Girvan in abandoned arable ground, creation of wetland / wet scrapes, woodland creation in previously improved grassland field to the west of the lodge site, woodland management and enhancement across key areas of woodland to the west (Rhododendron removal and planting of native understorey), pond creation and installation of bird boxes, bat boxes and creation of reptile hibernacula.

Heritage Assessment: The report establishes the impact on all heritage assets or their settings within the site and the surrounding area. The conclusion of the assessment is that no harm is perceived to the settings of the designated heritage assets. A very partial visibility of the site is possible from the perspective of both the 'old' and 'new' Dalquharran Castle, however it only forms a very limited aspect of the setting of these assets and as such the development is not anticipated to result in any harm. The proposed development is not predicted to adversely impact on any other heritage asset and is consistent with National and local planning policy for conservation of the historic environment.

Landscape and Visual Appraisal: The report provides the findings of a landscape and Visual Appraisal undertaken for the proposed holiday lodge development. The appraisal considers the effect of the development on the landscape character of the site and the *Middle Dale Landscape Character Type*. The report concludes that the development will have major-substantial effects during the construction phase and during year 1 of operation due to incongruous activities. This reduces to *substantial-moderate* in year 15 as the landscape planting matures. Similar effects are predicted for the Foothills Landscape Character Type situated on the opposite side of the Girvan Valley. Overall the proposed development would have effects on both the landscape character of the site and the views afforded to nearby recreational receptors. The landscape is considered to be high sensitivity and the expansive views across the landscape also have medium value. Detracting features are present within the study area, including wind farms, pylons, etc. Mitigation planting, the setting of the lodges and muted colour palette work to reduce the magnitude of effect. Mitigation planting will also help soften the development, this aided by the presence of tree cover around the site and in the wider landscape as well as the topography, which limit effects on the landscape character and amenity.

Transport Assessment: The report presents the findings and conclusions of a Transport Assessment. It is noted that the site is accessible on foot and by bicycle from Dailly from where connections can be made to the local bus services to Ayr and Girvan. A limited range of local services are available within Dailly, including two grocers shops, doctors surgery and a community centre. There have been no accidents within the last five years within the vicinity of the proposed site access. A speed survey carried out for the development confirms that 160m is the appropriate sight stopping distance for the purposes of assessing visibility splays at the new access junction onto the public road. It is estimated that at peak times on the local road network the proposed development will generate 3 trips in/out in the morning peak hour and 8 trips in/out in the afternoon peak hours. Over the day it is estimated that there could be a total of up to 105 trips in and 97 out. This equates to an average of 6 two-way trips per hours (around 1 trip every 10 minutes) over the active day (06:00 to 22:00). In light of the low level of existing traffic on the surrounding road network the quantum of proposed vehicle trips is anticipated to have a very minimal impact on traffic flows or the operation of the local traffic infrastructure. Car parking will be provided in line with relevant guidance. An *active travel plan* will be provided to assist staff in making sustainable travel choices.

Foul and Surface Water Drainage Strategy - The report outlines the surface water management plan of the development design proposal, and the drainage strategies that are to be employed. It assesses through calculations provided the existing surface water runoff against the proposed discharge rates and specifies what attenuation is required. The foul water drainage system will be designed to follow the natural topography of the site, with all runs located beneath the proposed roads. The system will collect foul water from the new lodges and convey it to a biological wastewater treatment plant located in the south of the site. The treated water will be discharged to the Water of Girvan.

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:

1 representation(s) has/have been received from Dailly Community Council. The Community Council do not object to the application but have raised queries which they wish clarification on. All representations can be viewed online at <https://publicaccess.south-ayrshire.gov.uk/online-applications/applicationDetails.do?keyVal=T1WA0FBDHFM00&activeTab=summary>

The issues raised by Representees can be summarised as follows.

1. Sewage disposal
2. Road safety
3. Light pollution
4. Water supply
5. Access to public transport
6. Scope for provision of a restaurant within the site
7. Financial viability

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), consultee responses, the representation received 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 1 – tackling the climate and nature crises
Policy 2 – climate mitigation and adaptation
Policy 3 – biodiversity
Policy 4 – natural places
Policy 5 – soils
Policy 6 – forestry, woodland and trees
Policy 7 – historic assets and places
Policy 12 – waste
Policy 13 – sustainable travel
Policy 14 – design, quality and place
Policy 15 – local living
Policy 18 – infrastructure first
Policy 19 – heating and cooling
Policy 20 – blue and green networks
Policy 22 – flood risk and water management
Policy 23 – health & safety
Policy 29 – rural development
Policy 30 – tourism

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://www.south-ayrshire.gov.uk/local-development-plan-2):

Core Principle B7
LDP2 Strategic Policy 1
LDP2 Strategic Policy 2
LDP 2 Policy: Tourism
LDP Policy: Galloway and Southern Ayrshire Biosphere
LDP Policy Historic Environment
LDP policy: preserving trees
LDP policy: Woodland and Forestry
LDP Policy: green networks
LDP Policy: water environment
LDP Policy: flooding and development
LDP Policy: air, light and noise pollution
LDP Policy: low – and zero carbon buildings
LDP Policy: Natural Heritage
LDP Policy: land use and transport
LDP Policy: Outdoor public access and Core Paths

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.

Assessment Against The Development Plan

The application site is located within the Remote Rural Area (NPF4 designation), the Carrick Investment Area (LDP2 designation), the Water of Girvan Local Landscape Area (LDP2 designation), the Water of Girvan Provisional Wildlife Site (LDP2 designation), the Galloway and Southern Ayrshire Biosphere Transition Area (UNESCO designation) and is in close proximity to a Grade A Listed Building and two Scheduled Monuments. A small part of the site lies within a surface water flood risk area identified on the SEPA Flood Map.

Rural Development Policy

NPF4 Policy 29 sets out the national policy for rural development and seeks to encourage rural economic activity, innovation and diversification whilst ensuring that the distinctive character of the rural area and the service function of small towns, natural assets and cultural heritage are safeguarded and enhanced. The policy supports proposals that contribute to the viability, sustainability and diversity of rural communities and local rural economy. Within remote rural areas, development proposals are supported where they support local employment, support and sustain existing communities and are suitable in terms of location, access, siting and design and environmental impact.

The economic, community and environmental benefits of the proposed development are considered in full in the assessments against NPF4 Policies 30, 4 & 2 and the LDP policies for Tourism, Natural Heritage, Land Use & Transport and Water Environment below. It is concluded that the development will help support local employment and sustain the community. It is also concluded that the design of the development will protect the ecological value of the Water of Girvan Provisional Wildlife Site and deliver a significant enhancement of the woodlands and other habitats within the Dalquharran Estate. The development is well designed in respect of the layout of the lodges and roadways, internal landscaping and the massing and finishes of the individual lodges and can be accessed safely. However, as explained in detail in the assessment against LDP2 Policy: tourism, the proposal will adversely affect the landscape character of part of the Water of Girvan Valley Local Landscape Area. In this respect, the proposed development is not fully consistent with NPF4 Policy 29 which requires developments within the remote rural area to be suitable in terms of their location. Notwithstanding this inconsistency with the NPF4 policy 29, as explained below, the benefits of the proposal outweigh the negative impact on the landscape character and the proposal is an acceptable departure to policy 29.

LDP2 Core Principle B7 sets out the spatial strategy for development within the Carrick Investment Area, wherein the site is located. This supports flexible growth within the Carrick Investment Area and allows small scale residential and business development on unallocated sites at the edges of the Carrick Villages, if it has no significant adverse environmental impact and satisfies other LDP2 policies.

The site is not located within a village or on the edge of a village. However, LDP2 Policy: tourism in principle supports tourist related development, including tourist accommodation, throughout the local plan area, subject to consideration of landscape impact. As explained in the assessment against the LDP tourism in the following paragraphs, the proposal is assessed to have a negative effect on the landscape character of the rural area and is not consistent with the LDP policy for tourism. Accordingly, the proposal is also not considered to be consistent with LDP Core Principle B7.

Tourism Policies (NPF4 Policy 30 & LDP Policy: tourism)

NPF4 Policy 30 and LDP Policy: tourism are the primary policies against which proposals for tourist accommodation are assessed. Policy 30 states that (a) proposals for new tourist facilities or accommodation in locations identified in the LDP will be supported and (b) that tourism related development will take into account:-

- i. The contribution made to the local economy
- ii. Compatibility with the surrounding area in terms of the nature and scale of the activity and impacts of increased visitors
- iii. Impacts on communities, for example hindering the provision of homes and services for people;
- iv. Opportunities for sustainable travel and appropriate management of parking and traffic generation and scope for sustaining public transport services particularly in rural areas
- v. Accessibility for disabled people
- vi. Measures taken to minimise carbon emissions
- vii. Opportunities to provide access to the natural environment

The proposals are assessed against Part A and Part B of Policy 30 in the following paragraphs.

Part A

Part A of Policy 30 requires that proposals for tourist accommodation are consistent with the relevant policy(s) of the local development plan. The relevant policy in the South Ayrshire LDP is LDP2 Policy: tourism. For the reasons that are explained in the assessment against LDP2 Policy: tourism below, the proposal is not considered to be fully consistent with the LDP.

Part B

Part B of Policy 30 sets out a list of issues which proposals for tourism related developments are required to take into account:-

i. Contribution to the Local Economy

The application is supported by an Economic Impact Assessment (EIA). The EIA states that the construction phase will support 55 construction jobs, adding £1.3m in wages and £3.2m in Gross Value Added to the local (South Ayrshire) economy. The operational phase is expected to create 11 net direct on-going jobs, supporting £300k in annual wages and contributing £660k in Gross Value Added to the South Ayrshire economy each year. Off-site spending by guests is expected to create 13 Full Time Equivalent jobs in South Ayrshire and generate £350k in wages annually and make a £750k Gross Value Added contribution to the local economy.

The supporting information states that the developer will prioritise working with local contractors and businesses to retain economic benefits within the area.

The employment created during the construction phase will be temporary and is not considered to be of significant benefit in the long term. The proposed 11 permanent jobs (net) on the site will be of benefit, in the context of Dailly and the other surrounding rural communities, which have very small employment bases. The types of jobs created would also be of benefit in terms of provision of new employment opportunities not linked to the traditional rural activities of agriculture and forestry. The new employment opportunities can potentially be taken up by people living within the surrounding villages and rural area, helping to sustain the rural population. The Economic Impact Assessment also indicates that the development would generate off-site spending by guests within local shops and restaurants. The applicant has deliberately not included any shop or café proposals within the application site to encourage guests to spend in the local area thus maximising the potential economic benefit to the local area. In this regard, it is noted that Dailly contains two small general grocers shops and that there are cafes, restaurants and visitor facilities throughout Carrick which could potentially benefit from additional footfall as the result of the development. Additional spending by guests within existing shops and restaurants will contribute to the sustainability of these businesses. Having regard to all of the foregoing, it is considered that there is support for the proposal in terms of contribution to the local economy through job creation.

ii. Compatibility with the surrounding area

The development, by virtue of its scale and nature will not draw very high numbers of visitors and will not result in significant change to the character of Dailly and the surrounding area. The development is offset some distance from the village and set within extensive wooded grounds which can easily absorb the anticipated volume of visitors without changing the character of the area.

iii. Impacts on Communities

The development is outwith Dailly or any other community. The site is unsuitable, in policy terms, for permanent residential development and therefore the development of the site for tourist accommodation will not result in the loss of opportunity to provide permanent housing for local people. It is not anticipated that the number of tourist visiting the development will impact on services for local people such as GPs or dentists. It is considered that the proposal will have a positive impact on Dailly and other communities within the Carrick Investment Area through creation of employment opportunities and potential for retaining population within this remoter rural part of South Ayrshire.

iv. Opportunities for sustainable travel and appropriate management of parking & traffic

Due to the site's relatively remote location, the majority of guests are likely to travel by private car. Once at the accommodation, guests may choose to use the local bus services between Dailly and Girvan and Ayr to visit the local attractions and amenities. The potential additional patronage could help to sustain the rural bus services. Car parking can be fully provided onsite, and ARA have advised that the proposed access junction is adequate to accommodate the likely volume of traffic generated by the development.

v. Accessibility for disabled people

The site itself is only accessible by car or walking from Dailly and in this respect does not cater well for those with limited mobility. However, for those with access to suitable transport, the development will include 10% of lodges which are accessible. The existing pathways within the wider estate are generally well graded and suitable for wheelchair users and it is considered that the needs of those with mobility impairment has been considered

vi. Measures taken to minimise carbon emissions

The lifecycle carbon emissions are fully assessed against NPF4 Policy 2, below. In conclusion it is considered that the applicant has made reductions in the potential amount of GHG emission that could otherwise have been generated by the construction and operation of the development. The proposed landscaping scheme will absorb Carbon Dioxide from the atmosphere and will partially offset the Greenhouse Gas Emissions that will result from the construction, operation and decommissioning of the development.

vii. Opportunities to provide access to the natural environment

The lodges will be set within extensive native and policy woodlands associated with Dalquharran Castle Estate and the development will provide an excellent level of access to the natural environment. The applicant intends to maintain public access throughout the estate and there will be additional benefits in terms of access to nature for both residents of the holiday lodges and the public.

Notwithstanding the positive assessment of the proposed development against all of the criteria in Part B of Policy 30, the location of the proposed development is not fully consistent with the relevant local development plan policy. Accordingly, the proposal is considered to be contrary to NPF4 Policy 30. However, as explained in the assessment against NPF4 Policy 29 above, it is considered that there are significant benefits attached to the proposal that outweigh the adverse impact on the landscape character and accordingly it is considered that the proposal is an acceptable departure to NPF4 Policy 30.

LDP Policy: tourism

LDP Policy: tourism states that the Council will encourage proposals that would improve the standards and appearance of tourist accommodation and will allow new sites and accommodation to be developed (or existing sites to be expanded) provided that (a) all new accommodation is for holiday use only; and (b) the development has suitable screening and is appropriate in terms of the landscape setting, scale and design.

(a) Use Restriction

The applicant has confirmed that all the lodges will be used for visitor accommodation and a condition is proposed that limits the use of the lodges to tourist accommodation only.

(b) Landscape & Visual Impact

The application site lies within the Water of Girvan Local Landscape Area. The site is elevated above the valley floor, overlooking the Water of Girvan. The development will not be visible from within Dailly but will be visible from the northern edge of the village and over a one-mile stretch (approximately) of the B741 road on the eastern side of the valley and from the walking trails higher up the side of the valley. The site is not visible from the B741 on the western side of the valley or from the small clusters of housing located on the western side of the valley, including the nearest cluster of houses at Wallacetown, due to screening by woodland and topography.

A Landscape and Visual Appraisal was submitted with the application which provides a description of baseline conditions, proposed mitigation measures and an assessment of the landscape and visual effects. The LVA includes an assessment from 12 representative viewpoint locations, along with associated viewpoint photos and figures of theoretical visibility mapping. Following a request from the Planning Service, one additional viewpoint was produced from the B741 near to Dailly and photomontages were requested for eight viewpoints. The LVA identifies 'levels' of effect based on a five-point scale ranging from *negligible*, *minor*, *moderate*, *substantial* and *major*. Effects considered as moderate and above are considered as significant.

The applicant's Landscape and Visual Appraisal (LVA) found that there will be significant landscape and visual effects arising from the development within the Middle Dale LCT (the Landscape Character Type which predominates within the Water of Girvan LLA) both during the construction phase and post-construction. Within the Middle Dale LCT, the landscape effects range in magnitude from Major during and immediately following construction, reducing to Substantial-Moderate once the proposed landscaping scheme has matured 15 years post-construction.

The proposal will be very visible on the vale side from open locations to the south (e.g. viewpoints 4, 7, 8 and 10 to 13). It will also introduce a very prominent and uncharacteristic land use change on the undeveloped valley side that forms an essential setting to the nearby Water of Girvan. Consequently, it would either compromise or contrast with and detract from, the following key characteristics:

- Relatively complex topography, with valley flanks sloping gently towards the river with subtle terraces and undulations while the floodplain merges with the hill slopes;
- Pastoral use of much of the valley floor and some lower slopes
- Large number of policy and designed landscapes which give the valley floor a richly wooded parkland character
- Scattered farmsteads and small hamlets sited on the valley floor
- Secluded, small to medium scale landscape of high historic value
- Views are defined by localised woodland and the surrounding foothills and tend to be focused along the valley in the direction of travel

The applicant acknowledges in their LVA that the proposed development would result in a pronounced or noticeable deterioration of the landscape and valued characteristics features that would be largely or partially lost, or uncharacteristic elements would become dominant or prominent.

It is considered that the proposed development will have an adverse impact on the landscape character of Water of Girvan Valley Local Landscape Area and on views from the Core Path networks to the south by virtue of its location within an open agricultural field positioned on the lower slopes of the hills that form the western side of the middle section of the Water of Girvan valley. The extent of the impact will be limited to an area extending approximately one kilometre to the northeast of Dailly, where the development will be most visible. The horizontal spread of the development and the nature of the holiday park comprising a large number of small units are significant contributory factors to the level of impact. Significant effort has been made to mitigate the level of impact through the selection of natural timber for the walls and muted colours for the roof coverings and through proposals for an extensive tree planting scheme comprising of 585 trees. These measures will reduce the magnitude of the impact on the landscape but will not entirely eliminate it and the level of impact is an important consideration in the assessment of the proposals. During the hours of darkness, particularly in winter, it is likely that lighting within the holiday lodges will be visible, thus extending the duration of the landscape impact. Importantly, the holiday lodges will not be seen in the same view as Dalquharran Castle when viewed from the B741 and from within the village of Dailly. The castle is the dominant feature of the built environment within this part of the Water of Girvan Valley and preservation of its setting is significant in terms of protecting the character of the wider Valley and the historic value of the Castle. Notwithstanding these mitigating factors, it is concluded that the proposal will adversely affect the landscape character of the surrounding area.

Conclusions On Consistency With NPF4 Policy 30 and LDP2 Policy: tourism

NPF4 Policy 30 supports tourism development that is consistent with the LDP for the area. In this instance, LDP2 Policy: tourism is supportive of proposals for new tourist accommodation that are suitable screened and are appropriate in terms of the landscape setting, scale and design. The design of the holiday lodges and the proposed landscaping scheme for the site are of a high standard and are designed to reduce the visibility of the development within the wider landscape of the Water of Girvan Local Landscape Area. However, the location of the site, being elevated about the river and its floodplain, means that the development will be visible from the public road and Core Footpaths on the opposite side of the valley, notwithstanding the extensive landscaping proposals. The horizontal spread of the holiday park will result in a scale and form of development that is uncharacteristic of the established pattern of built development and will result in the loss of an undeveloped arable field that forms one of the characteristic features of the valley. Having regard to the degree of impact it is not considered that the proposals comply with the requirements of LDP2 Policy: tourism. In terms of NPF4 Policy 30, the proposal has been assessed positively against all the criteria set out in Part B of the policy and is considered to have beneficial effects on the local community. However, the policy requires that proposals are compliant with the relevant tourism policies of the LDP and for the reasons set out above it is not considered that the proposal is consistent with LDP2 Policy: tourism. Accordingly, it is considered that the proposal is not consistent with NPF4 Policy 30.

Notwithstanding the foregoing assessment, the potential benefits of the proposal holiday lodges in terms of job creation, rural revitalisation and the proposed significant environmental gains are assessed later in this report and it is concluded that the proposal represents an acceptable departure to these policies.

Other Development Plan Policies

The following section assesses the proposals against the other relevant policies of NPF4 and LDP2, arranged under the themes of climate change, landscape & visual impact, cultural heritage, natural heritage, water quality, soils, forestry & woodlands, blue/green infrastructure, biosphere, design quality, air, light & noise pollution, transportation & road safety and waste minimisation.

Climate Change

NPF4 Policy 1 *Tackling the climate and nature crises* seeks to encourage, promote and facilitate development that addresses the global climate emergency and nature crisis. The policy requires that significant weight will be given to the global climate and nature crises when considering all development proposals. NPF4 Policy 2 *Climate mitigation and adaptation* seeks to encourage, promote and facilitate development that minimises emissions and adapts to the current and future impacts of climate change. The intended policy outcomes are minimisation of emissions from development and the creation of places that are more resilient to climate change impacts. Development proposals require to be sited and designed to minimise lifecycle greenhouse gas emissions as far as possible and be sited and designed to adapt to current and future risks from climate change.

Climate Mitigation

The application is supported by a Greenhouse Gas Lifecycle Analysis. The Analysis quantifies the total volumes of Greenhouse Gas emissions throughout the life of the development including those emitted during the construction phase and the operational phase. The Analysis also quantifies the amount of carbon dioxide absorbed by the trees that are to be planted as part of the landscaping of the site, which is then deducted from the total volume of emissions emitted to give a net greenhouse gas emissions figure.

The report identifies the elements of the construction and operation of the holiday park that will give rise to the greatest level of emissions, to prioritise actions to reduce the total Greenhouse Gas emissions.

The total *embodied carbon emissions* (those associated with building materials and construction operations) is estimated at 4,800 tCO₂e (tonnes of Carbon Dioxide equivalent) over 60 years. When compared with a typical housing development, the emission per square metre are significantly lower as a result of the lightweight frame and use of timber exterior wall finish. The largest contributors to embodied emissions are the road network that is to be constructed within the site (including the access road leading from the C28) and the steel chassis that is to be incorporated within the lodges to facilitate transporting and lifting the lodges into place. Measures taken to lower embodied/construction phase emissions have included choice of off-site fabrication of the lodges (where less waste is produced), the use of natural timber cladding (in place of plastic composite cladding) and use of recycled aggregates, road scalplings and mine spoil (recovered from within the applicant's landholding) for construction of the roadways and parking bays.

In contrast to the *embodied carbon emissions*, the *operational carbon emissions* are significantly higher than typical residential development. The use of energy for heating and lighting is almost double that of a standard house, reflecting the thinner wall construction and resulting lower standard of insulation. Energy for the electrical heating systems will be supplied from the mains supply and, as a consequence, the environmental performance of the lodges is dependent upon how rapidly and successfully the National Grid is decarbonised.

The landscaping scheme within the lodge site comprises 1.6 ha of new woodland and 585 individual trees and is estimated to absorb 742 tCO₂e.

To be compliant with NPF4 Policy 2, applicants require to demonstrate that emissions will be minimised as far as possible. There is presently no Government guidance or targets for embodied or operational emissions and thus there is no benchmark against which to assess the submitted GHG Lifecycle Assessment. In the absence of quantitative requirements, it is necessary to consider whether, in qualitative terms, the application demonstrates that emission have been minimised *as far as possible*. In this case, the applicant has taken steps to reduce the embodied emission. The choice of timber for the exterior wall finish by itself is estimated will avoid 500 tonnes of CO₂e (Carbon Dioxide Equivalent). The landscaping scheme will sequester GHG emissions, thereby further reducing the volume of net emissions. It is considered that the applicant has designed the proposal to reduce the embodied and operational GHG emissions and that the GHG Lifecycle Analysis demonstrates compliance with NPF4 Policy 2.

Climate Change Adaptation

Part B of NPF4 Policy 2 requires that development proposals are sited and designed to adapt to current and future risks from climate change. The risks facing South West Scotland are identified as shifts in temperature and rainfall. Winters are becoming warmer and wetter while summers are hotter and drier. To help mitigate and adapt to these changes, the design incorporates biodiversity enhancements, native and drought resistant planting, SuDS features (bioswales and permeable surfaces) and raised lodge structures to mitigate flood risk).

The use of native and drought resistant plant species will help to ensure that the landscaping for the development is resistant to the anticipated effects of climate change. The tree/shrub planting between lodges will provide shading to help control temperatures within the lodges to passively mitigate higher summer temperatures.

In relation to flood risk, the site is free from fluvial flood risk. However, there are small pockets of surface water flood risk within the western part of the site. None of the lodges or the sewage treatment plant are located within the areas identified as being at risk of flooding. However, the outfall for the sewage treatment plant will be located within a flood prone area. A *surface water management plan* was submitted with the application. The surface water drainage strategy has been designed to manage runoff from the proposed areas of hardstanding as close to greenfield rate as reasonably practicable. The drainage system will incorporate multiple open SuDS features such as swales and detention basins. The system will have a storage capacity of approximately 1000 m³ to attenuate runoff and the water discharge rate will be 25.0 litres per second. SEPA were consulted and have no objection on flood risk grounds.

It is considered that the proposed development is consistent with Part B of NPF4 Policy 2.

Landscape and Visual Impact

The impact of the development on the landscape character of the Water of Girvan Local Landscape Area has been fully considered in the assessment against NPF4 Policy 30 and LDP2 Policy: tourism above. For completeness, the proposals also require to be assessed against the development plan policies which specifically seek to protect landscape quality. NPF4 Policy 4 states that proposals that affect a landscape area identified through the LDP will only be supported where there will be no significant adverse effects on the integrity of the area or qualities for which it was identified, or any significant adverse effects are clearly outweighed by social, environmental or economic benefit of at least local significance. LDP2 Policy: Landscape Quality is superseded by NPF4 Policy 4 and therefore not considered further in this assessment. However, the guidance contained within the 'statement of importance and management recommendations' of the South Ayrshire Local Landscape Designations Review (2018) is still considered to be relevant and has informed the Landscape & Visual Impact Assessment described under LDP Policy: tourism.

As set out in the assessment against NPF4 Policy 30, above, the proposal will have an adverse impact on the landscape quality of part of the Water of Girvan Local Landscape Area. NPF4 Policy 4 requires a balanced approach to assessing proposals for new tourist accommodation which weighs potential social, environmental or economic benefits of a proposal against the potential harms to landscape quality. The potential economic benefits of the proposal in terms of job creation and stabilisation of population in this remote rural area have been assessed under Policy 30 above and it is concluded that the potential number of jobs that could be created is significant in the context of the Carrick Investment Area. The provision of employment opportunities will potentially attract additional population and encourage younger people to remain in the area, thereby, supporting the provision of services and community life in this part of the remote rural area. As explained below, the proposal will also have a significant benefit to the environment in terms of restoration and management of a substantial area (16 ha) of broadleaf and ancient native woodland and creation of diversified habitats within the wider Dalquharran Estate.

Having regard to the economic, social and environmental benefits, it is considered that the proposal is consistent with NPF4 Policy 4, notwithstanding the adverse impact on the quality of the landscape character and on views.

Cultural Heritage

The Dalquharran Estate contains three nationally significant heritage assets including Old Dalquharan Castle (Scheduled Monument), Dalquharran Castle (grade A listed building) and Drummochreen (Scheduled Monument).

Old Dalquharran Castle is highly significant and holds high historic and architectural value for both the 15th and 17th century phases, as well as archaeological value of the surrounding area due to the potential for below ground remains.

The newer Dalquharran Castle was built 1775 – 1790 and was designed by the renowned architect Robert Adam. The building was abandoned in the 1960s when the lead roof was removed and is now in ruins with only the stonework remaining. The Grade A listing reflects the high architectural and historic significance of the building. This significance partly derives from its setting within the surrounding river valley landscape.

Drummochreen is a former house dating from the 16th – 17th century, little remains aside from one small section of rubble. The site is designated for its high archaeological value which may contain valuable information about domestic architecture and occupation.

The site of the proposed holiday lodges is located 1 km from Old Dalquharran Castle, 900m from Dalquharran Castle and 400m from Drummochreen. During winter months only a very limited view of the two castles is possible and during the summer the extra vegetation will obscure views. Considering the limited views and intervening distance between the site and the castles, the proposed development would only result in a minor change to the setting of these heritage assets. It is considered that no harm would result to the significance of the heritage assets as a result of the proposed holiday lodge development. The landscaping scheme proposes substantial additional woodland and vegetation planting surrounding the holiday lodges. Once established this planting will provide further screening of the site from both of the castles. The site is located in close proximity to Drummochreen House, which is largely designated for its archaeological value. Therefore visual impacts to the setting of this asset would not be expected to harm the asset's inherent significance.

The holiday lodges will be visible together with the historic assets in wider views from higher up on the southeastern side of the Girvan Valley. From the B741 (1km north of Dailly) Dalquharran Castle is a dominant and impressive feature in the landscape, sitting above the river. The lodge development and the castle will not be seen “side by side” but instead will be seen in a sequence of views travelling along the public road. Historic Environment Scotland were consulted and do not object to the application. HES note that both the castles have an important visual relationship with the river and the wider Water of Girvan Valley that includes their former estate grounds. These views are unlikely to be significantly affected because of the proposed development’s nature and distance away from the assets.

The advice of HES is noted and it is agreed that the development will not significantly affect the settings of the listed building and scheduled monuments. The separation distance and intervening mature woodland are the primary reasons for reaching this conclusion. NPF4 Policy 7 (Historic Assets and Places) and LDP2 Policy: historic environment both seek to protect and enhance historic environment assets and places and their settings and the proposals are consistent with these policies.

Natural Heritage

Impact on Ecology

The site contains no international or national designated nature conservation sites. The Water of Girvan (Dailly to Kilkerran) Provisional Wildlife Site encompasses the application site. The Provisional Wildlife Site is locally significant for breeding birds and mammals. The woodland at the proposed site access from the public road and the first 100m of the track fall within an area of Ancient Woodland and a further area of Ancient Woodland is present between the proposed lodges and the access track. A total of 12 trees will require to be felled within the Ancient Woodland to permit the construction of the access. A *preliminary ecological appraisal* and protected species surveys were undertaken in May 2025 and a report was submitted with the application. Following advice received from the Council’s independent firm of ecologists (AECOM Ltd), the applicant submitted an updated Ecological Impact Assessment in January 2026. AECOM have advised that the assessment confirms that there will be no significant ecological effects. The proposed habitat creation proposals within the application site sufficiently compensate for the minor loss of trees within the Ancient Woodland. It is further noted that the tree survey submitted with the application identified the affected trees as “poor or declining” and suffering from ‘Ash Dieback’ disease.

The updated Ecological Impact Assessment acknowledges that the Water of Girvan provides suitable habitat for foraging and commuting otter and badger and commits to a series of mitigation measures. With implementation of the committed mitigation, there are no residual effects on otter or badger. The proposed lighting scheme will be designed to avoid light spill affecting sensitive habitats such as woodland and watercourses to avoid disturbance to nocturnal species, including bats. All vegetation clearance work will be undertaken outwith the bird nesting season and pre-start site checks will be undertaken to ensure compliance with relevant nature conservation legislation. NPF4 Policy 4 (Natural Places) and LDP Policy: natural heritage seek to protect, restore and enhance natural assets, making best use of nature-based solutions. The assessments undertaken for the application demonstrate that the development will not have significant adverse effects on the Water of Girvan Provisional Wildlife Site and that the protected species present within the site will not be adversely affected. Conditions are proposed to ensure that the mitigation measures identified within the submitted Ecological Impact Assessment and Outline Habitat Management Plan are implemented. Subject to the imposition of these conditions, the proposal is considered to be consistent with Policy 7 and LDP Policy: natural heritage.

Biodiversity Enhancement

NPF4 Policy 2 (b)(iv) requires that significant biodiversity enhancements are provided, that are in addition to any measures required to mitigate the impacts of the development. The landscaping scheme for the proposed development includes planting 585 individual trees, SUDS features and wildflower meadows and 1.6 ha of woodland within the site of the lodges. An outline habitat management plan has been submitted with the application which includes management of 17 hectares of broadleaf woodland, establishment of 1.26 hectares of new woodland (in addition to tree planting within the lodge site), creation of 1.45 ha of wet habitat within the Water of Girvan floodplain and installation of bat boxes, bird boxes, reptile hibernacula and pond creation throughout the majority of the rest of the Dalquharran Estate. The location of these activities is outwith the application site but within land in the ownership of the applicant. The proposed enhancement works will be informed by habitat condition surveys.

The Council's independent ecological adviser has confirmed that the proposed range of ecological works exceed the level required to mitigate the effects of the development and will result in a net gain in the biodiversity value of the site and the wider Dalquharran Estate. The applicant has confirmed their agreement to condition requiring the woodland and other habitat enhancement works within the wider estate to be implemented within five years of the commencement of development.

Having regard to the foregoing it is considered that the development will protect valuable habitats and species within the application site. The proposed landscaping scheme within the lodge development site will result in an enhancement of the biodiversity value of the site that exceeds what is required to mitigate the development. The proposal is therefore consistent with NPF4 Policy 2. Furthermore, the ecological works proposed within the wider estate represent significant biodiversity enhancements over and above what is required to satisfy Policy 2 and are considered to be a significant benefit of the overall proposal. In particular the management of 16 ha of broadleaf and native woodland and creation of new habitats within the wider policies of the Estate are a significant benefit.

Water Quality

The location of the development is some distance away from the nearest public sewer within Dailly. SEPA have advised that they agree that connecting to the public sewer is not feasible and do not object in principle to the proposed private waste water treatment plant. SEPA note that the system will require a complex licence from them to ensure that the water quality of the Water of Girvan is not diminished by the proposal. Having regard to SEPA's advice, it is considered that this aspect of the proposed development is consistent with LDP Policy: water environment.

Soils

NPF4 Policy 5 seeks to protect carbon-rich soils, restore peatlands and minimise disturbance of soils. The policy also seeks to limit the loss of prime quality agricultural land. The site does not contain areas of peat soils and is not classified as prime quality agricultural land. The earthworks are designed to require the minimum soil excavation to form level pitches for each lodge. The lodges will be supported on screw-pile foundations to further reduce the volume of soil material excavated. The proposals are therefore considered to be compliant with Policy 5.

Forestry and Woodlands

NPF4 Policy 6 supports development proposals that enhance, expand and improve woodland and tree cover. LDP Policy: preserving trees and LDP Policy: woodland and forestry seek to avoid unnecessary tree removal and supports proposals for woodland and forestry that are consistent with the objectives of the Ayrshire and Arran Woodland Strategy. The site if the proposed lodges is an open arable field and no trees will require to be removed within this part of the development. Twelve poor quality trees will require to be felled to permit construction of the new vehicle access onto the public road. As described above, significant areas of tree planting, new woodland creation and management of broadleaf woodland and ancient woodland are proposed within the site of the lodges and elsewhere within the wider Dalquharran Estate. The 12 trees to be removed are poor quality and the loss of these trees is more and adequately compensated for by the landscaping scheme proposed. The proposals will therefore expand and enhance woodland cover and are therefore supported by NPF4 Policy 6 and are consistent with LDP2 Policy: preserving trees and LDP Policy: woodland and forestry.

Blue and Green Infrastructure/ Outdoor Access

NPF4 Policy 20 supports development proposals incorporating new or enhanced blue and/or green infrastructure and LDP Policy: green networks supports similar actions. The proposal includes a new footpath connection to Core Footpath SA43. This connection will provide good access to walking routes for guests staying at the holiday lodges and will also provide alternative route options for members of the public using the Core Path. The new areas of tree planting, woodland/wetland/meadow creation and enhanced management of the ancient woodland and other areas of woodland within the wider estate will significantly enhance the biodiversity value of the existing green networks and the proposals are therefore supported by NPF Policy 20 and LDP2 Policy: green networks and LDP Policy: outdoor public access and Core Paths.

Galloway & Southern Ayrshire Biosphere

LDP Policy: Galloway and Southern Ayrshire Biosphere supports development that promotes the goals of the Biosphere and shows an innovative approach to sustainable living and the economy and supports improving, understanding and enjoying the area as a world class environment. The site is located within the transition zone of the Biosphere. In accordance with the aims of the Biosphere, the proposal has adopted a more sustainable approach to the design which seeks to reduce the potential volume of Green House Gas emissions produced and which proposes significant enhancement of biodiversity. The proposal will support the local economy and encourage visitors to explore and experience the environment of the Biosphere. In these respects the proposal supports the goals of the Biosphere.

Design Quality

LDP Policy 14 (design, quality and place) requires that development proposals are designed to improve the quality of an area and are consistent with the six qualities of successful places.

- **Healthy:**- the holiday lodges will be served by a path network which connects with the existing networks of paths within Daquharran Estate and with the Core Path Network. The development will provide ample opportunities for outdoor exercise and enjoyment of nature.
- **Pleasant:**- the landscaping within the site incorporates substantial tree planting and creation of meadows around the lodges. The design of the landscaping avoids large areas of amenity grass and will create an attractive natural environment for the benefit of lodge guests.
- **Connected:**- as mentioned in the assessment against NPF4 Policy 13, below, an existing recreational footpath connects the site to Dailly and will enable guests to access the services and amenities and bus routes within Dailly without the need for travel by car.
- **Distinctive:**- the design of the lodges incorporates natural timber exterior finish which will relate well to the woodland setting. Each lodge will be sited within its own individual 'pitch' and will be separated from the neighbouring lodge with earth mounding and shrub planting.
- **Sustainable:** - the environmental sustainability of the development has been fully assessed under NPF4 Policies 1 and 2 above and is considered to be consistent with the objectives for sustainability.
- **Adaptable:**- the lodges area easily removable by virtue of their portable design and the layout of the development could be relatively easily reconfigured if required in the future.

It is considered that the layout and design of the development is consistent with the six qualities of successful places.

Local Living

NPF4 Policy 15 encourages, promotes and facilitates the application of the Place principle and seeks to create connected and compact neighbourhoods where people can meet the majority of their daily needs within a reasonable distance of their home, preferably by walking, wheeling or cycling or using sustainable transport options. The application site is well connected to Dailly by an existing footpath network and it would be feasible for residents of Dailly taking up employment positions within the lodge development to cycle to work. The proposals are consistent with aims of Policy 15 as they will bring employment opportunities close to where people live.

Air, Light and Noise Pollution

NPF4 Policy 23 and LDP Policy: air, light and noise pollution require proposals to be assessed in respect of their impact on surrounding communities as a result emissions to air, light pollution and noise pollution. The lodges will have mains powered electrical heating and no emissions to air are anticipated arising from heating or any other aspect of the development. No floodlighting is proposed. Pathways and internal roadways will be lit at night with low level bollard type lighting columns. In order to mitigate potential impacts on nocturnal species, the lighting will be downward directed to minimise light spill onto surrounding trees and hedges and it is not anticipated that the external lighting will result in light spill outwith the site. No formal play areas or other communal areas are proposed and as a consequence any noise arising from the operation of the holiday park will be dispersed throughout the site and the wider estate. Environmental Health have not raised any objection on noise grounds.

Transportation & Road Safety

Sustainable Travel

NPF4 Policy 13 (sustainable transport) seeks to encourage, promote and facilitate developments that prioritise walking, wheeling, cycling and public transport for everyday travel and to reduce the need to travel unsustainably. LDP2 Policy: land use and transport requires new development to link to existing and proposed active travel networks and to ensure that essential use of private cars is accommodated within the context of an integrated approach to transport. The location of the proposed holiday lodge development is remote from the major population centres within South Ayrshire. The supporting information does not indicate where customers are likely to travel from but is reasonable to assume that the development will serve a wide market area, extending beyond the boundaries of South Ayrshire and indeed Scotland. It is inevitable, and unavoidable, that the majority of customers will travel by private car, particularly given the need for visitors to travel with luggage. NPF4 Policy 13 is focussed on reducing demand for travel by private car for everyday journeys. It is accepted that occasional journeys, such as travelling to holiday destinations, are likely to be made by private transport. Both NPF4 and LDP2 require that links are made to existing active travel routes to facilitate walking, cycling and wheeling. The site is accessible from Dailly via Core Path SA43 and a new connection will be made to the Core Path to link directly to the holiday lodges. The path will facilitate active travel between Dailly and the lodges. From Dailly there are bus services connecting to Ayr and Girvan and customers will have the option to use this mode of transport to explore the area and access local amenities during their stay.

Road Safety

Vehicular access to the site will be taken from the C28 classified road via an existing estate access track. The track joins the public road opposite the access to Dalquharran Mains Farm, on a straight section of the C28. The existing track joins the public road at an angle and is unsurfaced. From this junction, the track runs through woodland before entering the location of the proposed holiday lodges. The application drawings indicate that the junction will be reconstructed to form a bellmouth arranged perpendicular to the road. Visibility splays of 160m in each direction will be cleared. The existing rough estate track will be widened to permit two-way traffic and surfaced in tarmac. A Transport Statement was prepared for the development and concludes that the development will generate an average of 6 two-way trips per hour over the active day (06:00 to 22:00). Given the existing low volume of traffic on the C28, the level of increase is anticipated to have minimal impact on the flow of traffic or the operation of the public road network.

Car Parking

One space per holiday lodge and 8 visitor car parking spaces will be provided. This level of provision is in accordance with the relevant guidelines and will ensure that the parking of vehicles will not result in damage to the landscaped areas and that there will be adequate parking provision within the site.

The proposals are consistent with NPF4 Policy 13 and LDP Policy: land use and transport.

Zero Waste

NPF4 Policy 12 seeks to encourage, promote and facilitate development that is consistent with the waste hierarchy. The aims are to reduce the materials used for construction and reuse these. The GHG Lifecycle analysis provided in support of the application notes that the lodges will be mounted on steel screw-pile foundations that eliminates the need for concrete foundations. The new roadways that are required within the site are to be constructed in part from recycled materials, reducing the need for virgin aggregate materials. The lodges are to be clad in timber in place of plastic based composite materials. The timber is potentially recyclable at the end of the operational life of the lodges, depending upon their condition. The steel chassis and metal profile roof sheets of the lodges are also likely to be recyclable. The lodges will be manufactured off-site within a controlled factory environment which allows for reduced wastage in construction materials. The proposals include a bin storage area with sufficient space for segregated waste storage to support recycling. The Council's Waste Management Service note that the disposal of waste might be undertaken by a private contractor. It is considered that the proposals are consistent with NPF4 Policy 12.

LDP Strategic Policies 1 and 2

All proposals for development require to be assessed against Strategic Policy 1 (sustainable development) and Strategic Policy 2 (development management) of LDP2. Strategic Policy 1 requires proposals to satisfy a range of criteria relating to sustainability. These criteria have all been considered in the assessment against the other relevant policies of the Development Plan. The proposal is consistent with all the criteria except for that relating to protection of landscape character and the proposal is therefore contrary to Strategic Policy 1. The proposal is, however, consistent with the criteria set out in Strategic Policy 2.

(iii) Other Policy Considerations (including Government Guidance)

None.

(iv) Objector Concerns

It is noted that Dailly Community Council do not object to the application. The majority of the queries raised in the Community Council's response are addressed in the assessment against the Development Plan above. In response to those matters not covered by the assessment, the decision whether to include a restaurant within the development is a matter for the applicant and there is no policy requirement for provision of food and drink facilities within tourist accommodation developments. The financial viability of the development is not a material planning consideration in this instance. None of the issues raised merit refusal of planning permission.

(v) Impact on the Locality

The proposed development will not impact on the residential amenity of the nearest residential properties located to the north of the site, on the opposite side of the Ayr/Stranraer railway. It is acknowledged that the proposed holiday lodge development will adversely affect views from the B741 public road and the public footpaths located on the opposite side of the Water of Girvan Valley and will detract from the character of the landscape within part of the Girvan Valley Local landscape Area. However, it is considered that this impact is acceptable when balanced against the environmental, economic and social benefits of the development which are described in the assessment of the application.

8. Conclusion:

Both the national and local spatial strategy relating to the Carrick Investment Area support new development that stabilise population levels and revitalise rural economies, whilst ensuring that the distinctive character of the rural area and service function of small towns, natural assets and cultural heritage are safeguarded and enhanced. Tourism is an important sector within South Ayrshire and LDP2 supports development of new tourist accommodation that is appropriate in terms of landscape setting, scale and design throughout the rural area. Notwithstanding this general support, all proposals require to be assessed against the full range of policies within NPF4 and LDP2 which seek to ensure that new development is environmentally sustainable

The proposed development has been assessed positively in terms of its effect on the local economy and has the potential to generate a number of direct and indirect jobs that are significant in the context of the Carrick Investment Area and which will help achieve the Development Plan objective to revitalise the remote rural area. There are no conflicts between the development and the effects on the quality of life for existing residents in the surrounding villages and rural area. The proposal has been assessed positively in terms of its effect on the significant listed buildings and ancient monuments located within the Dalquharran Estate. The proposals will protect and significantly enhance the ecology of the site and include management of 16.1 hectares of broadleaved woodland (including ancient woodland), creation of 1.26 ha of new woodland, creation of 1.45 ha wetland and scrub habitat and creation of 0.32 ha of ponds within the wider Dalquharran Estate. The proposed enhancements to the ecology of the wider estate represent a significant biodiversity gain. The site is connected to the village of Dailly by existing good quality footpaths and there are good links to the existing Core Path network enabling future guests to access services within Dailly and to explore the countryside surrounding the site without use of a car. The footpath network also links the site to the local bus services to Girvan and Ayr providing opportunities for sustainable travel. The GHG Lifecycle Analysis submitted with the application demonstrates that efforts have been made to reduce the volume of Greenhouse Gas Emissions during the construction and operational phases of the development. The lodge designs are appropriate for a wooded rural location and the use of natural timber for the exterior wall finishes elevates the quality of the design.

The landscaping scheme will provide a high-quality internal landscape setting for the lodges, as well as enhancing the ecological value of the existing arable land.

The development will however have an adverse impact on the landscape quality of the Water of Girvan Local Landscape Area because of the site's elevated and relatively open position on the northwest side of the Valley. Notwithstanding the proposed extensive tree planting scheme, the applicant's landscape adviser has assessed that the level of effect will be significant on the character of this part of the Water of Girvan Valley. The Council's independent landscape concurs with the assessment of the level of impact on the Local Landscape Area but advises that the effect on views from the B741 public road and the Core Paths on the southern side of the valley will be more significant than assessed. As such, the proposal is not fully consistent with the relevant Development Plan policies for rural and tourism development, which support tourism related development which are sympathetic to landscape quality and are well screened.

The impact on the character of the landscape and views requires to be balanced against the positive effects of the proposal on employment/rural revitalisation and the biodiversity value of the site and wider estate described above. It is considered that the positive effects outweigh the negative impact on the Local Landscape Area. The following considerations are key in reaching this conclusion:-

- Significant effort has been made to minimise the impact on the character of the LLA including use of natural wood finish on external walls of the lodges and planting of a substantial number of trees to reduce the visibility of the development from key viewpoints.
- Significant enhancement of a substantial area of woodland and creation of diverse habitats within the wider Dalquharran will be undertaken as part of the development.
- The site is within walking/cycling distance of local services and amenities within Dailly and is connected to the village by an established network of footpaths which will enable active travel.
- The proposal includes additional footpath connections to the Core Path routes in the area.
- In all other respects the development meets the requirements of NPF4 and LDP2

It is concluded that the proposal is an acceptable departure to the following policies of the Development Plan:-

NPF4: Policies 29 and 30

LDP2: Core Principle B7, Strategic Policy 1 and LDP2 Policy: tourism

9. Recommendation:

It is recommended that the application is approved 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 the proposed caravans shall not be promoted, advertised, let or used for any purpose other than as holiday accommodation.
- (2R) In the interests of the proper planning of the area and visual amenity.
- (3C) Prior to the commencement of development, a phasing plan, showing the sequence in which the approved landscaping scheme for the site shown on the approved landscaping drawing will be implemented shall be submitted to and approved by the Planning Authority. Any details submitted pursuant to this condition shall show that the landscaping works will be implemented on a phased basis, at the earliest possible time following completion of the holiday lodges within any particular area of the site.
- (3R) To ensure landscaping works are completed at an appropriate stage in the development of the site.

- (4C) That before any works start on site, details of the future management and aftercare of the proposed landscaping and planting shall be submitted for approval in writing by this Planning Authority. Thereafter the management and aftercare of the landscaping and planting shall be carried out in accordance with these approved details.
- (4R) In the interests of visual amenity; to ensure that adequate measures are put in place to protect the landscaping and planting in the long term.
- (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) The surface water drainage system shall be implemented in a phased manner and shall be constructed in accordance with the submitted Drainage Strategy and Surface Water Management Plan dated August 2025 prepared by Harley Haddow, unless a variation is agreed in writing with the Planning Authority. The surface water drainage system shall be fully implemented not later than two months following installation of final holiday lodge within the development.
- (6R) In order to avoid localised flooding and erosion as the result of uncontrolled discharge of surface water
- (7C) That the ecological mitigation measures set out in Table 14 of the Updated Ecological Appraisal and Impact Assessment prepared by Etive Ecology (Scotland) Ltd dated November 2025 shall be implemented and adhered to throughout the construction phase
- (7R) In the interest of nature conservation and to ensure that the existing ecological value of the site is not diminished as the result of the development
- (8C) All permanent exterior lighting affixed to the proposed holiday lodges, shall be downwards directed and designed to avoid light spill to sensitive habitats including or woodland and watercourses. All bollard lighting installed within the site shall be downward facing with cut-off below 90 degrees to prevent upward spill of light.
- (8R) In the interest of conservation of nature
- (9C) No development shall commence unless a habitat management plan has been submitted to and approved in writing by the Planning Authority. The habitat management plan shall set out the proposed habitat management for the holiday lodge site and the wider Dalquharran Estate as identified in the Outline Habitat Management Plan submitted with the application. The Habitat Management Plan shall provide for wet habitat creation, woodland creation, woodland management, grassland creation and enhancement and faunal habitat enhancement that meet the objectives and extents identified within the Outline Habitat Management Plan. The habitat management plan shall include a timetable for implementation which shall show full implementation within five years of the commencement of the development. Provision shall be made for regular monitoring and review to be undertaken to consider whether amendments are needed to better meet the habitat plan objectives. Unless otherwise agreed in advance in writing with the Planning Authority, the approved habitat management plan shall be implemented in full.
- (9R) In the interest of nature conservation and to ensure that the significant ecological benefits propose within the application are realised within a reasonable timescale.
- (10C) That before occupation a Travel Plan, shall be submitted for the formal prior written approval of the Council as Planning Authority (in consultation with the Council as Roads Authority). The Travel Plan shall identify the measures to be implemented, the system of management, monitoring, review, reporting and the duration of the plan. It shall incorporate measures designed to encourage modes of travel other than private car.
- (10R) To encourage sustainable means of travel.

- (11C) That the proposed vehicular access from the site onto the B741 shall be constructed in accordance with the specifications in the SCOTS National Roads Development Guide. The point of access shall be constructed as required by this condition and in conjunction with any necessary Roads Construction Consents or permits, prior to operation of the development.
- (11R) In the interest of road safety and to ensure an acceptable standard of construction.
- (12C) That visibility sightlines at the proposed site access junction onto the B741 of 4.5 metres by 160.0 metres, as shown in drawing number 24011-MTS-00-XX-DR-TP-06502-P00 (included within Appendix C of the Transport Assessment submitted in support of the development proposals), 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.
- (12R) In the interest of road safety and to ensure acceptable visibility at road junctions.
- (13C) That prior to occupation of the development any gates shall be set back a minimum distance of 10 metres from the rear of the public footway, and open inwards away from the public roadway.
- (13R) In the interest of road safety
- (14C) 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 Planning Authority before any work commences on site.
- (14R) In the interest of road safety and to avoid the possibility of unnecessary reversing of vehicles, particularly onto the public road.
- (15C) Prior to the commencement of development, details of the dimensions, layout and number of car parking spaces to be provided shall be submitted to and approved by the Planning Authority. Such details shall show parking space provided at a rate of one space per holiday lodge and further general provision of 10 visitor parking spaces at appropriate points throughout the site. The parking layouts shall comply with the guidance set out in the Council's National Roads Development Guide.
- (15R) In the interest of road safety and to ensure adequate off-street parking provision.
- (16C) That defined parking bays and associated aisle widths shall accord with the dimensions set out within paragraphs 3.6.2 and 3.6.3 of the National Roads Development Guide publication, adopted for use by the Council.
- (16R) In the interest of road safety and to ensure that there is adequate space for manoeuvring and turning.
- (17C) That prior to commencement of 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 Ayrshire Roads Alliance.
- (17R) To enable service vehicles to enter and leave the site in forward gear and in the interests of road safety.
- (18C) Prior to commencement of works on site, an Operational Procedure Plan (OPP) shall be submitted to and approved by the Planning Authority in consultation with Ayrshire Roads Alliance. The OPP shall provide details of all management measures intended to limit the impacts that guest arrival trips, departure trips and general service vehicular movements may have on the adjacent local road network. This shall include, where appropriate, use of staggered check-in/check-out times to spread trips during periods of high-demand, and measures to undertake servicing activities outside of network peak periods. Thereafter, the approved OPP and associated details and arrangements shall be implemented as approved prior to operation of the development and shall be maintained for the lifetime of the development unless otherwise agreed in writing by the Planning Authority.
- (18R) For the purposes of road safety and the functional operation of the local road network.

- (19C) No development shall commence until a Construction Traffic Management Plan ("the CTMP") has been submitted to and approved in writing by the Planning Authority in consultation with Ayrshire Roads Alliance. The CTMP shall include:
- i. The routing of all construction traffic associated with the Development on the local road network, including any speed restrictions;
 - ii. A full breakdown of all vehicle numbers anticipated to be generated by the development over the construction period, broken down by vehicle classification
 - iii. 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
 - iv. Details of parking facilities to accommodate all construction traffic throughout the construction programme to avoid placing the adjacent road network under undue pressure
 - v. Full details of video condition surveys of all public roads under the control of Ayrshire Roads Alliance forming part of the delivery route(s) for ALLs and construction traffic. The CTMP shall be required to include details of a schedule of video condition surveys including prior to the commencement of works on site, at the mid-point of the construction programme, and following the conclusion of construction traffic movements;
 - vi. Details of measures/contractual agreements to be put in place to manage the compliance of contractors and sub-contractors with using agreed/approved construction traffic routes and vehicle parking. This shall include any associated monitoring procedures and any specific training and disciplinary measures to be established to ensure the highest standards are maintained;
 - vii. Details of all public road signing and lining arrangements to be put in place during both the construction period, and for the operation of the site thereafter. This detail shall include any additional advisory/warning signage and/or temporary traffic control measures which may be required during the construction period;
 - viii. Full details of all arrangements for emergency vehicle access;
 - ix. Full 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 always drive in a safe and defensible manner;
 - x. Measures to accommodate pedestrians and cyclists where appropriate, and details of a nominated safety person;
 - xi. All material delivery lorries (dry materials) to be sheeted to reduce dust and spillage onto public roads;
 - xii. Details of wheel wash facilities to be established at the site entrance or an alternative suitable location to ensure no tracking of mud onto the public highway
 - xiii. Details of the provision of construction updates on the project website and a newsletter to be distributed to residents within an agreed distance of the site;
 - xiv. Full details on the process for the identification and undertaking of any necessary repairs to the construction traffic route, including the mechanism for coordination with the Ayrshire Roads Alliance.

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

- (19R) In the interest of road safety

9.1 Advisory Notes:

- (1) SEPA have advised that the site area is above the 4ha threshold for construction runoff. That means the applicant will require a construction runoff licence, which ideally would be accompanied by GiS shapefiles. This catchment is sensitive to suspended solids, which means construction runoff will be limited to a maximum of 30mg/l. If the use of flocculants is proposed, this would require justification in the form of a lab test, relevant datasheets and method of operation.

Following construction, surface water runoff would be authorised by General Binding Rule 10B and as such will not require a licence. For this, adequate information including the use of simple index approach and a train of SUDS to meet greenfield runoff (including mitigation for climate change) should be provided. Furthermore, in relation to establishing the applicability of GR10B, further information is required in relation to the mine spoil to the Western end of the development. The reworking of the ground in that area might mobilise metals that are considered priority substances such as iron, manganese and zinc. The applicant should provide at least 3 samples of soil with their respective analyses, if priority substances are found to then a leachate test would be undertaken. If any priority substances are above their environmental quality standards, then this might not be covered by GBR10B because it would be liable to cause pollution.

Details of regulatory requirements and good practice advice, for example in relation to private drainage, can be found on the regulations section of the SEPA website. Additionally for construction waste under the new EASR regulations, guidance can be found online. If you are unable to find the advice you need for a specific regulatory matter, please contact a member of the local compliance team at SWS@sepa.org.uk.

(2) 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
Tel: 0141 555 4887
Email: AssetProtectionScotland@networkrail.co.uk

(3) The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at: www.gov.uk/government/organisations/the-coal-authority

(4) The Council as Environmental Health Authority has advised that the Waste Water/Sewage System is to be constructed and installed in accordance with BS6297 Code of Practice for Design and Installation of drainage fields for use in wastewater treatment (as amended). BS 6297 is applicable to systems for handling discharges from domestic and commercial sources from single households and upwards. These sources are typically tanks and packages sewage treatment plants.

9.2 List of Determined Plans:

- Supporting Information - Reference No (or Description): Updated Ecological Appraisal Impact Assessment 2
- Supporting Information - Reference No (or Description): Additional Supporting Statement On NPF4 Policy 2
- Supporting Information - Reference No (or Description): Photomontages
- Supporting Information - Reference No (or Description): Updated Design Access Statement 2
- Supporting Information - Reference No (or Description): Arboricultural Report
- Supporting Information - Reference No (or Description): Drainage Strategy Surface Water Management Plan
- Supporting Information - Reference No (or Description): Heritage Assessment
- Supporting Information - Reference No (or Description): Landscape and Visual Appraisal
- Supporting Information - Reference No (or Description): Outline Habitat Management Plan
- Supporting Information - Reference No (or Description): Planning Statement
- Supporting Information - Reference No (or Description): Pre-Application Consultation Report
- Supporting Information - Reference No (or Description): Socio-Economic Impact Assessment

- Supporting Information - Reference No (or Description): Cairnhill Group Business Overview
- Supporting Information - Reference No (or Description): Transport Assessment
- Supporting Information - Reference No (or Description): Additional Planning Statement on NPF4 Policy 2
- Drawing - Reference No (or Description): 1687 - 100 Location Plan P01
- Drawing - Reference No (or Description): 1687-101 Amended Landscape Masterplan P02
- Drawing - Reference No (or Description): 1687-102 Amended General Arrangement P09
- Drawing - Reference No (or Description): 1687-103 Amended Softworks Layout P03
- Drawing - Reference No (or Description): 1687-104 Proposed Levels P02
- Drawing - Reference No (or Description): 1687-700 Amended Site Sections P03
- Drawing - Reference No (or Description): 1687-701 Amended Site Sections P01
- Drawing - Reference No (or Description): 1687-900 Lodge Type 1 Plans P01
- Drawing - Reference No (or Description): 1687-901 Amended Lodge Type 1 elevations P02
- Drawing - Reference No (or Description): 1687-902 Lodge Type 2 P01
- Drawing - Reference No (or Description): 1687-903 Lodge Type 3 P01
- Drawing - Reference No (or Description): 1687-904 Lodge Type 4 P01
- Drawing - Reference No (or Description): 1687-905 Bin Store P01
- Drawing - Reference No (or Description): 1687-906 Fence Details P01

9.3 Reason for Decision (where approved):

The proposed development will result environmental enhancements within the site and the wider Dalquharran Estate which significantly exceed the requirements of the Development Plan. The holiday lodge development will also create employment opportunities within the remote rural area that are locally significant and will contribute to stabilisation of the rural population and maintenance of community life in accordance with the rural development policies of NPF4 and South Ayrshire Local Development Plan 2. The development, by virtue of its location on the open hillside and large horizontal spread will however be visually intrusive and out of character with the established pattern and form of development within this part of the Water of Girvan Local Landscape Area. Whilst significant measures have been taken to mitigate the landscape and visual impacts, the development will detract from the character of part of the Water of Girvan Local Landscape Area and adversely affect views from the public roads and Core Path walking routes located higher up the southeastern side of the Water of Girvan Valley. The environmental, economic and community benefits of the development have been weighed against the impact on the landscaped and it is considered that benefits outweigh the disbenefits and that the proposed development is an acceptable departure to the landscape related policies of the Development Plan.

Background Papers:

Application Form, Plans and Supporting Documents
Consultation Responses
Representation
National Planning Framework 4
South Ayrshire Local Development Plan 2
South Ayrshire Local Landscape Designations Review (2018)
Scottish Government NPF4 planning guidance: Policy 2 – climate mitigation and adaptation Published 5 June 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:

Alan Edgar, Supervisory Planner (Development Management) - Telephone 01292 616 683

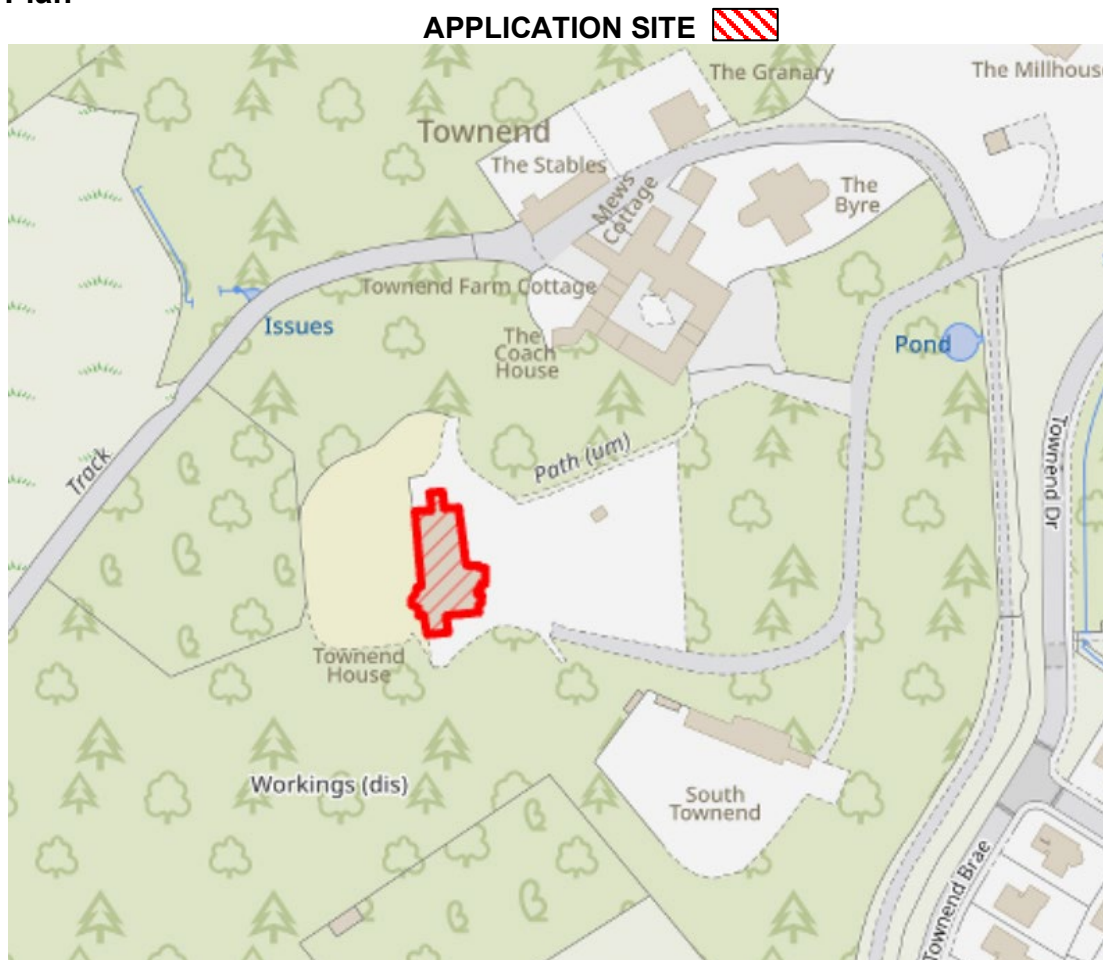
REGULATORY PANEL: 5 FEBRUARY 2026

REPORT BY HOUSING, OPERATIONS AND DEVELOPMENT

25/00689/APP

TOWNEND HOUSE TOWNEND DRIVE SYMINGTON SOUTH AYRSHIRE KA1 5QL

Location Plan



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

<https://publicaccess.south-ayrshire.gov.uk/online-applications/applicationDetails.do?keyVal=T4KKOWBDIRP00&activeTab=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 is considered to remain unchanged, and no change of use is proposed.

The building comprises long-established residential accommodation with associated grounds. No alterations to the internal layout of the building form 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: 5 FEBRUARY 2026

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.

Environmental Health - 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:

34 representations have been received, 34 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=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.

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.

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.

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 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.

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.

Practical Impacts 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.

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/publications/national-planning-framework-4/pages/12/index.aspx):

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://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: 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 Authority 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.

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 minor 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.

Response: The planning assessment is confined to the land-use and physical effects arising from the proposed development. In terms of traffic impacts, 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 to be significant in highway or amenity terms.

With regard to noise, light and privacy, the proposal does not introduce any late-night operational use beyond that already associated with the established use of the building. External lighting proposed, including any car park or security lighting, can be controlled by condition to ensure its appropriateness so as to prevent light spill, glare and disturbance to nearby residents or wildlife. The layout of the car park is such that there is no direct overlooking into neighbouring dwellings, and separation distances are sufficient to safeguard residential privacy.

It is acknowledged and accepted that the loss of the existing grassed area is disappointing and represents a change to the character of this part of the site. However, this loss must be considered in the context of the operational requirements of the established use of Townend House and the benefits of providing more formalised parking to prevent uncontrolled and potentially more harmful encroachment onto wider green areas. While the loss of green space is regrettable, it is not, in itself, of a scale or nature sufficient to justify refusal of the application, particularly where mitigation can be secured through planning conditions. A comprehensive landscaping scheme, including replacement planting, boundary treatment and biodiversity enhancement measures, can be required by condition to ensure that the visual, environmental and ecological quality of the site is appropriately mitigated and, where possible, enhanced.

In terms of ecology, no evidence has been submitted to demonstrate that the works would result in unacceptable harm to protected species such as bats or to local wildlife populations including birds and mammals. Nevertheless, appropriate ecological safeguards and habitat enhancement measures can be incorporated through planning conditions where necessary.

Finally, while it is acknowledged that residents place a high value on the quiet, rural and conservation character of the village, the scale and nature of the proposed works are limited and do not introduce a new or intensified principal use on the site. Subject to the proposed mitigation and conditions, 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. 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 Authority 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 this assessment. The separate Listed Building Consent process addresses any works requiring heritage consent.

Procedural and Transparency Concerns

Objection: Allegations that retrospective works have been carried out without prior planning 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.

Response: The retrospective nature of the works is noted. The planning system allows for the assessment of retrospective applications in the same manner as prospective proposals. While pre-application consultation with residents may have been limited, the current application enables the Council to impose appropriate conditions to mitigate any impacts, including landscaping, biodiversity enhancement, and lighting control. Matters relating to ownership or procedural engagement beyond statutory requirements are not material planning considerations.

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 minor 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 lawful 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:

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