

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



5 May 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 13 May 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:-
  - (a) 02 April 2026 (copy herewith).
3. Hearings relating to Applications for Planning Permission - Submit reports by the Housing, Operations and Development Directorate (copies herewith).

<p>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: <a href="mailto:june.chapman@south-ayrshire.gov.uk">june.chapman@south-ayrshire.gov.uk</a> <a href="http://www.south-ayrshire.gov.uk">www.south-ayrshire.gov.uk</a></p>
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**REGULATORY PANEL (PLANNING)**

Minutes of a hybrid webcast meeting  
on 2 April 2026 at 10.00 a.m.

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

Present  
Remotely: Councillor Craig Mackay.

Apologies: Councillor Mary Kilpatrick

Attending  
In County  
Buildings: C. Iles, Service Lead – Planning and Building Standards; D. Clark, Co-ordinator – Development Planning; A. Brown, Co-ordinator - Legal & Licensing; G. Senior, Ayrshire Roads Alliance; F. Sharp – Supervisory Planner - Planning and Building Standards; R. Dominy, Planning Assistant - Planning and Building Standards; J. Chapman, Committee Services Officer and C. McCallum, Clerical Assistant.

**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 Co-ordinator, 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 meetings of 26 February 2026 ([issued](#)) and 5 March 2026 ([issued](#)) were submitted for approval.

**Decided:** to approve these minutes.

3. [25/00689/APP](#) – Townend House, Townend Drive, Symington, South Ayrshire (Application continued from the Regulatory Panel of 4 March 2026 - report considered by the Regulatory Panel on 5 February 2026).

Following discussions,

The Panel

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

(1C) That the development hereby permitted must be begun within three years of the date of this permission.

(1R) To be in compliance with Section 58 of The Town and Country Planning (Scotland) Act 1997 as amended by Section 32 of The Planning (Scotland) Act 2019.

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

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

(3C) That 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.

**Advisory Notes:**

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.

**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

**Reason for Decision:**

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.

**4. Hearings relating to Applications for Planning Permission.**

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

The Panel considered the following applications: -

- (1) **26/00065/LBC - TOWNEND HOUSE TOWNEND DRIVE SYMINGTON SOUTH AYRSHIRE KA1 5QL (Listed Building Consent is sought for alterations to Townend House, Symington. These relate solely to internal works to form 17 en-suite bathrooms within each of the 17 bedrooms of the property. Townend House is a mid-19th-century Category B Listed Building located within the Townend Estate on the south-western edge of Symington. No external alterations form part of this application).**

Following discussions,

The Panel

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

(1C) That the works hereby granted Listed Building Consent shall be commenced within three years of the date of this consent.

(1R) To be in compliance with section 16 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 as amended by section 20 of the Planning Etc. (Scotland) Act 2006.

(2C) That the works hereby granted Listed Building Consent shall be implemented in full accordance with the approved plan(s) as listed below unless a variation required by a condition of the consent 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.

**List of Determined Plans:**

Drawing - Reference No (or Description): AE(00)001 Post  
 Drawing - Reference No (or Description): AE(00)001 Pre  
 Drawing - Reference No (or Description): AE(00)00G Post  
 Drawing - Reference No (or Description): AE(00)00G Pre  
 Drawing - Reference No (or Description): AE(00)00L-2  
 Drawing - Reference No (or Description): AE(00)221 2022 Survey  
 Drawing - Reference No (or Description): AE(00)22G 2022 Survey

**Reason for Decision:**

It is considered that the proposal does not detrimentally affect the traditional character or appearance of this statutorily listed building.

**Background Papers:**

Application form, approved plans, and all submitted documentation.  
 Representations received from members of the public and Symington Community Council.  
 National Planning Framework 4 (NPF4).  
 South Ayrshire Local Development Plan 2 (adopted).  
 Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 (as amended).  
 Historic Environment Policy for Scotland (HEPS).  
 Managing Change in the Historic Environment guidance – Interiors (Historic Environment Scotland).

**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.

- (2) **26/00690/LBC - TOWNEND HOUSE TOWNEND DRIVE SYMINGTON SOUTH AYRSHIRE KA1 5QL (Listed Building Consent is sought for alterations to Townend House, Symington. Specifically, these relate to external works only).**

A Member of the Panel requested a brief adjournment at 12:02.

Panel reconvened at 12:16.

Following discussions,

The Panel,

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

(1C) That the works hereby granted Listed Building Consent shall be commenced within three years of the date of this consent.

(1R) To be in compliance with section 16 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 as amended by section 20 of the Planning Etc. (Scotland) Act 2006.

(2C) That the works hereby granted Listed Building Consent shall be implemented in full accordance with the approved plan(s) as listed below unless a variation required by a condition of the consent 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) Notwithstanding the plans hereby approved, within 3 months of the date of this consent revised drawings and an accompanying schedule shall be submitted to, and approved in writing by, the Planning Authority showing all external vent terminals formed on the building which are not shown on the approved plans. For the avoidance of doubt, the submission shall identify: (i) precise locations on scaled elevations with a numbered key, (ii) the dimensions/profile of each terminal, and (iii) the material and finish/colour. Thereafter, the development shall accord with the approved details, and no alteration to those vent terminals shall take place without the prior written approval of the Planning Authority.

(3R) To regularise and control the external vent terminals not shown on the approved plans, thereby preserving the special architectural and historic interest of the listed building.

**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

**Reason for Decision:**

It is considered that the proposal does not detrimentally affect the traditional character or appearance of this statutorily listed building.

**Background Papers:**

Application form, approved plans, and all submitted documentation.  
 Representations received from members of the public and Symington Community Council.  
 National Planning Framework 4 (NPF4).  
 South Ayrshire Local Development Plan 2 (adopted).  
 Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 (as amended).  
 Historic Environment Policy for Scotland (HEPS).  
 Managing Change in the Historic Environment guidance – External Fixtures (Historic Environment Scotland).  
 Managing Change in the Historic Environment guidance – Setting (Historic Environment Scotland).

**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.

Councillor Clark left the meeting at this point.

In terms of Council Standing order, No 13.2. the Panel agreed to vary the order of business as hereinafter minuted.

- (3) **25/00457/APP - LAND AT A759 FROM AUCHINGATE INTERCHANGE TO B730 DRYBRIDGE ROAD DUNDONALD DUNDONALD SOUTH AYRSHIRE (The application under consideration relates to the formation of an Active Travel Route (ATR) connecting Barassie Railway Station with the village of Dundonald).**

Following discussions,

The Panel

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

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

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

(2C) That the development hereby permitted must be begun within **three years** of the date of this permission.

(2R) 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.

(3C) A proportionate Landscape and Biodiversity Enhancement Scheme (LBES) shall be submitted for the prior written approval of the Planning Authority within six weeks of the date of this decision. The LBES shall include:

- a) Details of native mixed hedgerow planting along identified sections of the route
- b) Details of native tree and scrub planting, including the location and indicative composition of proposed woodland groves.
- c) Details of the creation of the proposed wetland area, including its indicative extent and planting approach
- d) Measures for biodiversity enhancement along the route corridor, such as pollinator rich verge treatments and strengthening of wet flushes/margins where appropriate
- e) Protective measures for retained vegetation during any remaining works
- f) Details of continued management and treatment of invasive nonnative species, including Japanese knotweed
- g) A maintenance and aftercare schedule for a minimum period of five years, including replacement of failed planting as necessary.

Thereafter, the LBES as approved shall be implemented in the first planting season following its approval, unless otherwise agreed in writing by the Planning Authority, and all planting and habitat creation shall thereafter be retained and maintained in accordance with the approved LBES.

(3R) To secure proportionate landscape and biodiversity enhancement; to ensure no net loss of biodiversity and deliver environmental improvement in accordance with National Planning Framework 4 Policies 1 and 3 and Policy: Natural Heritage of the South Ayrshire Local Development Plan 2.

**Advisory Notes:**

(1) The development could be in an area where there are gas mains and services. Please see the link below for further information and actions required of you:

<https://www.south-ayrshire.gov.uk/planning-decisions>

**List of Determined Plans:**

Drawing - Reference No (or Description): 207817-D-AT-00001  
 Drawing - Reference No (or Description): 207817-D-AT-00002  
 Drawing - Reference No (or Description): 207817-D-AT-00101  
 Drawing - Reference No (or Description): 207817-D-AT-00102  
 Drawing - Reference No (or Description): 207817-D-AT-00103  
 Drawing - Reference No (or Description): 207817-D-AT-00104  
 Drawing - Reference No (or Description): 207817-D-AT-00105  
 Drawing - Reference No (or Description): 207817-D-AT-00106  
 Drawing - Reference No (or Description): 207817-D-AT-00107  
 Drawing - Reference No (or Description): 207817-D-AT-00108  
 Drawing - Reference No (or Description): 207817-SWE-ATT-S4-DR-D-0111  
 Drawing - Reference No (or Description): 207817-SWE-ATT-S4-DR-D-1107  
 Drawing - Reference No (or Description): 207817-SWE-ATT-S4-DR-D-1230  
 Drawing - Reference No (or Description): 207817-SWE-L-S4-DR-D-30004

**Reason for Decision:**

The siting and design of the development hereby approved is considered to accord with the provisions of the development plan and there is no significant adverse impact on the amenity of neighbouring land and buildings.

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

**Background Papers:**

- (1) Planning application form, plans and supporting information
- (2) Representations
- (3) Adopted South Ayrshire Local Development Plan 2
- (4) Scottish Government National Planning Framework 4

**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) **25/00823/APP - LAND AT HILLHEAD COYLTON SOUTH AYRSHIRE  
 (Planning permission is sought for the erection of 6 dwellinghouses and associated development to the north of the A70 Ayr/ Coylton Road at Hillhead, close to the junction of the A70 and the B742).**

Following discussions,

The Panel

**Decided:** 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, with the exception of the new accesses to and from the proposed houses, the existing hedgerow along the public road, shall remain in situ and shall be retained and maintained for the lifetime of the development.

(3R) In the interests of visual amenity and biodiversity.

(4C) That the development shall be implemented in accordance with the pre-construction surveys, mitigation, and biodiversity enhancement recommendation measures outlined in section 5. and 6. of the Preliminary Ecological Report dated October 2025 as prepared by Wild Surveys Ltd. Precise details of the biodiversity enhancement measures, shall be submitted for the written approval of the Council, as planning authority prior to the commencement of development, and thereafter shall be implemented as agreed, prior to the first occupation of the dwellings, and shall be retained for the lifetime of the development.

(4R) In the interests of ecology and so as to retain and improve biodiversity at the site.

(5C) That, prior to the commencement of development, details shall be submitted for the prior written approval of the planning authority of natural boundary planting of native species to be planted along the northern boundary of the site and the adjacent agricultural land. The details shall include the siting, numbers, species, and heights (at time of planting) of all trees, shrubs, and hedges to be planted. The scheme as approved shall be implemented within 6 months / first planting season following the completion or occupation of the development, whichever is the sooner. The open space/landscaped area shall be retained as open space and to this approved standard.

(5R) In the interests of visual amenity, biodiversity enhancement and to ensure a satisfactory standard of local environmental quality.

(6C) That the development shall be implemented in accordance with the discussion, mitigation and conclusions as set out in section 7. and 8. of the Road Traffic Noise Impact Assessment (rev 00 ref 8014- 00-00) dated November 2025 as prepared by New Acoustics. Precise details of the noise mitigation measures to be employed at the site shall be submitted for the written approval of the Council, as planning authority, and thereafter shall be implemented as agreed, prior to the first occupation of the dwellings, and shall be retained for the lifetime of the development.

(6R) In the interest of residential amenity.

(7C) That the presence of any previously unsuspected or un-encountered contamination that becomes evident during the development of the site shall be brought to the attention of the Planning Authority within one week. At this stage, a comprehensive contaminated land investigation shall be carried out if requested, and which shall be submitted to for the formal prior written approval of the Council as planning authority. The investigation shall be completed in accordance with a recognised code of practice such as British Standards Institution 'The investigation of potentially contaminated sites - Code of Practice' (BS 10175: 2001, or as may be amended). The report shall include a site-specific risk assessment of all relevant pollutant linkages, as required in Scottish Government Planning Advice Note 33 (or as may be amended). Any unacceptable risk or risks as defined under Part IIA of the Environmental Protection Act 1990, shall be the subject of a detailed remediation strategy which shall be submitted for the formal prior written approval of the Council as planning authority. Remediation of the site shall be carried out in accordance with the approved remediation plan prior to the occupation of the development. Any amendments to the approved remediation plan shall not be implemented unless approved in writing by the Planning Authority.

(7R) To ensure all contamination within the site is dealt with.

(8C) That visibility sightline splays at the proposed site access junction onto A70 of 2.4 metres by 43 metre, as shown in 25.147.01(004)A, 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.

(8R) In the interest of road safety and to ensure an acceptable standard of construction. To avoid the possibility of unnecessary reversing of vehicles onto the public road.

(9C) That the discharge of water onto the public road carriageway shall be prevented by drainage or other means. Precise details and specifications of how this is to be achieved shall be submitted for the approval of the Planning Authority in consultation with the Ayrshire Roads Alliance, before any work commences on site.

(9R) In the interest of road safety and to avoid the discharge of water onto the public road.

(10C) That the proposed vehicular access from the site onto A70 shall be constructed in accordance with the specifications in the SCOTS National Roads Development Guide. Each point of access shall be constructed, as approved by condition and in conjunction with any necessary Roads Construction Consents and/or permits, prior to occupation of the development.

(10R) In the interest of road safety and to ensure an acceptable standard of construction.

(11C) That the private access shall be surfaced for a minimum of 2 metres as measured from the rear of the public roadway, prior to occupation of the first dwellinghouse within the development. Precise detail and specifications of the required surfacing shall be submitted for the approval of the Planning Authority in consultation with the Ayrshire Roads Alliance before any work commences on site.

(11R) In the interest of road safety and to ensure an acceptable standard of construction.

(12C) That the public footway on A70 along the full length of the development frontage of 100 metres shall be maintained to the specification as provided by the Ayrshire Roads Alliance, prior to occupation of the development.

(12R) In the interest of road safety and to ensure an acceptable standard of construction.

(13C) That a total of 12 off-road parking spaces shall be provided within the existing site boundary to satisfy provision levels as defined within the SCOTS National Roads Development Guide. The total parking provision shall be made up of the following:

- 2 in-curtilage spaces for 6 x 2-3-bedroom dwellinghouses = 12 off road spaces;

Details of parking layouts designed to comply with the guidance set out in the Council's National Roads Development Guide, and Designing Streets as National Policy, shall be submitted for the prior approval of the Planning Authority in consultation with the Ayrshire Roads Alliance.

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

(14C) That driveway dimensions associated with dwellinghouses shall accord with the following dimensions:

- A single-width driveway: 6.0m (minimum) in length x 2.75m (minimum, up to 3.0m maximum) in width;
- A double-width driveway: 6.0m (minimum) in length x 4.8m (minimum, up to 5.5m maximum) in width;
- A three-car driveway: 10.5m (minimum) in length for tandem parking x 4.8m (minimum, up to 5.5m maximum) in width (creating an "L" shaped drive configuration of double width where the driveway meets the public road);

Triple-width driveways for single properties will not be permitted by the Ayrshire Roads Alliance.

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

(15C) That designated bin collection point shall be located a minimum of 0.5 metres from the public network, before occupation of the development. Details and specification of the siting and design of bin collection points shall be submitted for the approval of the Planning Authority in consultation with the Ayrshire Roads Alliance, prior to any work commencing on site.

(15R) In the interests of road safety.

(16C) No development shall commence unless and until a Construction Traffic Management Plan (CTMP) has been submitted to, and approved by, the Planning Authority in consultation with the Ayrshire Roads Alliance. The CTMP shall be required to include:

1. Full confirmation of the approved/agreed routes for use by construction traffic movements;
2. A full breakdown of all vehicle numbers anticipated to be generated by the development over the construction period, broken down by vehicle classification. The detail provided shall require to be sufficient to highlight periods of peak development traffic generation, and provide both estimated daily and weekly trip number estimates;
3. 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;
4. Details of parking facilities to accommodate all construction traffic throughout the construction programme to avoid placing the adjacent road network under undue pressure;
5. 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;
6. 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;
7. Full details of all arrangements for emergency vehicle access;
8. 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 drive in a safe and defensible manner at all times;
9. Measures to accommodate pedestrians and cyclists where appropriate, and details of a nominated road safety person;
10. All materials delivery lorries (dry materials) to be sheeted to reduce dust and spillage onto the public roads;
11. 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;
12. 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 Roads Authority.

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

(16R) In the interests of road safety.

**Advisory Notes:**

(1) To prevent noise disturbance in the interests of local residential amenity, the hours of the operation of works hereby approved shall be restricted to between 08.00 hours and 18.00 hours Monday to Friday inclusive, and 08.00 hours to 13.00 hours on Saturdays. No operations or activity shall take place at any time on a Sunday.

(2) In order to minimise nuisance in the surrounding area from noise and vibrations, during all demolition and construction works, the plant and machinery used should be in accordance with BS 5228; Noise Control on Construction and Open Sites and the Control of Pollution Act 1974. To prevent nuisance all reasonably practicable steps to minimise the formation of dust in the atmosphere and in the surrounding area must be taken.

(3) Advice on light pollution is contained within the Institution of Lighting Professionals "Guidance Note 1 The Reduction of Obtrusive Light" Guidance Note 1 for the reduction of obtrusive light 2021 | Institution of Lighting Professionals (theilp.org.uk)

(4) Scottish Power Distribution Plc have overhead line and underground cables within the vicinity of the proposals. For a plan of the apparatus, please contact [requestforplansscotland@spenergynetworks.co.uk](mailto:requestforplansscotland@spenergynetworks.co.uk). For advice on working near our apparatus please visit [https://spenergynetworks.co.uk/pages/working\\_near\\_our\\_network.aspx](https://spenergynetworks.co.uk/pages/working_near_our_network.aspx) or contact [customer.resolution@spenergynetworks.co.uk](mailto:customer.resolution@spenergynetworks.co.uk)

(5) That a Road Opening Permit is required in addition to planning consent for any work to be undertaken within the public road limits. An application for a Road Opening Permit should be made separately to the Council as Roads Authority, prior to works commencing on site.

(6) The Council as Roads Authority advises that all works on the carriageway to be carried out in accordance with the requirements of the Transport (Scotland) Act 2005 and the Roads (Scotland) Act 1984.

(7) To comply with the requirements of the New Roads and Street Works Act 1991, all works carried out in association with the development on the public road network, including those involving the connection of any utility to the site, must be co-ordinated so as to minimise their disruptive impact. This co-ordination shall be undertaken by the developer and his contractors in liaison with the Council as Roads Authority and the relevant utility companies.

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

(9) The Council as Roads Authority advises that the applicant/ developer will be responsible for the reinstatement of the public footway/ carriageway along the entire frontage of the site in compliance with the Council's National Roads Development Guide.

(10) The Council as Roads Authority advises that access to the site shall be by way of dropped kerbs, in accordance with paragraph 3.1.2 of the Council's National Roads Development Guide.

(11) The Council as Roads Authority advises that the Council will not be liable to adopt the drainage system as it is wholly contained within private ownership.

(12) The Council as Roads Authority advises that access to the site shall be by way of a footway crossing designed in accordance with the SCOTS National Roads Development Guide, and that any redundant footway crossing shall be reinstated to adjacent footway line and level before completion of the development. All costs incurred with crossing existing footway / verge to be borne by the applicant/ developer and carried out to the specification of the Council as Roads Authority.

(13) Scottish Water asset plans can be obtained from our appointed asset plan providers:

Site Investigation Services (UK) Ltd

Tel: 0333 123 1223

Email: [sw@sisplan.co.uk](mailto:sw@sisplan.co.uk)

[www.sisplan.co.uk](http://www.sisplan.co.uk)

Scottish Water's current minimum level of service for water pressure is 1.0 bar or 10m head at the customer's boundary internal outlet. Any property which cannot be adequately serviced from the available pressure may require private pumping arrangements to be installed, subject to compliance with Water Byelaws. If the developer wishes to enquire about Scottish Water's procedure for checking the water pressure in the area, then they should write to the Development Operations department at the above address.

If the connection to the public sewer and/or water main requires to be laid through land out-with public ownership, the developer must provide evidence of formal approval from the affected landowner(s) by way of a deed of servitude.

Scottish Water may only vest new water or waste water infrastructure which is to be laid through land out with public ownership where a Deed of Servitude has been obtained in our favour by the developer.

The developer should also be aware that Scottish Water requires land title to the area of land where a pumping station and/or a Sustainable Drainage System (SUDS) proposed to vest in Scottish Water is constructed. Please find information on how to submit application to Scottish Water at the Customer Portal.

**Advisory Notes:**

(1) That a Road Opening Permit is required in addition to planning consent for any work to be undertaken within the public road limits. An application for a Road Opening Permit should be made separately to the ARA as Roads Authority, prior to works commencing on site.

(2) The Council as Roads Authority advises that all works on the carriageway to be carried out in accordance with the requirements of the Transport (Scotland) Act 2005 and the Roads (Scotland) Act 1984.

(3) In order to comply with the requirements of the New Roads and Street Works Act 1991, all works carried out in association with the development on the public road network, including those involving the connection of any utility to the site, must be co-ordinated so as to minimise their disruptive impact. This co-ordination shall be undertaken by the developer and his contractors in liaison with the local roads authority and the relevant utility companies.

(4) The Council as Roads Authority advises that any costs associated with the relocation of any street furniture shall require to be borne by the applicant / developer.

(5) In order to minimise nuisance in the surrounding area from noise and vibrations, during all demolition and construction works, the plant and machinery used should be in accordance with BS 5228; Noise Control on Construction and Open Sites and the Control of Pollution Act 1974.

(6) Advice on light pollution is contained within the Institution of Lighting Professionals "Guidance Note 1 The Reduction of Obtrusive Light".

**List of Determined Plans:**

Drawing - Reference No (or Description): 25.147.01(001)

Drawing - Reference No (or Description): 25.147.01(002)

Drawing - Reference No (or Description): 25.147.01(003)

Drawing - Reference No (or Description): 25.147.01(004)

Drawing - Reference No (or Description): 25.147.02(001)

Drawing - Reference No (or Description): 25.147.02(002)

Drawing - Reference No (or Description): 25.147.02(003)

Drawing - Reference No (or Description): 25.147.02(004)

Drawing - Reference No (or Description): 25.147.02(005)

Drawing - Reference No (or Description): 6667.THA-001 Rev A

Drawing - Reference No (or Description): 6667.THA-002 Rev A

Drawing - Reference No (or Description): 25.147.01(004)A

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

Supporting Information - Reference No (or Description): Preliminary Ecological Appraisal Report.

Supporting Information - Reference No (or Description): Road Traffic Noise Impact Assessment.

**Reason for Decision (where approved):**

The siting and design of the development hereby approved is considered to accord with the provisions of the development plan and there is no significant adverse impact on the amenity of neighbouring land and buildings.

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

**Background Papers:**

1. Application form, drawings and supporting information
2. Representations
3. National Planning Framework 4 (NPF 4)
4. Adopted Local Development Plan 2 (LDP2) and related policy guidance
5. Consultation responses
6. Historic Planning Application references 24/00864/PPP, 06/00482/FUL, 04/00420/REM and 02/00528/FUL
5. Consultation responses
6. Planning application 21/00413/APP

**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.

- (5) **25/00250/APP - VICTORY PARK AND PAVILION SOUTH PARK AVENUE GIRVAN SOUTH AYRSHIRE (Planning permission is sought for alterations and extension to the existing sports pavilion and associated change of use of open space, installation of an underground attenuation tank, and associated drainage works).**

Following discussions,

The Panel

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

(1C) That the development hereby permitted must be begun within three years of the date of this permission.

(1R) To be in compliance with Section 58 of The Town and Country Planning (Scotland) Act 1997 as amended by Section 32 of The Planning (Scotland) Act 2019.

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

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

(3C) That the development shall be implemented in accordance with the flood risk mitigation measures outlined in section 6 of the submitted Flood Risk Assessment dated October 2025 as prepared by Kaya Consulting. The mitigation measures shall be implemented, as agreed, prior to the first use of the development hereby approved, and thereafter retained, as agreed, for the lifetime of the development.

(3R) So as to adequately mitigate against the risk of flooding within the site, and immediate locale.

(4C) That prior to the commencement of development, precise details of the proposed attenuation feature to capture surface water run off from the site shall be submitted for

the prior written approval of the planning authority, in conjunction with the local Flood Risk Management Authority. Thereafter, the development shall be implemented as per the agreed specification, and in conjunction with the mitigation measures outlined in section 3 of the Outline Surface Water Drainage Strategy dated October 2025 as prepared by Kaya Consulting, prior to the first use of the development hereby approved, and thereafter retained, as agreed, for the lifetime of the development.

(4R) So as to ensure that the site is served by a suitable sustainable urban drainage system.

**Advisory Notes:**

(1) That a Road Opening Permit is required in addition to planning consent for any work to be undertaken within the public road limits. An application for a Road Opening Permit should be made separately to the ARA as Roads Authority, prior to works commencing on site.

(2) The Council as Roads Authority advises that all works on the carriageway to be carried out in accordance with the requirements of the Transport (Scotland) Act 2005 and the Roads (Scotland) Act 1984.

(3) In order to comply with the requirements of the New Roads and Street Works Act 1991, all works carried out in association with the development on the public road network, including those involving the connection of any utility to the site, must be co-ordinated so as to minimise their disruptive impact. This co-ordination shall be undertaken by the developer and his contractors in liaison with the local roads authority and the relevant utility companies.

(4) The Council as Roads Authority advises that any costs associated with the relocation of any street furniture shall require to be borne by the applicant / developer.

(5) In order to minimise nuisance in the surrounding area from noise and vibrations, during all demolition and construction works, the plant and machinery used should be in accordance with BS 5228; Noise Control on Construction and Open Sites and the Control of Pollution Act 1974.

(6) Advice on light pollution is contained within the Institution of Lighting Professionals "Guidance Note1 The Reduction of Obtrusive Light".

**List of Determined Plans:**

Drawing - Reference No (or Description): 01

Drawing - Reference No (or Description): 02

Drawing - Reference No (or Description): 03A A

Drawing - Reference No (or Description): 04 REV A

Drawing - Reference No (or Description): 05

Drawing - Reference No (or Description): BP01

Drawing - Reference No (or Description): BP03

Drawing - Reference No (or Description): LOC01 REV A

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

Supporting Information - Reference No (or Description): Flood Risk Assessment

Supporting Information - Reference No (or Description): Surface Water Strategy

**Reason for Decision:**

The siting and design of the development hereby approved is considered to accord with the provisions of the development plan and there is no significant adverse impact on the amenity of neighbouring land and buildings.

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

**Background Papers:**

1. Application form, drawings and supporting information
2. Representations
3. National Planning Framework 4 (NPF 4)
4. Adopted Local Development Plan 2 (LDP2)
5. PAN65 – Open Space
6. Open Space Strategy
5. Consultation responses
6. Planning application 21/00413/APP

**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.

The meeting ended at 13:05.

## South Ayrshire Council

### List of Planning Applications for Regulatory Panel (Planning) Consideration on 13 May 2026

List No.	Reference Number	Location	Development	Applicant	Recommendation
1.	26/00107/APP Emma McKie  (Objections)  <a href="#">(Application Summary)</a>	United Free Church 4 Kirkholm Avenue Ayr South Ayrshire KA8 8LY	Erection of two dwellinghouses and change of use, alterations and extension of existing church to form two dwellinghouses, and associated development	BLPD Ltd	Approval with Condition(s)
2.	26/00199/APP Del Delury  (Objections)  <a href="#">(Application Summary)</a>	Town Hall Gardens New Bridge Street Ayr South Ayrshire	Re-landscaping of existing garden area, and installation of associated signage and street furniture	Neighbourhood Services - South Ayrshire Council	Approval with Condition(s)

## South Ayrshire Council

### List of Planning Applications for Regulatory Panel (Planning) Consideration on 13 May 2026

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## REGULATORY PANEL: 13 MAY 2026

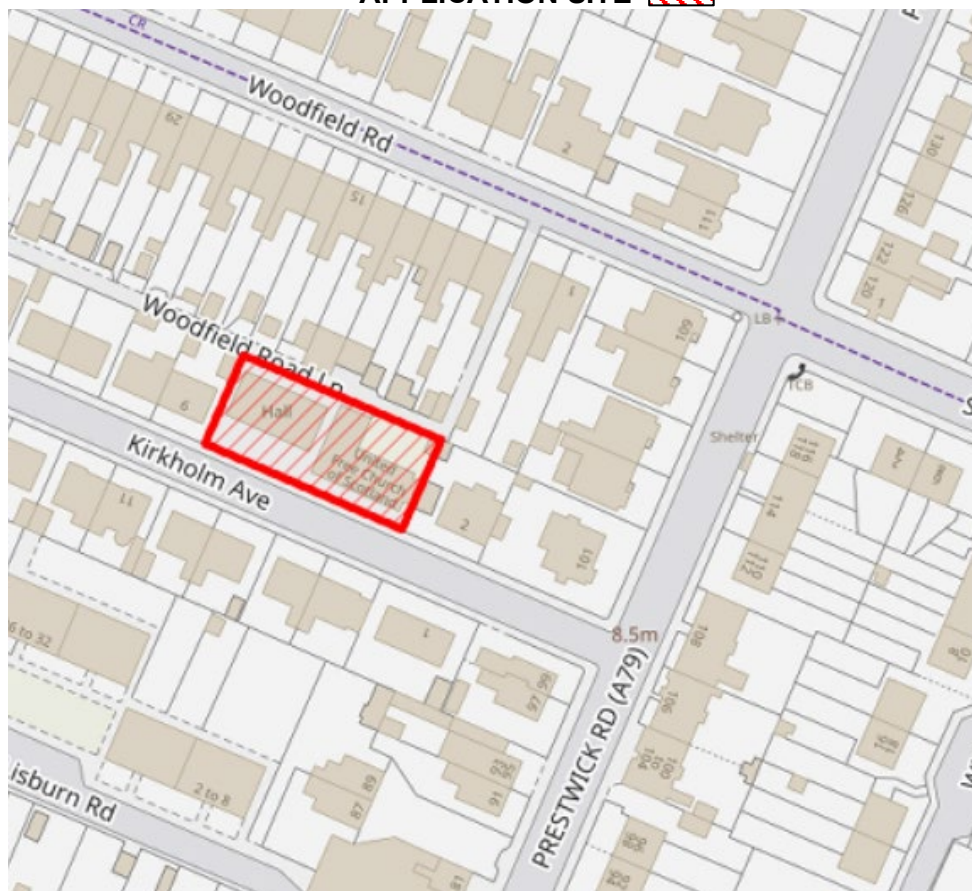
### REPORT BY HOUSING, OPERATIONS AND DEVELOPMENT

26/00107/APP

UNITED FREE CHURCH 4 KIRKHOLM AVENUE AYR SOUTH AYRSHIRE KA8 8LY

#### 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

Planning permission is sought to amend the fenestration arrangements of the proposed dwellinghouses approved under planning application 24/00848/APP. This planning application granted planning permission for the erection of 2 dwellinghouses and the change of use, alterations and extension of an existing church to form 2 dwellinghouses. Outstanding information has also been submitted with regard to 3 conditions attached to this previous granted of planning permission. It is noted that the works to implement application 24/00848/APP have commenced and this application has been submitted in part retrospect.

The application site, located at 4 Kirkholm Avenue, Ayr, South Ayrshire, covers approximately 908 square metres and is within a residential area as designated in the South Ayrshire Local Development Plan 2. Access is provided from Kirkholm Avenue, and the site has a regular, level shape with a wide frontage along the street. The site previously housed the United Free Church and an adjacent church hall. Residential properties bound the site to both the south east and north west and a private access lane to the north west.

This planning application requires to be reported to the Council's Regulatory Panel, in accordance with the Council's approved procedures for handling planning applications and Scheme of Delegation, as 10 or more competent written objections have been received from individuals, organisations or third parties and the recommendation is to approve.

The application has been assessed against the various material planning considerations which include the provisions of the development plan, consultations, representations received (13 in total) and the impact of the proposed development on the locality. The assessment concludes that the proposed development broadly complies with the provisions of National Planning Framework 4 (2023) and the Adopted South Ayrshire Local Development Plan (2022). It is considered that the proposal represents a sustainably located development involving the re-use of land formerly occupied by a church and associated hall, within a sustainable and accessible location, and that, the proposals, subject to being appropriately conditioned, will not detract from the character or appearance of the surrounding area, or introduce any adverse amenity issues. The points raised in the letters of objection have been fully considered, but do not raise any issues that would merit a recommendation of refusal of the application. Overall, there are no policy objections, and following the above assessment, it is considered that, on balance, the application should be recommended for approval, subject to conditions.

Accordingly, given this assessment and having balanced the applicant's rights against the general interest, it is recommended that the application be approved subject to conditions.

## REPORT BY HOUSING, OPERATIONS AND DEVELOPMENT

**REGULATORY PANEL: 13 MAY 2026**

<b>SUBJECT:</b>	<b>PLANNING APPLICATION REPORT</b>
<b>APPLICATION REF:</b>	<b>26/00107/APP</b>
<b>SITE ADDRESS:</b>	<b>United Free Church 4 Kirkholm Avenue Ayr South Ayrshire KA8 8LY</b>
<b>DESCRIPTION:</b>	<b>Erection of two dwellinghouses and change of use, alterations and extension of existing church to form two dwellinghouses, and associated development</b>
<b>RECOMMENDATION:</b>	<b>Approval with conditions</b>

### 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 13 February 2026.
- The application was validated on 27 February 2026.
- Site Visits were carried out by the Planning Authority on 16 March and 23 April 2026.
- 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 9 April 2026.
- No Site Notice was required.
- No Public Notice in the Local Press was required.

#### 1. Proposal:

The application site, located at 4 Kirkholm Avenue, Ayr, covers approximately 908 square metres and is within a residential area, as designated in the South Ayrshire Local Development Plan 2. Access is provided from Kirkholm Avenue, and the site has a regular, level shape with a wide frontage along the street. The site previously housed the United Free Church and an adjacent church hall.

Planning permission is sought to amend the fenestration arrangements of the proposed dwellinghouses approved under planning application 24/00848/APP. This planning application granted planning permission for the erection of 2 dwellinghouses and the change of use, alterations and extension of the existing church to form 2 dwellinghouses. Outstanding information has also been submitted with regard to 3 conditions attached to this previous grant of planning permission. It is noted that the works to implement application 24/00848/APP have commenced and this application has been submitted in part retrospect.

The application submission refers to the development as 2 phases. 'Phase 1' relates to the conversion of the former church to 2 dwellinghouses and 'Phase 2' relates to the erection of 2 new dwellinghouses to replace the former church hall. The amendments to the fenestration arrangements proposed comprise of the installation of 1 emergency escape window within the gable of 3 of the proposed dwellinghouses, 2 emergency escape windows within the gable of 1 of the proposed dwellinghouses, and both the installation of an additional rooflight and reconfiguration of the overall rooflight layout within the rear of the proposed dwelling situated closest to the south east boundary of the application site. The Planning Authority understands that the new windows were required as other Velux windows being installed within the dwellings did not meet the Building Standards requirement for escape windows and the applicant chose to install additional windows to meet these requirements, rather than altering those already installed.

With regard to the outstanding information which has been submitted with regard to 3 conditions attached to the original permission – 24/00848/APP – this comprises of details of biodiversity enhancement measures, details of all boundary treatments and a revised site plan which does not include any off-street parking spaces within the front curtilage of each dwellinghouse. The biodiversity enhancement measures include the provision of bird boxes within the site. In terms of boundary treatment, the rear garden of each dwelling shall be divided by 1.8-metre-high timber fences and the rear (north eastern) boundary of site relating to the 2 dwellinghouses formed as part of the conversion of the former church (referred to as Phase 1 on Drawing No. HAD-231-008(B)) shall be secured by a 1.8 metre high timber fence. It is understood that the existing rear boundary wall shall remain in situ and form the rear boundary of the other 2 dwellinghouses ('Phase 2'), erected in place of the former church hall. No fixed boundary treatment is proposed within the front curtilage of each dwelling, and this area shall instead be delineated by soft landscaping, including low level planting/shrubs not exceeding 1m in height.

Full details of the proposals are contained within the application submission.

**2. Consultations:**

No consultations were undertaken for this application.

**3. Submitted Assessments/Reports:**

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

None.

**4. S75 Obligations:**

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

None.

**5. Scottish Ministers Directions:**

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

None.

## **6. Representations:**

13 representations have been received, all 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=TADWT5BDLUP00&activeTab=summary>

The issues raised by Representees can be summarised as follows.

- Overlooking
- Lack of off-street parking provision
- Application has been submitted in retrospective/works already commenced/Breach of conditions attached to earlier planning application
- Contrary to title deeds/access rights

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 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):

National Policy 3: Biodiversity

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

National Policy 14: Design, quality and place

National Policy 15: Local Living and 20-minute neighbourhoods

National Policy 16: Quality homes

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):

LDP 2 Strategic Policy 1: Sustainable Development

LDP 2 Strategic Policy 2: Development Management

LDP 2 Policy: Residential Policy within Settlements, Release Sites and Windfall Sites

LDP 2 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) Other Policy Considerations (including Government Guidance)

South Ayrshire Council's Planning Guidance on Open Space and Designing New Residential Developments

This guidance indicates that detached and semi-detached properties should be provided with rear gardens in proportion to their size. Rear gardens will be expected to be a minimum of 1½ times the size of the ground floor area for detached and semi-detached dwellings and no less than 100m<sup>2</sup>. This will generally include rear and side dwellinghouse gardens enclosed by fence/wall/hedge. A minimum garden depth of 9 metres shall be required. This distance may be relaxed in the case of corner plots and on plots, with two or more frontages onto roads, subject to the minimum areas being satisfactorily provided. Within front gardens, the house should remain the dominant feature and should not be negatively impinged upon by the development of oversized garages or car parking arrangements.

The assessment of the original application – 24/00848/APP – recognised that the proposed development did not fully meet the quantitative garden size standards set out in the Open Space Guidance. However, an exception was considered appropriate due to the relatively high-density character of the surrounding area, where the built form-to-plot ratio is consistent with the local context. As such, the development was considered acceptable in terms of its overall design, and as the layout has not been altered by the current application, the position remains the same. It was also deemed prudent to attach a condition to the original application, to restrict permitted development rights for each proposed dwelling with respect to additions to the dwellings, including the erection of extensions, to prevent any overdevelopment of the plots. As such, a similar condition has been recommended to be attached to any approval granted for this current planning application.

(iv) Objector Concerns

- *Overlooking*

This matter is addressed in full below. An appropriate planning condition shall be attached to the permission hereby granted which requires the windows formed within the gables of each proposed dwellinghouse to be glazed with obscured / frosted glass.

- *Lack of off-street parking provision*

As noted above, the current planning application relates to amendments to the fenestration arrangements of the proposed dwellinghouses and provision of outstanding information required via conditions attached to planning permission 24/00848/APP. All other elements of the proposal remain as previously approved and therefore the Ayrshire Roads Alliance (ARA) were not consulted as part of the current application. However, it should be noted that the ARA were consulted with regard to the proposed development as part of the original planning application.

The ARA raised significant concerns with respect to the proposed off-street parking arrangement on the basis that the proposed provision did not meet the minimum requirements. The ARA expressed concerns about the safety implications of the proposed in-curtilage parking spaces, which featured a non-standard layout that would require vehicles to cross the footway at an angle or while turning, creating a potential risk to pedestrians. The ARA also highlighted that the public road could not be used to provide dedicated parking spaces, as was shown in the application submission. As such, the burden for parking would require to be borne entirely by the adjacent public road.

In light of the ARA's concerns it was assessed that on street parking that may result from the development of the four properties, would not exacerbate the existing situation to any significant degree that would warrant refusal of the application on these grounds. In arriving at this conclusion, consideration was given to the previous use of the site as a church and associated hall which would have generated traffic and on street parking as in curtilage parking spaces were limited/not available. The site was also noted to be close to public transport and amenities which affords opportunities for less reliance on the private car. While it was recognised that approving a housing development with no in curtilage parking was unusual, it was considered that it could be justified for the specific reasons noted. Also, weight was given to the fact that the proposals presented an opportunity for the regeneration of a prominent site within an established residential area.

As such, conditions were attached to application 24/00848/APP which stated that the parking as shown on the submitted drawings was not approved. The applicant/agent has now provided a drawing (No. HAD-231-008(B)) as part of the current planning application which demonstrates this.

- *Application has been submitted in retrospective/works already commenced/Breach of conditions attached to earlier planning application*

It is noted that the application has been submitted retrospectively. This is considered to be an acceptable process to regularise the development as sufficient information has been submitted with respect to the works undertaken and conditions which required to be discharged.

- *Contrary to title deeds/access rights/submitted plans*

This planning application relates to the amendment of the fenestration arrangements of the dwellinghouses granted approval by planning application 24/00848/APP and the submission of outstanding information relating to conditions attached to this permission in respect to biodiversity enhancements, boundary treatment and parking. Nevertheless, it is considered that any issues which may arise regarding land ownership/title deeds/access rights are civil matters and therefore more appropriately considered and addressed by the applicant and relevant neighbouring properties, rather than being a material planning consideration which requires consideration as part of the assessment of this application.

Members should note that the submitted plans indicate a continuous fence along a section of the rear boundary of the application site. However, it has been observed that a gate has been formed within this boundary, allowing access to the adjacent private lane. While any associated right of access is not a material planning consideration, this has been highlighted to ensure Members are fully aware of the current site arrangement.

(v) Impact on the Locality

The current planning application relates to amendments to the fenestration arrangements of the proposed dwellinghouses granted planning approval by application 24/00848/APP and the submission of additional information required through the terms of conditions attached to this permission, relating to biodiversity enhancement, boundary treatment and parking provision. Application 24/00848/APP granted permission for the erection of two dwellinghouses and the change of use, alterations, and extension of the existing church to form two additional dwellinghouses at 4 Kirkholm Avenue. Therefore, it is considered that the principal of the proposed redevelopment of this brownfield site for residential use, as well as the design, layout and overall appearance of the proposed development was established by this previous consent and remains in accordance with the provisions of both National Planning Framework 4 (NPF4) and the Adopted Local Development Plan 2 (LDP2) outlined in Section 7(i) and (ii), respectively.

The amendments to the fenestration arrangements proposed comprise of the installation of 1 emergency escape window within the gable of 3 of the proposed dwellinghouses, 2 emergency escape windows within the gable of 1 of the proposed dwellinghouses, and both the installation of an additional rooflight and reconfiguration of the overall rooflight layout within the rear of the proposed dwelling situated closest to the south east boundary of the application site. The Planning Service understand that the new windows were required as the other Velux windows being installed within the dwellings did not meet the Building Standards required for escape windows and the applicant chose to install additional windows to meet these requirements, rather than altering those already installed. The reconfiguration of the rooflight arrangement proposed to the rear of one proposed dwelling, shall not raise any issues with regard to amenity, given that rooflights were already approved within that elevation and considered not to have any significant impact as part of application 24/00848/APP. It is noted that 2 window openings have been formed within the eastern facing elevation of 'Phase 2'. Due to concerns of direct window to window overlooking with the north western facing elevation of the closest dwellinghouse of 'Phase 1', the window opening positioned closest to the boundary of the site with Kirkholm Avenue, is not approved. This window opening shall be blocked up prior to the occupation of this dwellinghouse in accordance with Drawing No. HDA-231-010(E) (which includes only 1 window within this elevation) and an appropriate planning condition shall be attached to require this. Subject to this condition, it is considered that the placement of these additional gable windows shall not result in any instances of direct window to window overlooking. Additionally, it is noted that due to the position of the windows, relative to the ceiling height within the upper floor of each dwelling, it would not be possible to have a view out of these windows while standing. Regardless, in order to mitigate against any potential adverse impact on residential amenity of both the proposed dwellings and those which neighbour the application site, it is considered appropriate to attach a condition which shall require all windows proposed within the gables of each property to be finished with obscure/frosted glazing. Subject to this condition, it is not considered that the proposed additional windows shall result in a significant adverse impact on residential amenity.

With regard to the provision of outstanding information required as a result of 3 conditions attached to planning permission 24/000848/APP, these conditions relate to the provision of biodiversity enhancement measures, details of all boundary treatments and details of measures to prevent any parking within the front curtilage of each dwellinghouse. The biodiversity enhancement measures include the provision of bird boxes within the rear gardens of each dwellinghouse. In terms of boundary treatment, the rear garden of each dwelling shall be divided by 1.8-metre-high timber fences and the rear (north eastern) boundary of site relating to the 2 dwellinghouses formed as part of the conversion of the former church (referred to as Phase 1 on Drawing No. HAD-231-008(B)) shall be secured by a 1.8 metre high timber fence. It is understood that the existing rear boundary wall shall remain in situ and form the rear boundary of the other 2 dwellinghouses erected in place of the former church hall (Phase 2). It is noted that works have commenced to erect the boundary treatment, and a gate is currently in situ within the rear boundary of the application site. However, works have not yet completed on site and therefore the application has been assessed on the basis of the drawings and supporting information submitted as part of the planning application. Additionally, as noted in Section 7(iv) above, while concerns have been raised from members of the public that the gate formed within this boundary may allow access to the adjacent private lane, rights of access are not a material planning consideration. Regardless, the Planning Service have highlighted this matter to ensure Members are fully aware of the current site arrangement. On this basis, it is considered that both the biodiversity enhancement measures and boundary treatment proposals are acceptable.

With regard to the final outstanding condition requiring details of measures to prevent any parking within the front curtilage of each dwellinghouse, it is noted that the application submission is accompanied by Drawing No. HAD-231-008(B), which seeks to demonstrate this. As only external changes to the proposed dwellings are proposed as part of the current planning application and other elements of the proposal, including layout, remain as previously approved by application 24/00848/APP, the Ayrshire Roads Alliance (ARA) were not consulted as part of the current application. However, it should be noted that the ARA were consulted with regard to the proposed development as part of the original planning application. The ARA raised significant concerns with respect to the proposed off-street parking arrangement of the earlier application, on the basis that the proposed provision did not meet the minimum requirements and standards. The ARA expressed concerns about the safety implications of the proposed in-curtilage parking spaces, which featured a non-standard layout that would require vehicles to cross the footway at an angle or while turning, creating a potential risk to pedestrians. The ARA also highlighted that the public road could not be used to provide dedicated parking spaces, as was shown in the application submission of 24/00848/APP. As such, the burden for parking would require to be borne entirely by the adjacent public road.

In light of the ARA's concerns, the assessment of 24/00848/APP concluded that on street parking that may result from the development of the four properties, would not exacerbate the existing situation to any significant degree that would warrant refusal of the application, solely on these grounds. In arriving at this conclusion, consideration was given to the previous use of the site as a church and associated hall, which would have generated traffic and on street parking demand, as in curtilage parking spaces were limited/not available. The site was also noted to be close to public transport and amenities which afforded opportunities for less reliance on the private car. While it was recognised that approving a housing development with no in curtilage parking was unusual, it was considered that it could be justified for the specific reasons noted. Also, weight was given to the fact that the proposals presented an opportunity for the regeneration of a prominent site within an established residential area.

As such, a condition was attached to application 24/00848/APP which stated that the parking as shown on the submitted drawings was not approved and details of measures to prevent any parking within the front curtilage were required to be submitted. The applicant/agent has now provided a drawing (No. HAD-231-008(B)) as part of the current planning application which demonstrates this. In light of the assessment undertaken as part of application 24/00848/APP and the reasons for attaching this condition to the permission granted, the conclusion remains that while the proposed development does not fully meet the parking standards set out by the ARA, both the site's location and the broader policy framework support the principle of the development. The development would contribute positively to the regeneration of the area, align with national and local policies promoting sustainable development, and provide high-quality homes in a well-connected location.

Finally, as noted in Section 7(iii) above, the gardens of each dwellinghouse fall short of council standards. However, it is considered that the resultant plot ratios are commensurate with the character of the locale and a condition can be attached to any permission granted to restrict permitted development rights for each proposed dwelling with respect to additions to the dwellings, including the erection of extensions, to prevent any overdevelopment of the plots.

Given the above assessment, the planning context, and the balancing of the applicants' rights with broader planning considerations, it is recommended that the application be approved, subject to conditions.

## **8. Conclusion:**

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

The assessment concludes that the proposed development broadly complies with the provisions of National Planning Framework 4 (2023) and the Adopted South Ayrshire Local Development Plan (2022). It is considered that the proposal represents a sustainably located development involving the re-use of land formerly occupied by a church and associated hall, within a sustainable and accessible location, and that, the proposals, subject to being appropriately conditioned, will not detract from the character or appearance of the surrounding area, or introduce any adverse amenity issues. The points raised in the letters of objection have been fully considered, but do not raise any issues that would merit a recommendation of refusal of the application. Overall, there are no policy objections, and following the above assessment, it is considered that, on balance, the application should be recommended for approval, subject to conditions.

Accordingly, given this assessment and having balanced the applicant's rights against the general interest, it is recommended that the application be approved subject to conditions.

## **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 notwithstanding the plans hereby approved, the windows formed within the gables of each proposed dwellinghouse hereby granted planning permission shall be glazed with obscured / frosted glass which shall be installed prior to the occupation of each dwellinghouse and retained as such for the lifetime of the development, to the satisfaction of the Planning Authority.
- (3R) In the interests of residential amenity.
- (4C) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 (as amended), or any subsequent amendments, the following classes of development shall not apply to the approved dwellinghouses:
1. Class 1A-D (Enlarging a dwellinghouse)
  2. Class 2A-B (External alterations which are not enlargements)
  3. Class 3A-D (Development within the curtilage of a dwellinghouse, including outbuildings)
- Therefore, prior approval from the planning authority is required for any development falling within these classes or any other development which would otherwise be granted by the aforementioned Order.
- (4R) The garden grounds of each dwellinghouse do not meet with council standards and the removal of permitted development rights can help prevent over development.
- (5C) That the window opening formed within the eastern (rear) elevation of 'Phase 2', closest to the south (principal) elevation, is not approved. This window shall be blocked up prior to the occupation of this dwellinghouse in accordance with Drawing No. HDA-231-010(E).
- (5R) In the interest of residential amenity.
- (6C) That notwithstanding the approved plans, no in-curtilage parking spaces are to be formed within the front curtilage of each dwellinghouse, for the lifetime of the development.
- (6R) To prevent adverse impacts on pedestrian safety in the surrounding area.

**9.1 Advisory Notes:**

None.

**9.2 List of Determined Plans:**

Drawing - Reference No (or Description): HDA-231/002

Drawing - Reference No (or Description): HDA-231-006(E)

Drawing - Reference No (or Description): HDA-231/007(H)

Drawing - Reference No (or Description): HDA-231/010(D)

**9.3 Reason for Decision (where approved):**

The siting and design of the development hereby approved is considered to accord with the provisions of the development plan and there is no significant adverse impact on the amenity of neighbouring land and buildings.

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

**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).
5. South Ayrshire Council's Planning Guidance on Open Space and Designing New Residential Developments.

**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:**

Emma McKie, Supervisory Planner (Development Management) - Telephone 01292 616 203

## REGULATORY PANEL: 13 MAY 2026

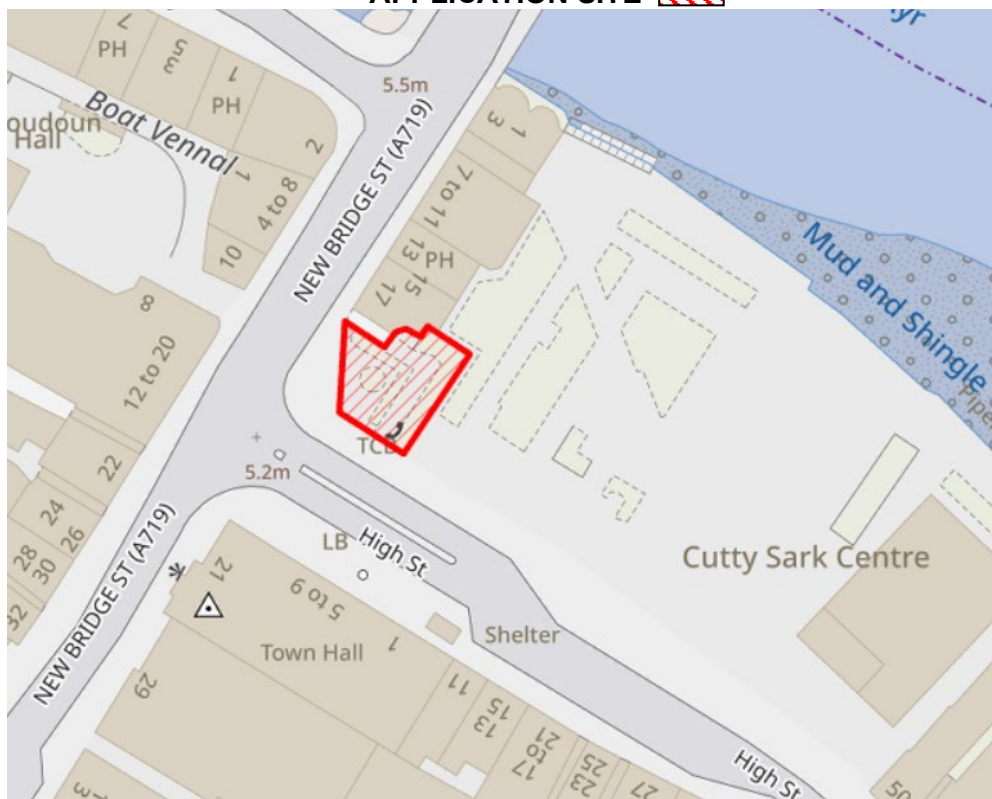
### REPORT BY HOUSING, OPERATIONS AND DEVELOPMENT

26/00199/APP

TOWN HALL GARDENS NEW BRIDGE STREET AYR 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:

<https://publicaccess.south-ayrshire.gov.uk/online-applications/applicationDetails.do?keyVal=TC30WJBDFM100&activeTab=summary>

#### Summary

This report relates to a planning application for public realm improvements at Town Hall Gardens, Ayr. The proposal includes upgraded surfacing, new seating, planting, lighting, wayfinding signage, digital information screens and associated works within an existing area of public open space.

The application has been assessed against the relevant provisions of the Development Plan, other material planning considerations, and the representations received. One objection has been submitted raising concerns relating to antisocial behaviour, lighting impacts, public benefit and project cost. These matters are addressed within the assessment section of this report.

In accordance with the Council's Scheme of Delegation, the application requires to be determined by the Regulatory Panel as an objection has been received and the proposal is made by, or on behalf of, the Council. The purpose of this report is to present the application, relevant planning policy considerations and officer assessment to enable the Regulatory Panel to determine the application

## REPORT BY HOUSING, OPERATIONS AND DEVELOPMENT

### REGULATORY PANEL: 13 MAY 2026

<b>SUBJECT:</b>	<b>PLANNING APPLICATION REPORT</b>
<b>APPLICATION REF:</b>	<b>26/00199/APP</b>
<b>SITE ADDRESS:</b>	<b>Town Hall Gardens New Bridge Street Ayr South Ayrshire</b>
<b>DESCRIPTION:</b>	<b>Re-landscaping of existing garden area, and installation of associated signage and street furniture</b>
<b>RECOMMENDATION:</b>	<b>Approval with conditions</b>

#### 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 18 March 2026.
- The application was validated on 18 March 2026.
- A site visit was undertaken on 21 April 2026.
- 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 18 March 2026.
- A Site Notice was posted in the locality under Section 65 of Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 (as amended) by the Planning Authority on 24 March 2026.
- A Public Notice, under The Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 (as amended) was placed in the Local Press on 24 March 2026.

#### **1. Proposal:**

Planning permission is sought for the re-landscaping and public realm enhancement of Town Hall Gardens, a prominent civic space located at the junction of High Street and New Bridge Street within Ayr town centre.

The application site comprises Town Hall Gardens, a small area of public open space located at the junction of New Bridge Street and High Street within Ayr town centre. The submission indicates that the site occupies a prominent corner position on a principal route into the town centre and forms part of the wider civic setting associated with the Town Hall.

The site lies within the Ayr Town Centre Conservation Area and, according to the supporting information, is characterised by hard landscaping, informal seating, mature trees and open views towards surrounding historic buildings. The submission states that the gardens currently provide an opportunity for rest and movement within the town centre.

The information submitted with the application identifies a number of existing issues, including uneven surfacing, dated materials, and seating in poor condition, which are said to present accessibility challenges. It is further indicated that the boundary treatment with the adjacent Cutty Sark development is poorly defined and that connectivity within the site is limited, with certain areas described as dead-ends.

An existing air monitoring station is located within the application site. The submission notes that this infrastructure currently has a negative impact on the overall visual amenity of the gardens.

The works proposed by the planning application includes:

- Replacement of the existing red-blaze surfacing with new accessible, durable hard landscaping, including porous coloured asphalt to provide a more level and inclusive surface.
- Installation of new seating, including single-sided and double-sided benches, designed to align with the style and quality of seating within the adjacent Cutty Sark development.
- Introduction of soft landscaping and planting beds to soften boundaries and visually integrate the gardens with surrounding public realm improvements.
- Enclosure of the existing air monitoring station with timber and mesh fencing to reduce its visual impact while maintaining operational access.
- Installation of cycle parking facilities to support active travel and align with the wider Ayr Accessibility Scheme.
- Provision of wayfinding signage and digital information screens to assist visitors and improve orientation within the town centre.
- Installation of new lighting, including low-level bollard lighting and a feature lighting column to enhance safety, legibility and nighttime visual amenity.
- Cleaning, repair and enhancement of existing stone walls and adjacent building gables to improve the overall appearance and cohesion of the site.

Existing mature trees are to be retained, and the proposal focuses on improving the quality and usability of the space without altering its fundamental role as a public garden.

This application requires to be reported to the Regulatory Panel (Planning) in accordance with the Council's Scheme of Delegation, as one or more written objections have been received to the proposal in circumstances where the Council has a financial interest in the development.

In line with the Scheme of Delegation, planning applications which attract written objections and relate to development where the Council has a financial interest cannot be determined under delegated powers and must be determined by the Regulatory Panel.

**2. Consultations:**

No consultations were undertaken for this application.

**3. Submitted Assessments/Reports:**

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

None.

**4. S75 Obligations:**

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

None.

**5. Scottish Ministers Directions:**

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

None.

**6. Representations:**

1 representation has been received which objects to the proposed development. All representations can be viewed online at <https://publicaccess.south-ayrshire.gov.uk/online-applications/applicationDetails.do?keyVal=TC30WJBDFM100&activeTab=summary>

The matters raised can be summarised as follows:

Concerns that the introduction of additional seating would encourage loitering and exacerbate existing antisocial behaviour in the area, including alleged drug-related activity associated with nearby premises.

Objection to proposed digital information screens on the basis that they may result in light pollution, adversely affecting residential amenity.

The view that the proposal would not deliver any discernible public benefit and that the existing space is considered to be acceptable in its current form.

Concern regarding the cost of the proposal and the perception that financial resources would be better directed towards maintenance of the Town Hall building.

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 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 7 – Historic Assets and Places

This policy indicates that development proposals within conservation areas will be supported where the character and appearance of the conservation area and its setting are preserved or enhanced. Proposals are required to be sensitive to historic context, use appropriate materials, and respect existing features which contribute to the significance of the area.

Policy 14 – Design, Quality and Place

This policy supports development that is well-designed, proportionate to its context and contributes positively to the quality of a place, regardless of scale. Particular emphasis is placed on inclusive design, accessibility, and the creation of successful, safe and attractive public spaces.

The provisions of NPF4 must, however, be read and applied as a whole, and as such, no policies should be read in isolation. The application has been considered in this context.

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

(ii) South Ayrshire Local Development Plan 2

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

LDP 2 Policy: Strategic Policy 1: Sustainable Development

LDP 2 Policy: Strategic Policy 2: Development Management

LDP 2 Policy: Historic Environment

LDP 2 Policy: Open Space

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) Other Policy Considerations (including Government Guidance)

Historic Environment Policy for Scotland (HEPS)

HEPS sets out national policy for the management of the historic environment and confirms that conservation areas are designated to protect areas of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance.

Planning authorities are required to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas when determining planning applications within them.

South Ayrshire Council Historic Environment Guidance

South Ayrshire Council's Historic Environment Guidance is a material consideration in the determination of this application.

Guidance Policy 1 (Design Quality) requires development to comply with the General Criteria for New Development and demonstrate an appropriate response to context.

Guidance Policy 3 (Development within Conservation Areas) requires new development to preserve or enhance the character and appearance of the conservation area, with due regard to layout, materials, surfaces and streetscape features.

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

(iv) Objector Concerns

**Concerns that the introduction of additional seating would encourage loitering and exacerbate existing antisocial behaviour in the area, including alleged drug-related activity associated with nearby premises.**

Matters relating to antisocial behaviour, crime, and policing are not, in themselves, material planning considerations unless it can be demonstrated that a proposal would directly result in an unacceptable planning impact. The proposal does not introduce a new use but relates to improvements to an existing public open space. Enhanced lighting, improved layout and clearer sightlines may, in some instances, assist in discouraging antisocial behaviour. Issues of enforcement fall primarily within the remit of Police Scotland and other relevant bodies.

**Objection to proposed digital information screens on the basis that they may result in light pollution, adversely affecting residential amenity.**

The site is located within a town centre where a degree of ambient lighting is typical. The proposed information screens are intended to serve a public information function and are not uncommon in such locations. Any illumination would be expected to comply with relevant standards. On the basis of the information submitted, it is not considered that the proposal would result in an unacceptable level of light pollution or adverse impact on residential amenity.

**The view that the proposal would not deliver any discernible public benefit and that the existing space is considered to be acceptable in its current form.**

While the objector considers the existing space to be adequate, the submitted Design Statement identifies deficiencies in terms of accessibility, surfacing condition, seating quality and overall layout. The proposal seeks to address these matters through public realm enhancements intended to improve inclusivity, ease of movement, and visual amenity. Such improvements align with placemaking objectives set out in national and local planning policy.

**Concern regarding the cost of the proposal and the perception that financial resources would be better directed towards maintenance of the Town Hall building.**

The allocation of public funding and decisions regarding financial priorities are not material planning considerations. The planning authority must assess the proposal based on land use, design, amenity impacts and policy compliance. Financial considerations therefore cannot influence the determination of the application.

(v) Impact on the Locality

The proposal relates to enhancements within an established area of public open space and does not alter its existing function or introduce a new use. The site is located within a conservation area, and the impact of the proposal on local character and amenity has therefore been considered having regard to NPF4 Policy 7 (Historic Assets and Places), LDP2 Historic Environment policy, and the Council's Historic Environment Guidance.

The submission identifies a number of shortcomings associated with the current condition of the site, including uneven surfacing, dated materials and limited connectivity. The proposed works seek to address these matters through a more legible layout, improved surfacing and upgraded street furniture. These interventions are modest in scale and are intended to improve the usability and accessibility of the space without altering its overall form or relationship to surrounding development. As such, the proposal is considered to preserve the character of the conservation area while enhancing the quality of the public realm.

In terms of visual amenity, the proposal does not involve new buildings or large-scale structures. The materials, lighting and information features proposed are typical of town centre public spaces and are considered appropriate within the established urban context. The development is therefore consistent with LDP2 Strategic Policy 2 (Development Management) and NPF4 Policy 14 (Design, Quality and Place), which seek to ensure that development is proportionate to its setting and contributes positively to placemaking and local amenity.

The proposed lighting and information features are not considered excessive for a town centre location and are unlikely to result in unacceptable impacts on residential amenity. Overall, the proposal is considered to enhance the quality, accessibility and usability of the site, while preserving the character and appearance of the conservation area and the wider locality.

Accordingly, the development is assessed as complying with the relevant provisions of NPF4, the South Ayrshire Local Development Plan 2, and associated historic environment guidance, with no adverse impacts identified that would warrant refusal.

**8. Conclusion:**

Given the above assessment, it is recommended that the application is approved subject to the conditions listed below.

**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.

**9.1 Advisory Notes:**

N/A.

**9.2 List of Determined Plans:**

Drawing - Reference No (or Description): Ex0011

Drawing - Reference No (or Description): P001 General Site Plan as Pro

Drawing - Reference No (or Description): P001 Location Plan

**9.3 Reason for Decision (where approved):**

The siting and design of the development hereby approved is considered to accord with the provisions of the development plan and there is no significant adverse impact on the amenity of neighbouring land and buildings.

**Background Papers:**

Application form

Submitted plans and drawings

Design Statement

Supporting documentation

National Planning Framework 4 (NPF4),

South Ayrshire Local Development Plan 2

Historic Environment Policy for Scotland (HEPS)

South Ayrshire Council Historic Environment Guidance

**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:**

Del Delury, Planner (Development Management) - Telephone 01292 616 189